
Appeal Decision

Site visit made on 5 July 2017

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 31 July 2017

Appeal Ref: APP/R5510/D/17/3174739
147 Lansbury Drive, Hayes, London UB4 8RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Samyak M. Shah against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 8699/APP/2017/297, dated 26 January 2017, was refused by notice dated 7 April 2017.
 - The development proposed is the construction of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey rear extension at 147 Lansbury Drive, Hayes, London UB4 8RR in accordance with the terms of the application Ref 8699/APP/2017/297, dated 26 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Existing and Proposed Ground Floor Plan and Elevations dated 13 February 2017.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:
 - i. the effect of the proposed development on the living conditions of the occupiers of 145 Lansbury Drive in relation to daylight/sunlight and visual impact, and
 - ii. whether the proposal would provide acceptable living conditions for the occupiers of the host property in terms of the standard of the internal accommodation.

Reasons

Living conditions of 145 Lansbury Drive

3. The appeal property is a two storey mid-terrace house. The submitted site location plan indicates that the properties in the terrace were originally built with small brick outbuildings sited within the rear garden areas. The appeal property and one of the attached neighbouring houses, No 149 Lansbury Drive, have retained their respective adjoining outbuildings. As the space between these outbuildings and the rear of the houses has subsequently been infilled, the two properties have deep but narrow single storey rear projections that run along the boundary.
4. The other attached neighbouring house, No 145 Lansbury Drive, has a single storey flat roof extension which appears to be around 3m in depth. It is set back a small degree from the boundary with the appeal property and its flank is devoid of windows.
5. The proposal seeks to replace the existing rear projection with a full width single storey development. The plans show that it would be 6m deep measured from the two storey rear wall of the house. It would have a mono-pitch roof that would reduce from 3.6m high alongside the house to 3m at its far end.
6. Paragraph 3.2 of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document 2008 (SPD) sets out that a single storey rear extension up to 3.3m deep is acceptable where the plot of the terrace house is under 5m wide, as in this case. Paragraph 3.7 also specifies that the roof should not exceed 3.4m at its highest point.
7. In relation to living conditions, the stated intention of the depth limitation is that an extension should not protrude out too far from the rear wall of the original house because it may block daylight and sunlight received by neighbouring properties. That is also the stated purpose of the height limitation. However, the supporting diagrams in the SPD indicate that extensions greater than the depth specified would be inappropriate where they adjoin a house that has not previously been extended at the rear.
8. In this particular case, No 145 has previously been extended. It is therefore not the full depth of the proposed scheme that has an effect on the living conditions of the occupiers No 145 but the projection beyond the end of No 145's rear extension. As the projection from this point would be around 3m deep and the roof would be around 3.3m at its highest, it would be within the parameters that the SPD considers is acceptable in respect of maintaining adequate levels of daylight/sunlight for neighbouring occupiers. Whilst there would be some additional bulk projecting above the boundary fence, the development would not significantly impinge on the existing rear outlook of No 145 or appear over-dominant.
9. It is acknowledged that a further reason for the depth limitation in the SPD, related to character and appearance, is to ensure extensions appear subordinate to the original house. However, the Council has not sought to resist the proposal on this basis and it is noted that it would be of a reduced depth from the existing rear projection.
10. In light of the above, it is concluded that the proposed development would not have an unacceptably harmful effect on the living conditions of the occupiers of

145 Lansbury Drive in relation to daylight/sunlight and visual impact. It would therefore not conflict with Policies BE19, BE20 or BE21 of the London Borough of Hillingdon Unitary Development Plan Saved Policies 2007 (UDP). Amongst other things, these policies seek to resist extensions that would result in a significant loss of residential amenity.

Living conditions of the host property

11. The proposed extension would result in the existing rear window to the dining room being removed and blocked up. The Council is concerned that it would leave this habitable room with no outlook or natural light. However, the plans show that the existing wall between the dining room and the front reception room would change to a sliding panel. This would provide the opportunity to open up the dining room when in use and to acquire natural light and an outlook from the large ground floor front window.
12. It is therefore considered the proposal would provide acceptable living conditions for the occupiers of the host property in terms of the standard of the internal accommodation. It would not conflict with Policy 3.5 of the London Plan 2016 or Policies BE19, BE20 or BE21 of the UDP. Amongst other things, these policies seek to ensure adequate daylight penetrates into buildings and the amenities of existing houses are safeguarded.

Conclusion

13. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be allowed and planning permission granted.

Conditions

14. In addition to the standard time limit condition, one that requires the development to be undertaken in accordance with the approved plans is imposed as this provides certainty. A condition which requires the external surfaces to match those of the existing building is also imposed to ensure a satisfactory appearance to the development.

C J Ford

APPOINTED PERSON