



Appeal Decision

Site visit made on 1 October 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2020

Appeal Ref: APP/R5510/D/19/3242561

12 Reginald Road, Northwood HA6 1EE

- 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 D Sawhney against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70544/APP/2019/2205, dated 1 July 2019, was refused by notice dated 13 September 2019.
 - The development proposed is a single storey rear conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear conservatory at 12 Reginald Road, Northwood HA6 1EE in accordance with the terms of the application, Ref 70544/APP/2019/2205 dated 13 September 2019, 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 plan: Draw No. PL/12RR/01 Existing and Proposed Floor Plans and Elevations dated June 2019.
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall be as stated on the application form and approved plans.

Preliminary Matters

2. Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, November 2012 and the London Borough of Hillingdon Design and Accessibility Statement Supplementary Planning Document Residential Extensions, December 2008 mentioned in the Council's reasons for refusal have now been withdrawn and are no longer applicable to the appeal. Policy DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications, March 2019 as referred to in the Council's reason for refusal has now been adopted. I have taken account of it accordingly.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

4. The main issues are the effect of the development on (i) the living conditions of the occupiers of neighbouring dwellings, with particular regard to outlook, light and overshadowing; and (ii) the living conditions of the existing and future occupiers of the appeal property with particular regard to outlook, light and ventilation.

Reasons for the Recommendation

Living conditions – neighbouring occupiers

5. The appeal site is located on the residential street of Reginald Road and comprises an end of terrace dwelling with a part two storey and part single storey extension to the side and rear. It benefits from a long rear garden and is positioned at an angle such that the back of the house sits slightly further away from the northern boundary than the front.
6. The proposal would span across the majority of the rear elevation but would be set back from the southern boundary of the site with No. 10 by approximately 1 metre. Due to the angled orientation of the house, it would also be set back from the northern boundary with No. 14. While the proposal would extend beyond the rear elevations of both neighbouring properties it would sit behind the tall boundary wall and fencing present at both sides of the appeal site. This, combined with the set-back, would provide adequate screening such that the conservatory would not appear as an overly dominant addition from the rear garden of either neighbouring property. While it may be visible from the windows along the rear elevations of both No. 10 and No. 14 when looking in the direction of the appeal site, the principle outlook from these windows towards the respective long, rear gardens of each property would remain unchanged.
7. While no daylight surveys have been provided, for similar reasons the proposal would not significantly impact the living conditions of neighbouring properties with regards to light or overshadowing. The conservatory would be marginally higher than, and set back from, the tall boundaries already present at the site. This, coupled with the eastern facing orientation of the rear gardens of the properties, would ensure that the impact of the proposal in this regard would be minimal.
8. For all of the reasons given above I find that the development would not have a significantly adverse effect on the living conditions of the occupiers of neighbouring dwellings, with particular regard to outlook, light and overshadowing. Accordingly, it would comply with Policy DMHD 1 of the London Borough of Hillingdon Local Plan: Part Two - Development Management Policies, January 2020.

Living conditions – current and future occupiers

9. The conservatory would be positioned along the rear wall of the appeal property, where windows currently serve the playroom on the ground floor. The Council has argued that this would result in the only window within the playroom being along the northern side elevation, looking directly onto the boundary fence with No. 14 and as such negatively impacting the outlook, light and ventilation for this room.
10. However, as a largely glazed structure with both window and door openings into the playroom, the conservatory would not completely remove the outlook and light available from the rear windows of this room. It would retain adequate views along the rear garden of the appeal property such that the outlook from the playroom would not be significantly altered. Furthermore, from a ventilation and light

perspective, the playroom also benefits from a rooflight which would not be impacted by the proposal. This, combined with the potential for the conservatory doors to also assist in ventilation, would ensure that the proposal does not negatively impact the living conditions of the current or future occupiers in this regard. Similarly, adequate views into the garden and light would be available from the elongated dining and kitchen area.

11. For all of the reasons given above I find that the development would not have a significantly adverse effect on living conditions on existing and future occupiers of the appeal property with particular regard to outlook, light and ventilation. Accordingly, it would comply with Policies 3.5 and 5.3 of the London Plan, March 2016.

Conditions

12. The standard time limit condition as well as a condition that the development is carried out in accordance with the approved plan are necessary for the avoidance of doubt and in the interests of proper planning. I have also imposed a condition to ensure that the materials are as stated in the application form and approved plans in the interests of safeguarding the character and appearance of the area.

Conclusion and Recommendation

13. Having had regard to all matters raised, I recommend that the appeal should be allowed subject to the conditions at paragraph 1 of this report.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed subject to the conditions at paragraph 1 of this report.

C Preston

INSPECTOR