
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/19/3233666
29 Barnhill Lane, Hayes UB4 9HD

- 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 Daljeet Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 18069/APP/2019/845, dated 11 March 2019, was refused by notice dated 30 April 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues arising in the appeal concern the effects of the proposed development on living conditions. The first issue concerns the effects on the outlook, light and visual amenity of the neighbouring occupier at No 31 Barnhill Lane. The second concerns the effects on the available amenity space to the existing and future occupiers of No 29.

Reasons

3. The house has previously been considerably extended, and the appeal proposal would constitute an overall 6m projection to the rear as it adjoins the neighbouring property at No 31, which has not been extended. The boundary is presently fenced with some very well established vegetation between the 2 properties. The proposed extension would be single storey, with an overall height tapering from a little over to a little under 3m. Given this limited height, compared with the existing position I do not consider that the extension would lead to overshadowing or loss of light or outlook to the neighbour, or appear overdominant. Therefore, on the first issue, although the proposal would not comply with the advice set out in the Council's Residential Extensions SPD of 2008, I do not consider that it would breach the requirements of policies BE19, BE20 or BE21 of the Hillingdon Local Plan Saved UDP Policies of 2012 to safeguard the amenities of neighbouring residents.
4. Those policies also apply to safeguard the amenities of the occupants of the host property, as does policy BE23 which seeks to retain sufficient external space to protect the amenity of the occupants. The Residential Extensions SPD advises the retention of at least 100 sqm for a house of this size.

5. At my site visit I saw that the existing rear garden area contained two quite substantial sheds. Building the proposed extension would reduce the garden area to 72 sqm which is significantly less than the SPD advises. On this issue, and having regard to the existing outbuildings on the site, I consider that the resulting garden area would be unduly cramped for the expected activities of a family house of this size. Therefore I consider that the requirements of policy BE23 to retain an adequate amount of external amenity space for the existing occupiers would not be met.

Conclusion

6. Although I consider that the proposed development could be carried out without unduly affecting the living conditions of the adjacent neighbours at No 31, I find that it would unacceptably restrict the external amenity space available to the existing occupiers of the host property. The proposal conflicts with the development plan for this reason. Therefore, the appeal is dismissed.

Laura Renaudon

INSPECTOR