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## Appeal Decision

Site visit made on 8 October 2019

**by Alison Scott BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5 November 2019**

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**Appeal Ref: APP/R5510/D/19/3233383**

**52 Wimborne Avenue, Hayes, London UB4 0HQ**

- 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 Satvir Bhatti against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 72297/APP/2019/1085, dated 30 March 2019, was refused by notice dated 22 May 2019.
  - The development proposed is single storey and part two storey rear extensions.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the development on:
  - the character and appearance of the area; and
  - the living conditions of the occupiers of 54 Wimborne Avenue with particular regard to outlook and the availability of light.

### Reasons

#### *Character and appearance*

3. The appeal site is a semi-detached two-storey dwelling located on the north side of Wimborne Avenue in a residential area of Hayes. The area is characterised by a variety of house styles, mostly semi-detached in nature. The property currently has a large dormer extension to the rear roof plane and a number of rear single-storey extensions, although these would be removed to accommodate the proposed development.
4. The proposal at ground floor would extend the full width of the appeal property and would extend out from the rear of the original dwelling by a similar distance to the existing extensions. The Council have not raised any significant concerns over the ground floor element of the proposal and, in isolation, I have no reason to disagree with that view.
5. The first-floor element of the development would project around 3.6 metres from the rear wall of the original dwelling and would have an eaves height consistent with the existing dwelling. It would join into the existing box dormer

- with a shallow pitched hipped roof to enable the ridge height to sit below the existing windows of the dormer.
6. In respect of the first-floor element, I find its width and projection do not appear out of scale with the host dwelling. However, the shallow pitch of the roof, particularly when the roof form is considered in the context of the high gable end wall, would appear out of scale with the host dwelling. Furthermore, the relationship of the roof with the dormer window would also result in a disjointed and incongruous extension to the dwelling that would be far from complementary to the host property. In addition to the above, this harm is exacerbated due to the position of the first-floor element above part of the ground floor extension which, cumulatively, would only add to the disjointed nature of the resultant building.
  7. Furthermore, from my site visit, I saw that this harm would be extended outside the appeal site as the extension would be clearly visible from Dorchester Waye, and to a much lesser extent from Yeading Lane. It would also be clearly visible from a number of neighbouring residential properties.
  8. I have also taken into account the appellants view that the proposal would be a high-quality development constructed using matching materials and fenestration. Whilst I agree that the overall finish of the development would no doubt match the host property, this would not overcome the harm I have found in relation to the design of the proposal and its impact on the character and appearance of the area.
  9. My attention has also been drawn to a previous refusal for a similar development<sup>1</sup> at the appeal site. The appellant outlines that they consider that the previous reasons for refusal have been overcome by reducing the scale of the proposal and alterations to its design. Whilst these changes may well accord with some of the advice contained within the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Extensions (2008), I consider that the development, taken as whole, has not addressed all of the significant planning issues associated with the proposal.
  10. For the above reasons, the development would give rise to harm to the character and appearance of the host dwelling and the wider area contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012) and saved Policies BE13, BE15 and BE19 of the London Borough of Hillingdon Unitary Development Plan (1998) (UDP) which, amongst other matters, requires all new development to enhance local distinctiveness and to improve and maintain the quality of the built environment in terms of scale, form and proportions, and to complement or improve the amenity and character of the area.

#### *Living conditions*

11. The Council's main concern in respect of living conditions centres on the effect of the development on the occupiers of 54 Wimborne Avenue only, which is a detached house of a different type and design to the appeal property.

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<sup>1</sup> Reference 72297/APP/2018/4469

12. As noted at my site visit, No 54 has been extended at the rear with a single storey extension close to the side boundary of the appeal property and there are no windows from this extension facing the appeal site.
13. At ground floor there are rear double doors towards the middle of the dwelling into the rear garden. However, given the distance of these to the property boundary, and the presence of the single storey extension obscuring the outlook towards the appeal site, I consider that the proposal would have very little impact on outlook or the availability of light.
14. Turning to the first floor of No 54, the closest window to the appeal site is above the ground floor extension and is small in size and obscurely glazed. On this basis, the development would therefore not cause any loss of outlook or any loss of light to this window. Other first-floor windows are located a reasonable distance away from the proposed extension. Given the distance from the proposed extension, I consider that the development would not be visually intrusive or harm the outlook from these windows. Furthermore, due to the relationship between the two properties and the limited height of the first-floor extension, I consider it would not reduce light levels into these windows.
15. For the above reasons the development would not harm the living conditions of the occupiers of 54 Wimborne Avenue and would accord with saved UDP policies BE19, BE20 and BE21 which amongst other matters, seek to ensure that development complements amenity, does not significantly reduce light levels to the neighbouring dwelling, or compromises residential amenity.

#### *Other Matters*

16. The appellant has drawn to my attention their individual circumstances to provide extended accommodation for a disabled family member. Whilst I have applied weight in my consideration to these personal circumstances, the specific requirements are not before me, nor has it been demonstrated to me that this is the only solution that can be found to meet their individual needs. Therefore, I can only give this limited weight in my decision. Taking this into account, this factor does not outweigh the harm I have found to the character and appearance of the dwelling and the wider area.

#### **Conclusion**

17. Taking all matters into consideration, I conclude that the appeal should be dismissed.

*Alison Scott*

INSPECTOR