
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/19/3233396

31 Dell Road, West Drayton, Middlesex

- 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 William Lonsdale against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 65069/APP/2019/1292, dated 16 May 2019 on the Council's decision notice, was refused by notice dated 10 July 2019.
 - The development proposed is single-storey side/rear extension, conversion of garage to habitable accommodation, to include alterations to roof and front elevation, and porch to front.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey side/rear extension, conversion of garage to habitable accommodation, to include alterations to roof and front elevation, and porch to front, at 31 Dell Road, West Drayton, Middlesex, in accordance with the terms of the application Ref 65069/APP/2019/1292, dated 16 May 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 31 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 William Lonsdale against the Council of the London Borough of Hillingdon. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed side/rear extension on the living conditions of the existing occupiers of No 32 Dell Road by way of visual impact, outlook and light.

Reasons

4. The application site comprises a two-storey, semi-detached dwelling with a single-storey linked garage attached to the side. There is a garden to the front, with hard-standing for one car, and a relatively deep rear garden. The surrounding area is characterised by two-storey, semi-detached dwellings.
5. The Council considers that the proposed side/rear extension would project 3.6 m off the original rear elevation of the host property at the side closest to the boundary with No 32. The appellant has not questioned the size referred to by the Council, and I have no grounds to do so either. I have determined the appeal on this basis. This part of the rear extension would have a mono-pitched roof with a maximum height of 3.6 m.
6. I note that there is an existing boundary treatment between the 2 properties at the rear, which consists of a section of wall and timber fence, approximately 2 m high, projecting for approximately 5m off 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 32, over and above the impact of 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.
7. No 32 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 32.
8. 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 32 would not experience any significant loss of outlook, due to its size, scale and bulk. Nor would it be over dominant. Therefore, it would not cause visual intrusion.
9. I note that there is a paved patio area immediately to the rear of No 32. However, bearing in mind the factors described above, I consider that the proposal would not be over-bearing or result in any harmful overshadowing, in respect of the rear outdoor amenity space.
10. 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). 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.

¹ Paragraph 3.0

² Paragraph 3.1

11. In light of the above, I conclude that the proposed development would accord with the Saved Policies B19, B20 and B21 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.
12. 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

13. I note that an appeal has been submitted at No 32 Dell Road. However, the outcome of that appeal has no bearing on this decision. Each appeal must be considered as a separate entity.

Conditions

14. 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

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

J Williamson

INSPECTOR