
Appeal Decision

Site visit made on 19 March 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2020

Appeal Ref: APP/R5510/D/20/3246172

159 Botwell Lane, Hayes UB3 2AQ

- 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 Thomas Matthew against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 51729/APP/2019/3116, dated 20 September 2019, was refused by notice dated 15 November 2019.
 - The development is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 159 Botwell Lane, Hayes UB3 2AQ in accordance with the terms of the application, Ref 51729/APP/2019/3116, dated 20 September 2019, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan 1:1250 received 20/09/19, No. 159 01 received 20/09/19 and No. 159 02 received 20/09/19.

Procedural Matters

2. The Council's decision letter describes the development as retrospective. It is clear from the evidence provided and my site visit that the single storey rear extension has been constructed and is in use. I shall determine the appeal on this basis accordingly.
3. Since the determination of the application the Council has adopted the Hillingdon Local Plan Part 2 Development Management Policies and Site Allocations and Designations (January 2020) (HLPP2). The Council has advised that the Policies of the Hillingdon Local Plan: Part 2 Saved Unitary Development Plan Policies 2012 and the Residential Extensions Hillingdon Design & Access Statement Supplementary Planning Document 2008 have now been withdrawn and replaced by the HLPP2 Policies. I have therefore considered the development against the relevant policies of the HLPP2.
4. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issues

5. The main issues are the effect of the development on
 - (i) the character and appearance of the host property and the area; and
 - (ii) the living conditions of the occupiers of the neighbouring property at No. 161 Botwell Lane with particular regard to outlook, light and overshadowing.

Reasons

Character and appearance

6. The appeal property consists of a two storey semi-detached dwelling with a single storey extension and dormer roof extension at the rear. The property is located on a relatively narrow spacious plot in a mature well-established residential area, typically characterised by detached and semi-detached properties set back from the road behind a front garden/driveway.
7. I observed on my site visit that a number of the adjacent properties had single storey extensions projecting out from the rear of the buildings. The rear of the appeal property is dominated by a large single storey flat roofed extension projecting approximately 5.3m from the rear and across the full width of the house. As a result the original rhythm and harmony of the rear elevation of the terrace has been significantly eroded.
8. The new single storey extension projects out about 3.3m from the rear elevation of the existing single storey extension, extending partially across the width of the house and set back from the boundary fences/walls within the rear enclosed garden. The conservatory style extension with a flat roof and brick walls is seen in the context of the current varied architectural styles at the rear of the host property and the surrounding properties.
9. Against this backdrop, the scale, form and siting of the single storey extension does not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The modest overall scale and proportions of the extension together with use of matching materials and fenestrations ensures the development sits relatively unobtrusively against the two storey form of the host property and the existing single storey extension. The development therefore achieves an appropriate degree of subordination to the host property and as such does not detract from the architectural integrity of the host property. In addition, the development is not visible from the road at the front and as such does not adversely impact on the street scene in the surrounding area.
10. Consequently, I conclude that the development does not adversely harm the character and appearance of the host property and the area. It is consistent with the design aims of Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 (HLPP1) and Policies DMHB11 and DMHD1 of the HLPP2. These policies, amongst other things, seek to ensure that development proposals for extensions or alterations of buildings will be of a high standard of design in relation to property to be extended and the character of the surrounding area.

Living conditions of the occupiers of the neighbouring property

11. The single storey rear extension is located adjacent to the rear elevation of the adjoining two storey property at No. 161 Botwell Lane (No. 161). The extension is set back from the side boundary with No. 161 to the north of the site and is separated from the rooms and garden at the rear of the adjacent property by a close boarded fence of about 1.8m high running between the properties.
12. Whilst I accept that there is some impact from the development, given the overall height and design of the extension, set back, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the extension does not result in significant loss of light and overshadowing of the main habitable rooms and garden at the rear of No. 161, nor dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of No. 161.
13. The outlook at the rear of No. 161 is already toward the boundary fence and the blank side elevation of the existing single storey extension at No. 159 and the appeal site would be separated by the existing garden area at the rear of No. 161. As such, I consider the relationship between the new extension and the adjacent property is not significantly different to the existing situation on the site and does not warrant dismissal of the appeal on these grounds.
14. Consequently, I conclude that the development does not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 161 Botwell Lane with regard to outlook, light and overshadowing. It is consistent with the overall aims of Policies DMHB11 and DMHD1 of the HLPP2. These policies, amongst other things, seek to ensure that all developments including extensions and alterations provide the highest standards of design, a satisfactory relationship with adjacent dwellings and no unacceptable loss of outlook to neighbouring occupiers.

Conditions

15. Having regard to the National Planning Policy Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. I have specified the approved plans as a planning condition as this is necessary to provide certainty.

Conclusion

16. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR