



Appeal Decision

Site visit made on 13 June 2019

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2019

Appeal Ref: APP/R5510/D/19/3227118

2 Laburnum Avenue, West Drayton, UB7 8LH

- 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 Gary Carvalho against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74064/APP/2018/4158, dated 26 November 2018 was refused by notice dated 29 January 2019.
 - The development proposed is the construction of single storey side to rear extension projecting 4m beyond the rear wall of the dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of single storey side to rear extension projecting 4m beyond the rear wall of the dwelling at 2 Laburnum Avenue, West Drayton, UB7 8LH in accordance with the terms of the application, Ref 74064/APP/2018/4158, dated 26 November 2018 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250), Existing Floor Plans (02 Rev. A), Proposed Floor Plans (03 Rev. A), Existing & Proposed Roof Plans (04 Rev. A), Existing & Proposed Elevations (05 Rev. A), Existing Side Elevations (06 Rev. A) and Proposed Side Elevations (07 Rev. A).
 - 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.
 - 4) Development shall not commence until a soakaway or tank to control surface water from the proposed development shall have been carried out in accordance with details which shall have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details and retained thereafter.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers at No. 4 Laburnum Avenue with reference to daylight, sunlight and outlook.

Reasons

3. The appeal building is an end terrace dwelling which is situated on the corner of Laburnum Avenue and Whitethorn Avenue. The appeal site is wider at the front and tapers to a narrower width at the rear. The proposal consists of a single storey side and rear extension that would wrap around the existing dwelling on two elevations and result in the appeal building occupying the width of the plot.
4. The Council have raised concerns on the projection of the proposal to the rear and the siting of the extension on the boundary with No. 4 Laburnum Avenue. Whilst I acknowledge that the 4m projection of the extension at the rear would exceed the guidance contained in the Hillingdon Design and Accessibility Statement 'Residential Extensions' (HDAS), which sets out that on terraced houses of plots that are more than 5m in width, extensions up to 3.6m deep are acceptable. The proposal would however only exceed this by 0.4m and given the height of the extension is limited to 3m and the extension slightly tapers away from this neighbour as it extends to the rear, I do not consider that the additional projection would have an undue effect on the levels of light to the rear ground floor of the neighbouring property at No. 4 Laburnum Avenue.
5. I was able to see at the time of my visit that this neighbouring property had not been extended. However, from the information available before me, No. 4 Laburnum Avenue's kitchen windows are set away from the boundary with the appeal property. As a result, and given the dimensions of the single storey proposal, it would not have an oppressive effect on No. 4 nor result in harm by reason of 'overdominance'.
6. I therefore conclude that the proposal would not have an unacceptable harmful effect on the living conditions of neighbouring occupiers at No. 4 Laburnum Avenue and would not therefore conflict with Policies BE19, BE20 or BE21 of the Hillingdon Local Plan: Part Two – Saved UDP Policies which seek, amongst other matters, to ensure that extensions do not result in a significant loss of residential amenity. It would also not conflict with the aims of the HDAS, which seek to avoid a detrimental effect to neighbouring residents.

Other Matter

7. Reference has been made to the unusual shape of the extension as it follows the boundary lines. Given the siting of the extension to the side and rear, I do not find that the shape of the extension would be prominent in the front streetscene and from the rear, the visibility of the extension would be mainly restricted to the more distant views from the open space area. As a result, there would be no unacceptable adverse effect on the character and appearance of the host property or the area.

Conditions

8. I have considered the Council's suggested conditions in the event that the appeal was to be allowed. The standard time for the commencement of development will be imposed as well as a condition requiring compliance with the approved plans. A condition requiring matching materials will be imposed in the interests of the appearance of the host building and the area. The site lies within a Critical Drainage Area, and a condition is required to control

surface water run off so that it does not increase the risk of flooding. The wording of this latter condition has been amended from that suggested for conciseness.

9. The proposal incorporates a window to the side elevation. This is however situated at a high level on the extension and given it is to serve a utility room, I do not consider it necessary, in the interests of the living conditions of neighbouring occupiers, for a condition to be imposed requiring obscure glazing.

Conclusion

10. For the reasons given above and having taken into account all other matters raised, including reference to the planning history of the appeal property which includes both refused and approved applications, I conclude the appeal should be allowed.

F Rafiq

INSPECTOR