



Appeal Decision

Site Visit made on 8 March 2021

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 March 2021

Appeal Ref: APP/R5510/D/20/3264930

7 Hyacinth Drive, Uxbridge UB10 9QW

- 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 Nathan Bunce against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 69461/APP/2020/2904, dated 11 September 2020, was refused by notice dated 3 November 2020.
 - The development proposed is a part two storey, part single storey rear extension and first floor side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is clear from the Council's decision that it has no objection to the first floor side extension. I have no evidence before me to reach a contrary view to the Council in this regard and therefore the consideration of this appeal focuses on the effect of the part two storey, part single storey rear extension.
3. A copy of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions was requested from the Council. However, the Council advised that the document has been withdrawn. Consequently, I have not had regard to it in the consideration and determination of this appeal.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the existing occupiers of neighbouring properties, with particular reference to light and outlook.

Reasons

5. The appeal site, No 7 Hyacinth Drive (No 7), comprises a detached dwelling situated in a cul-de-sac, in a residential area. No 6 Hyacinth Drive (No 6) and No 8 Hyacinth Drive (No 8) are located either side of the appeal site.
6. The proposed part two storey, part single storey rear extension would extend across the full width of the host property at first floor level, and it would meet its ridge height, with a maximum height of approximately 7.3 metres. However, due to the orientation and position of Nos 6, 7 and 8, the extent of their existing built form (including their heights), and the path of the sun, overshadowing in the rear garden areas of those properties is already likely to occur. As the proposed rear extension would extend from its host property by

approximately 3 metres, I consider that any further overshadowing would be minimal. As such, the proposal would not be materially harmful to the living conditions of the existing occupiers of neighbouring properties with respect to light.

7. The single storey element of the proposed rear extension would be located adjacent to the boundary with No 8, and due to its height, depth, and the topography of Hyacinth Drive, the upper-most part of it would be visible from the windows at No 8's conservatory. However, due to the separation distances involved, and that a wide array of unobstructed outlook would remain from the other windows in that conservatory, I consider that the single storey element would not cause material harm to the living conditions of the occupiers of No 8, with respect to outlook. The two storey element of the proposed rear extension would be situated sufficiently far away from the boundary with No 8 such that no materially harmful impacts would occur with respect to outlook.
8. Notwithstanding this, the two storey element of the proposed rear extension would be situated close to the boundary with No 6. Although the existing boundary fence would obscure a proportion of it, due its height, depth, and considerable scale, it would be a significantly imposing feature when viewed from the patio area of No 6. As such, it would dominate the outlook from the patio, causing a materially harmful sense of enclosure. This would make the patio much less pleasant to use. Although both the detailed design of the extension and the materials proposed would be acceptable, this would not offset the harm identified.
9. Thus, the proposal would have an unacceptable and harmful effect on the living conditions of the existing occupiers of No 6, with particular reference to outlook. It would conflict with Policies DMHB 11 and DMHD 1 of the Local Plan: Part 2¹ which collectively provide that proposals relating to alterations and extensions of dwellings will be required to ensure that there is no unacceptable loss of outlook to neighbouring occupiers.
10. The appellant has referred to the Framework². Given my findings above, it follows that the proposal would conflict with paragraph 127 f) of the Framework, which provides that planning decisions should ensure that developments create places with a high standard of amenity for existing users.

Other Matters

11. It is recognised that the proposal would improve the living accommodation available to the appellant and his family. However, as this would mainly be a private benefit, this has been given limited weight, and it does not outweigh the harm identified on the main issue.

Conclusion

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

Alexander O'Doherty

INSPECTOR

¹ Hillingdon Local Plan: Part 2 - Development Management Policies (adopted 2020)

² National Planning Policy Framework 2019