



Appeal Decision

Site visit made on 2 October 2020

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/R5510/D/20/3251673

165 Woodrow Avenue, Hayes, UB4 8QP

- 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 and Mrs Chhabra against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 10594/APP/2019/3911, dated 2 December 2019, was refused by notice dated 7 February 2020.
 - The development proposed is demolish existing 3m part rear extension with flat roof and construction of single storey rear extension with part two storey extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is the effect of the proposal upon the living conditions of the occupants of 167 Woodrow Avenue, with particular regard to outlook and light.

Reasons

3. The appeal property is at the end of a terrace of four 2 storey houses. The proposal is to demolish an existing single storey rear extension and replace it with a single storey and part 2-storey extension to enlarge the kitchen dining area and add a third bedroom.
4. No 167 has a rear extension across more than half the width of the house. Its side windows look out on to the blockwork boundary wall separating it from the appeal site. The relatively narrow gap between the boundary wall and existing extension at No 167 already creates a sense of enclosure when entering the garden from the back door. The boundary wall must also fill a proportion of the field of vision when looking out of the side windows of the extension.
5. The proposed ground floor extension would run along the boundary and be significantly higher than the existing boundary wall and slightly higher than the extension at No 167. Consequently, the proposal would increase the sense of enclosure from that which currently exists. Also, the single and 2-storey elements would substantially fill the field of view from the side windows of the extension at No 167 causing an overbearing impact and greater visual intrusion than is currently the case. The combination of the increased sense of enclosure, greater visual intrusion and overbearing impact of the proposal

would harm the living conditions of the occupants of No 167 to an unacceptable degree.

6. Although there would be a slight increase in shade and a reduction in daylight entering the rear ground floor rooms of No 167, the windows on the rear of its extension and a substantial part of its garden would be unaffected by the proposal. As such these concerns do not add to my reasons for dismissing the appeal.
7. The appellant disputes the proposed extension's dimensions referred to by the Council. However, I note that both those referred to by the Council and the appellant exceed the 3.3 metre depth limit set by policy DMHD 1 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies (16 January 2020) (LP).
8. Overall, I conclude that the proposed development would have an unacceptable impact on the living conditions of occupants of No 167 with particular regard to outlook. The proposal would therefore conflict with Policies DMHB 11 and DMHD 1 of the LP which require that extensions should not adversely impact on the amenity of adjacent properties and that single storey rear extensions on terraced houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth, respectively.

Other Matters

9. The appellant has referred to a previously approved extension for the appeal property that has expired and other extensions in the area that are larger than the proposal. I understand from the appellants statement of case that the previously approved extension did not extend as far back as the proposal. Regarding other developments in the area no details have been provided to me and I am therefore unable to assess any direct comparability with the current appeal proposal. In any case, I have come to my own view regarding the development rather than relying on the approach the Council may have taken elsewhere.

Conclusion

10. I have considered all other matters raised in support of the appeal, including the processing of the planning application. However, for the reasons above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR