
Appeal Decision

Site visit made on 24 October 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 November 2017

Appeal Ref: APP/R5510/W/17/3179834
88-90 Yeading Lane, Hayes UB4 0EY

- 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 Gursharanjit Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 72749/APP/2017/1082, dated 21 March 2017, was refused by notice dated 5 June 2017.
 - The development proposed is single storey rear extensions.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the appeal site address from the Council's refusal notice and the appellant's appeal form rather than from the planning application form as this correctly refers to the appeal site as 88-90 Yeading Lane.
3. The occupiers of No 88 Yeading Lane were not at home when I visited the appeal site. Nonetheless, I was able to see the rear of this site from No 90 Yeading Lane.

Main Issue

4. The main issue is the effect of the proposal upon the living conditions of the occupiers of No 92 Yeading Lane in respect of outlook and light.

Reasons

5. The appeal site comprises two semi-detached dwellings falling within an established residential area. It is proposed to erect two 6.0 metres flat roofed rear extensions at a height of about 2.85 metres. No 90 Yeading Lane already includes a rear extension which projects approximately 3.3 metres from the rear wall of the dwelling. No 88 Yeading Lane does not have any rear extensions/additions.
6. The rear extensions would not accord with the Council's adopted Hillingdon Design and Access Statement (HDAS) Supplementary Planning Document: Residential Extensions 2008 (SPD) in so far that they would project 6.0 metres from the rear walls of the original dwellings. The SPD states that single storey rear extensions should be no more than 3.6 metres deep. However, the rear extensions would not be conspicuous in the public realm given that they would

be positioned to the rear of the buildings. Furthermore, whilst they would be relatively long extensions they would nonetheless be relatively low in height when read against the original dwellings. The subject dwellings would continue to be afforded open/long garden areas and I have taken into account the fact that there are other rear extensions in the locality which exceed 3.6 metres. On balance, I agree with the Council that the extensions would not have a materially adverse impact upon the character and appearance of the area or the host properties despite the conflict with the SPD.

7. Notwithstanding the above, I was able to see as part of my site visit that No 92 Yeading Lane had not been extended to the rear. I acknowledge that the boundary fence between this dwelling and the appeal site would partly screen the resultant six metre rear extension. However, part of the walls and roof of the extension would be very apparent when viewed from the rear windows and garden area of No 92 Yeading Lane. At a distance of six metres, and notwithstanding the fact that the extension would be set away from the boundary, I consider that owing to the height and length of the extension it would have a significantly enclosing and overbearing impact when viewed from the aforementioned areas.
8. The appellant considers that the proposal is acceptable as it does not infringe the 45 degree standard in the SPD. However, at paragraph 3.15 of the SPD it refers to a *"45-degree line of sight taken from the middle of the nearest window of a kitchen or habitable room"*. Therefore, I do not agree with the appellant that the 45 degree line should not apply to the kitchen window of No 92 Yeading Lane. When this is taken into account the proposal does not accord with the 45-degree standard. Given the orientation of the properties and the length of the proposed extension, I consider that there would be some unacceptable overshadowing to part of the garden area and the rear windows of No 92 Yeading Lane. This would be the case towards the end of each day.
9. For the reasons outlined above, I conclude that the proposal would have a materially adverse impact upon the living conditions of the occupiers of No 92 Yeading Lane in respect of loss of outlook and light. I acknowledge that the occupiers of No 92 Yeading Lane have not raised an objection to the proposal. However, paragraph 17 of the National Planning Policy Framework (the Framework) states that one of the 12 core planning principles is to seek a *"good standard of amenity for all existing and future occupants of land and buildings"*.
10. It is suggested that the occupier of No 92 Yeading Lane is considering erecting a single storey rear extension in the future. However, I cannot be certain that this would happen and therefore it is necessary for me to consider the effect of the proposal based on the site conditions that prevail now. Hence, this is not a matter which outweighs my conclusion on the main issue. The proposal would not accord with the residential amenity aims of saved Policies BE19, BE20 and BE21 of the Hillingdon Unitary Development Plan 2007; the SPD and the Framework.

Other Matters

11. The appellant has referred me to examples of other rear extensions in the area where 6.0 metre deep single storey extensions have been approved. I do not know the exact circumstances which led to these developments being approved. In any event, I have determined this appeal on its individual

planning merits. The existence of other extensions elsewhere in the locality does not outweigh or alter my conclusion on the main issue.

12. I agree with the Council that the proposed rear extension to No 88 Yeading Lane would not have a significantly detrimental impact upon levels of light or outlook for the occupiers of No 86 Yeading Lane. I reach this conclusion taking into account the fact that the proposed rear extension to No 88 Yeading Lane would not project a significant distance beyond the existing rear building line of No 86 Yeading Lane. However, it has not been possible for me to issue a split decision and allow this part of the proposal. This is because the two proposed extensions are not physically separate.
13. None of the other matters raised outweigh or overcome my conclusion on the main issue.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR