
Appeal Decision

Site visit made on 1 October 2019

by Laura Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 17 October 2019

Appeal Ref: APP/R5510/D/19/3232453

9 Park Lane, Hayes UB4 8AA

- 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 Amritpal Chauhan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 28161/APP/2019/1093, dated 25 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is a single storey rear, part 1st floor rear and rear dormer roof extension and front roof windows.
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Decision

1. The appeal is allowed, and planning permission is granted for a part two storey, part single storey rear extension and conversion of roof space to habitable use to include a rear dormer and 3 front roof lights at 9 Park Lane, Hayes UB4 8AA in accordance with the terms of the application Ref 28161/APP/2019/1093 dated 25 March 2019 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:
 - Site Location Plan at 1:1250
 - Existing Floor Plans and Existing Block Plan no. 18/9/PLH/101
 - Existing Elevations no. 18/9/PLH/102
 - Proposed Floor Plans and Block Plan no. 19/9/PLH/103A
 - Proposed Elevations no. 18/9/PLH/104/B
 - Existing and Proposed Loft Floor Plans and Section no. 18/9/PLH/105
 - 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.

Procedural Matter

2. The above description of the proposal was amended slightly by the Council to refer to the part two storey, part single storey rear extension and conversion of roof space to habitable use to include a rear dormer and 3 front roof lights. As this is an accurate description of the proposal, it is this for which I have granted permission.

Main Issues

3. The main issues arising in the appeal concern the effects of the proposed development upon (i) the living conditions of the occupiers of the adjoining property at No 7A Park Lane, particularly with regard to outlook and light; and (ii) the character and appearance of the host property and the surrounding area.

Reasons

Living conditions

4. The appeal property is an east facing semi-detached dwelling, joined to its northern neighbour at No 11, in an established residential area close to the busy A4020 Uxbridge Road as it passes through Hayes. The proposal involves a 2 storey rear extension on the southern end of the property adjacent to the neighbouring property at No 7A. This extension would protrude at first floor some 4m westwards from the existing upper rear wall of the property.
5. No 7A appears itself to have been extended, with a main rear wall that protrudes beyond that at the appeal property, and is approximately flush with the existing small rear ground floor extension at the appeal property. A 2 storey rear outrigger protrudes to the south of that.
6. The effect of this configuration means that habitable rooms in No 7A would look onto their own rear outrigger, as at present, and onto the 4m projecting rear outrigger proposed at the appeal site. The '45 degree line of sight' discussed in the Council's 'Residential Extensions' SPD of 2008 ('the SPD') would be achieved, but the Council remains concerned that the extension would be overly dominant and cause overshadowing. The SPD expresses a general presumption against 2 storey extensions that are close to neighbouring boundaries, and requires that no significant amenity impacts on neighbours should result.
7. Because of the orientation of the properties, with the proposed extension to the north of No 7A, I do not share the Council's concerns about overshadowing as a result of the appeal proposal, which appears to me unlikely. I do consider that there would be some impact on the adjoining neighbours at No 7A, because their northern rear rooms, which are in close proximity to the appeal property, would look onto outriggers on 2 sides. However, the neighbour's main rear wall already projects further westward than the appeal property's, and so the projection as perceived by them would be around 2.5m rather than the full 4m. As a result, I do not consider that the result would be unacceptably dominating or overbearing such that it would cause any significant detriment to the neighbours' living conditions.
8. On this issue therefore I find that the proposal would meet the requirements of the SPD to avoid significant impacts on the living conditions of neighbouring occupants. It would also comply with policies BE19, BE20 or BE21 of the Hillington Local Plan Saved UDP Policies of 2012 ('the Local Plan') requiring the protection of neighbouring amenities.

Character and appearance

9. The SPD advises that 2 storey extensions to properties such as the appeal property should not amount to projections of more than 3.6m to the rear,

pursuing the objective that any extensions should be subordinate to the original house. This guideline would be exceeded in this case, with the upper floor of the extension protruding by 4m from the existing rear wall of the house.

10. A number of properties on Park Lane have been extended to the rear in a variety of ways, and in this context I do not consider that the proposed extensions would appear out of character with the area. The hipped roof of the 2 storey extension would be significantly below the main ridge line. The dormer roof window would be substantially set in from both eaves and ridge lines. The velux windows to the front roof slope are shown to be flush with the tiles. The 'inset' element of the ground floor rear extension would match the projection of the neighbour's at No 11.
11. Despite the deviation from the SPD on this issue, I consider that the effects of the proposed development would be adequately subordinate to the original house, notwithstanding its previous extension, and would not be out of character with other dwellings in the vicinity. Therefore, on this issue, I find no overall conflict with Local Plan policies BE13, BE15 or BE19 that seek to complement and harmonise existing character and original buildings.

Conditions

12. The Council have suggested 3 planning conditions and I concur that these are all necessary. A time limit by which the development must be implemented (if at all) is need to comply with statutory requirements. Compliance with the application plans is necessary for certainty as to what has been permitted. Matching external surface materials are required to achieve a satisfactory finished appearance.

Conclusion

13. For the above reasons, although there is some deviation from the guidance provided by the SPD, overall I do not find the proposed development to breach the Local Plan policy requirements to achieve harmonious developments that do not result in significant impacts on the living conditions of neighbouring occupants. Therefore, the appeal is allowed subject to the conditions I have imposed.

Laura Renaudon

INSPECTOR