



Appeal Decision

Site visit made on 13 October 2020

by A Denby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2020

Appeal Ref: APP/R5510/D/20/3244715

27 Harrow View, Hayes, UB3 2DW

- 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 Surinder Bhandal against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 11197/APP/2019/3374, dated 11 October 2019, was refused by notice dated 9 December 2019.
 - The development proposed is part first floor rear extension above existing ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for part first floor rear extension above existing ground floor rear extension at 27 Harrow View, Hayes, UB3 2DW, in accordance with the terms of the application ref: 11197/APP/2019/3374, dated 11 October 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1132-A1-SU01; 1132-A1-SU02; 1132-A1-SU03; 1132-A1-P01; 1132-A1-P02.
 - 3) The external facing and roofing materials to be used in the construction of the extensions and alterations hereby permitted shall match those used in the existing building.

Procedural Matter

2. Since the application was determined, the London Borough of Hillingdon Local Plan Part Two: Development Management Policies, 2020 (DMP) has been adopted, and as such I have had regard to it in making my decision. The DMP has replaced the Hillingdon Local Plan: Part Two – Saved UDP Policies, 2012 (LP-2012) and the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions, 2008 (HDAS). Therefore, although the Council's decision notice refers to policies within that plan, the LP-2012 and HDAS are no longer material considerations.
3. The aims of the superseded policies and the new ones are very much the same as they relate to the main issue in this appeal. Moreover, when the Council refused the planning application it referred to the then emerging policies from

the DMP and, as such, they have been before both sides from the outset. Indeed, the appellant comments on Policy DMHD 1 of the DMP, the most directly relevant policy, in his appeal statement. Against this background, despite their changed status, no injustice has been caused to either appeal party.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 25 Harrow View, with particular regard to light and outlook.

Reasons

5. The site comprises an end of terrace property situated on a corner plot. There are single storey extensions to the side and rear of the existing property and a detached outbuilding to the rear site boundary which adjoins a garage court. The proposal is to construct a first-floor extension over the existing flat roof single storey rear extension, which directly adjoins the boundary with No 25.
6. Whilst only single storey, the existing rear extension does have a high flank wall to the site boundary with No 25. The first-floor extension would be inset from the boundary and, when viewed from the ground floor, or patio area at No 25, the predominant impact would still be from the single storey extension at the appeal site, with the main visible alteration being the pitched roof.
7. Furthermore, the roof to the proposed addition would slope away from the site boundary with No 25, thereby further reducing any visual impact from its overall bulk and mass. Considering this and having viewed the site from the rear of No 25, I do not consider the extension would have a dominant or overbearing impact when viewed from that property.
8. At first-floor level there is a window at No 25 close to the site boundary, though I saw at my site visit that this appears to be obscure glazed. Nevertheless, the parties agree that the extension would not infringe upon a sightline from this window and, as detailed above, the extension would be inset from the side boundary. On this basis, the open outlook from the first floor of No 25 would not be adversely affected, and the extension would not appear overly dominant or intrusive in outward views.
9. The appeal site is located directly to the north of No 25 and, considering the orientation, the proposed extension could not have an impact on sunlight and daylight to the existing patio area or windows at No 25.
10. Assessing the proposals against the existing and proposed site circumstances show that the change would not result in any unacceptable impact to light, or overbearing impact, on the living conditions of the occupiers of No 25. I therefore consider that the proposals would accord with DP Policy DMHD1 which, amongst other things, seeks to ensure a good standard of residential amenity is maintained.

Conditions

11. In addition to the standard time limited condition I have specified the approved plans for the avoidance of doubt and to provide certainty. A condition relating

to matching materials is also necessary to safeguard the character and appearance of the area.

Conclusion

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

A Denby

INSPECTOR