



Appeal Decision

Site Visit made on 20 July 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2021

Appeal Ref: APP/R5510/W/21/3267833

Flat 1, 72 Colham Avenue, West Drayton UB7 8HF

- 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 Naeem Ahmed against the decision of London Borough of Hillingdon.
 - The application Ref 18095/APP/2020/3309, dated 14 October 2020, was refused by notice dated 11 December 2020.
 - The development proposed is insertion of lightwell to front and increase size of lightwell to rear.
-

Decision

1. The appeal is allowed, and planning permission is granted for the insertion of lightwell to front and increase size of lightwell to rear at Flat 1, 72 Colham Avenue, West Drayton UB7 8HF in accordance with the terms of the application, Ref 18095/APP/2020/3309, dated 14 October 2020, subject to the below 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: Site Plan; Basement Drawing No A101+A201; Ground Floor Drawing No A102+A202; First Floor Plan Drawing No A103-A203; Roof Plan Drawing No A104-204; Section 1 A105+A205; Section 2 Drawing No A106+A206; Section 3 A107+A207; Front Elevation Drawing No A108+A208; Rear Elevation Drawing No A109+A209; East Elevation Drawing No A110+A210; and West Elevation Drawing No A111+A211.
 - 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.

Preliminary Matters

2. The decision notice referred to policies from the London Plan (2016). This has subsequently been replaced by the London Plan 2021. I have had regard to comments, where received, from the main parties in regard to this. There have been no fundamental changes relevant to the main issues in this appeal and so no injustice has been caused to any of the appeal parties in my taking the new plan into account in my decision.

Main Issues

3. The main issues of the appeal are the effects of the proposed development on:

- the character and appearance of the area,
- the living conditions of the occupiers of the appeal property with particular regard to outlook, sunlight and daylight; and
- whether the scheme meets energy efficiency objectives.

Reasons

Character and Appearance

4. There is a general uniformity to the scale and form of the properties along this side of Colham Avenue. Nonetheless, there is some variation in the size and appearance of front boundary treatments and also occasional porches. The front garden of the appeal site is clearly visible over the low boundary treatments and I did not see any basement level bay windows nearby.
5. However, although not found at that level, the proposed bay window would match the ones above and these are prominent and positive features in the streetscene. Therefore, while it would be seen from the street, being below ground level would mean the front alterations would not be prominent or distracting. The frontage is already absent of landscaping and access to the property is not altered.
6. The rear lightwell is of a smaller size and largely screened from views outside the site itself and as such would not adversely affect the appearance of the site.
7. The proposed development would not harm the character and appearance of the area. It would accord with Policies DMHB 11, DMHB 12, DMHD 1 and DMHD 3 of the Local Plan¹ where they seek to ensure proposals harmonise and integrate with and not harm the appearance of the property, streetscene and its surroundings.

Living Conditions

8. Parts of the basement room would not receive direct light. However, it would be dual aspect and have a wide front bay window. Furthermore, the Daylight and Sunlight Assessment (DSA) indicates that the proposed bedroom would achieve the average daylight factor and probable sunlight hours standards set out in the BRE guidelines². The Council have not disputed the findings of the DSA and no alternative standards have been put to me. Therefore, the room would receive sufficient daylight and sunlight.
9. The basement would be served by an enlarged rear window and lightwell to the front. While set below ground level, there would be a good size bay window providing a wider outlook. The room would be dual aspect and there would also be some separation between both windows and the lightwell walls. Moreover, there is a low level and partly open boundary fence that would allow views through and over it. There would be a good outlook from the other rooms at the property and the basement is in place already.
10. Consequently, the proposed development would provide appropriate living conditions for the occupiers of the appeal property with regard to outlook,

¹ London Borough of Hillingdon Local Plan Part 2 Development Management Policies

² Site Layout Planning for Daylight and Sunlight published by the Building Research Establishment

sunlight and daylight. The scheme would accord with Policy D6 of the London Plan 2021 and Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016), that in part, require appropriate living conditions and sufficient daylight and sunlight to be provided.

11. Policies DMHD 1, DMHD3 and DMHD 11 of the Local Plan refer to impacts on adjacent properties rather than occupiers of the site. Therefore, they are not directly relevant to this issue.

Energy Efficiency

12. The DSA indicates that the proposed basement bedroom would achieve the BRE standards for daylight and sunlight. As such, I see no reason why there would be an over reliance on artificial means of lighting over and above normal levels.
13. Therefore, the proposed development would meet energy efficiency objectives. It would accord with Policy SI2 of the London Plan 2021 where it seeks to reduce energy usage.

Conditions

14. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is to provide certainty. To protect the character and appearance of the area, a condition requiring the external materials to match that of the existing property is imposed.

Conclusion

15. For the reasons given above, I conclude that subject to the stated conditions, the appeal should be allowed.

Stuart Willis

INSPECTOR