
Appeal Decision

Site visit made on 24 November 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2020

Appeal Ref: APP/R5510/D/20/3255565

5 Verbena Close, West Drayton UB7 7UT

- 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 Daniel Simmons against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75489/APP/2020/965, dated 19 March 2020, was refused by notice dated 27 May 2020.
 - The development proposed is a single storey rear extension to a ground floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 5 Verbena Close, West Drayton UB7 7UT in accordance with the terms of the application, Ref 75489/APP/2020/965, dated 19 March 2020, 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 approved plans: VC1, VC2, VC3, VC4, VC5 and Location Plan 1:1250 received 20/03/20.
 - 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.

Procedural Matter

2. The Council Officer's report refers to the adjacent ground floor flat as No. 7 Verbena Close. However, I observed during my site visit that the adjacent ground floor flat was No. 8 and No. 7 was located at first floor level in the adjacent property. This is acknowledged in the appellant's statement and I have determined the appeal on this basis accordingly.

Main Issue

3. The main issue is the effect of the proposed extension on the living conditions of the occupiers of the adjacent flats at Nos. 7 and 8 Verbena Close with particular regard to light, overshadowing and outlook.

Reasons

4. The appeal property at No. 5 Verbena Close (No. 5) is a ground floor flat with a small enclosed garden at the rear. It is located at the end of a two storey block of flats within a mature well-established residential area. The proposal would entail the construction of a single storey extension with a flat roof that would extend across the full width of the flat and project out by about 3m from the rear elevation of the property.
5. The proposed extension would be located adjacent to the flats at Nos. 7 and 8 to the south of the appeal site. The ground floor flat at No. 8 has a small paved area leading out to an enclosed garden area at the rear and the rear elevation of the adjacent flats at Nos. 7 and 8 is set further back than the appeal property. The proposed extension would be constructed along the common shared boundary with Nos. 7 and 8 and would be separated from the rooms and garden at the rear of the adjacent flats by close boarded fence of about 1.8m high running between the properties.
6. Whilst I accept that there would be some impact from the development, given the overall height and design of the extension, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the extension would not result in significant loss of light and overshadowing of the main habitable rooms and garden at the rear of Nos. 7 and 8, nor dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of Nos. 7 and 8.
7. The outlook at the rear of Nos. 7 and 8 is already toward the boundary fence and part of the blank brick side elevation of the existing property at No. 5 and the appeal site would be separated by the garden area at the rear of No. 8. As such, I consider the relationship between the proposed extension and the adjacent flats would not be significantly different to the existing situation on the site and does not warrant dismissal of the appeal on these grounds.
8. Consequently, I conclude that the development would not result in an unacceptable impact on the living conditions of the occupiers of the adjacent flats at Nos. 7 and 8 Verbena Close with regard to light, overshadowing and outlook. It would be consistent with Policies DMHB11 and DMHD1 of the Hillingdon Local Plan Part 2 Development Management Policies (January 2020). These policies, amongst other things, seek to ensure that all developments, including extensions, provide the highest standards of design, a satisfactory relationship with adjacent dwellings and do not adversely impact on the amenity, light and outlook of adjacent properties.
9. Having regard to the National Planning Policy Framework, in addition to the standard time limit condition, I have specified the approved plans as this provides certainty. I have also imposed a condition requiring that the external surfaces match those of the existing property to protect the area's character.
10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR