
Appeal Decision

Site visit made on 1st October 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2019

Appeal Ref: APP/R5510/D/19/3233367

32 Dell Road, West Drayton, Middlesex UB7 9HN

- 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 & Mrs Roy Brett against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 54844/APP/2019/998, dated 16 April 2019 on the Council's decision notice, was refused by notice dated 10 June 2019.
 - The development proposed is single-storey side/rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a single-storey side/rear extension, at 32 Dell Road, West Drayton, Middlesex UB7 9HN in accordance with the terms of the application Ref: 54844/APP/2019/998, dated 16 April 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: Location Plans and 32 DR/1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

Application for costs

2. An application for costs was made by Mr & Mrs Roy Brett against the Council of the London Borough of Hillingdon. This application is the subject of a separate Decision.

Procedural Matter

3. I note the Council's reason for refusal refers to the adjoining occupiers of properties 30 and 34 Dell Road. However, the adjoining properties are Nos 31 and 33. I have dealt with the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of Nos 33 and 31 Dell Road, with regard to visual impact, outlook and light.

Reasons

5. The application site comprises a two-storey, semi-detached dwelling with a single-storey linked garage attached to the side. There is a hard-standing area to the front and a relatively deep rear garden. The surrounding area is characterised by two-storey, semi-detached dwellings.
6. The parties agree, and I have no reason to disagree, that the proposed side/rear extension would project 4 m off the original rear elevation of the host property and extend up to the side boundaries with Nos 33 and 31 Dell Road. The extension would have a mono-pitched roof at the rear and would be hipped in from the side boundary with No 33, with a height of 3.6 m.
7. I note that the rear boundary treatment between the host property and No 31 consists of a section of wall and timber fence, approximately 2 m high, projecting for approximately 5m from the rear elevations. As such, given that there is no difference in ground levels between the 2 properties, the only part of the proposal that would impact on the living conditions of the occupants of No 31, over and above the impact from the existing wall and fence arrangement, would be that element that projects above it. This ranges from approximately 1.6 m high at the highest point down to 1 m at the lowest point.
8. No 31 has a pair of glazed doors on its rear elevation positioned close to the boundary between the 2 properties. These doors serve a through dining room/lounge area and this through room also has a window on its front elevation. Hence, the room is dual-aspect. Given that the glazed doors are not the only light source to the room and that the rear of the properties face east, I consider that the proposed rear extension would not result in any significant loss of daylight or sunlight to the through dining/lounge room of No 31.
9. Furthermore, given the modest area of the proposed development that would project above the existing boundary treatment, combined with the dual-aspect of the habitable room of concern, the relatively deep rear garden and the orientation of the property, I consider that the occupiers of No 31 would not experience any significant loss of outlook due to its size, scale or bulk. Nor would it be over dominant. Therefore, it would not cause undue visual intrusion.
10. I note that there is a shallow concreted area immediately to the rear of No 31 which is likely to be used by the occupants for sitting outdoors. Bearing in mind the factors described above, although the proposal would result in a small change in the extent of shadow cast onto the outdoor amenity space, I consider that the extent of this, and the modest size of the proposal, would not result in any harmful overshadowing nor would it be overbearing, in respect of the rear outdoor amenity space.
11. As regards No 33, I note that there is an existing boundary treatment between the 2 properties consisting of a fence approximately 2 m high and a thick hedge a little higher. Although there is a window serving a kitchen on the side elevation of No 33 facing the appeal site boundary, there is also another window in the kitchen facing the rear garden. As noted above, the roof of the proposed extension would be hipped in from the side boundary. As such, the eaves of the proposed extension would only protrude a little above the height of the existing boundary fence and hedge and the roof would slope away from No 33.

12. Given these factors, along with the orientation of the properties and the fact that ground levels are the same, I consider that the proposed extension would not overshadow, not result in any harmful reduction in light and not significantly harm the outlook for the occupiers of No 33.
13. I acknowledge that in its reason for refusal the Council drew upon guidance in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document – Residential Extensions (SPD). And I accept that the proposal does not accord with the maximum depth and height guidelines for single-storey rear and side extensions outlined in the SPD. I also note that the appellant has questioned the status of this document and the weight it should be accorded. However, even if the document is given full weight, the SPD seeks broadly to avoid rear extensions having a detrimental effect on neighbouring occupiers¹ and provides depth guidelines². Whilst I accept that the proposal would not accord with the guidelines, the site circumstances are such that the exceedance would not cause undue effects on living conditions.
14. In light of the above, I conclude that the proposed development would accord with the Saved Policies BE19, BE20 and BE21 of the London Borough of Hillingdon Unitary Development Plan (1998), which collectively seek to ensure that new development complements or improves the amenity and character of an area and does not result in any significant loss of amenity, including levels of daylight and sunlight to habitable rooms and kitchens, to existing occupiers, due to siting, bulk or proximity.
15. Decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise. I have concluded that the proposal accords with the development plan, and I consider there are no other considerations that indicate that the decision should not be made in accordance with the development plan.

Other Matters

16. I note that an appeal has been submitted at No 31. However, the outcome of that appeal has no bearing on this decision. Each appeal must be considered as a separate entity.

Conditions

17. I have applied conditions regarding timescale, plans and materials, in the interests of certainty and to protect the character and appearance of the area.

Conclusion

18. For the above reasons, the appeal is allowed, subject to the conditions.

J Williamson

INSPECTOR

¹ Paragraph 3.0

² Paragraph 3.1