
Appeal Decision

Site visit made on 29 September 2020

by William Cooper BA (Hons) MA CMLI

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

Decision date: 6th October 2020

Appeal Ref: APP/R5510/D/20/3253572

21 New Road, Uxbridge UB8 3DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Andreas Muskett against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref: 27167/APP/2020/714, dated 29 February 2020 was refused by notice dated 24 April 2020.
 - The development proposed is single storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear and side extension, at 21 New Road, Uxbridge UB8 3DX in accordance with the terms of the application Ref: 27167/APP/2020/714, dated 29 February 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: NR-00-02 Existing Floor Plans; NR-00-03 Existing Elevations; NR-00-04 Existing Elevations; NR-01-02 Location and Block Plan; NR-01-02 Proposed Floor Plans; NR-01-03 Proposed Elevations; NR-01-04 Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers of No 19 New Road, with particular regard to outlook and loss of light.

Reasons

3. The host building is one of a pair of L-shaped semi-detached two-storey dwellings, of brick and slate construction. Each of the dwellings has a two storey outrigger with a mono-pitch roof that slopes down towards the side return spaces between them. A single storey lean-to sits at the end of the appeal dwelling's outrigger. The proposal is for a single storey extension to wrap around the rear and northern side faces of No 21's outrigger.

4. The appellant states that the rear ground floor window of the main part of the adjoining dwelling at No 19 is a bathroom, and not the dining room described by the Council. In any case, the rear ground floor window of the main part of the adjoining dwelling at No 19 has frosted glass, and so the proposal would not change the outlook from that room.
5. Furthermore, the outlook from the side kitchen window of No 19 is limited to a view across the tight return gap to the approximately 1.8m high side boundary fence, and No 21's outrigger which is visible above that. The top of the extension's sloping roof would be a similar height to the existing lean-to at the rear of the outrigger. Moreover, the hindmost view of the neighbouring garden from the rear of No 19, from its rear kitchen window and door, would be unimpaired by the proposal. Therefore, while the side wall would increase the sense of enclosure of No 19's side return, the overall quality of outlook from neighbouring ground floor windows would not be significantly diminished.
6. The main part of the dwellings and the outriggers are the main shading elements of the return spaces of the adjoining properties. Within this context, the single storey proposal, with a mono-pitch roof sloping down towards No 19, would not significantly reduce the daylight and sunlight within the neighbouring property.
7. The cumulative depth of the proposal would exceed the 3.6m depth limit for rear extensions on plot widths of 5m or more, which is set out in part B)i) of Policy DMDH1 of the London Borough of Hillingdon Local Plan - Part 2 Development Management Policies (2020) (DMP). That said, the 1m depth of extension to the rear of the lean-to footprint would be modest. Furthermore, the proposal would not harm outlook from No 19, and thus would accord with part A)v) of Policy DMDH1 of the DMP, which requires that there is no unacceptable loss of outlook to neighbouring occupiers. The proposal would also satisfy part B) of Policy DMBH11 of the DMP in terms of receivable light to the adjacent property at No 19.
8. In conclusion, the proposal would not be overdominant and would not harm the living conditions of occupiers of No 19 New Road, in respect of outlook and light. As such, the proposal would not conflict with Policies DMHB11 and DMHD1 of the DMP in respect of ensuring that development safeguards the living conditions of residents. There would be conflict with part B)i) of Policy DMDH1 of the DMP, in respect of the cumulative depth of the proposal. However, given that the aim of safeguarding neighbouring living conditions would be achieved, I consider that the proposal would comply with the objectives and policies within the development plan, taken as a whole.

Conditions

9. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition covering materials is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion

10. For the reasons given above I conclude that the appeal should be allowed.

William Cooper INSPECTOR