



Appeal Decision

Site visit made on 19 August 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 06 September 2021.

Appeal A: Appeal Ref: APP/R5510/D/21/3275139 134 Long Lane, Hillingdon UB10 0EH

- 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 Sarabdeep Lotay against the decision of the Council of the London Borough of Hillingdon
 - The application Ref 74860/APP/2021/1122, dated 21 March 2021, was refused by notice dated 10 May 2021.
 - The development proposed is the erection of a part two storey, part single storey side and rear extension.
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Appeal B: Appeal Ref: APP/R5510/D/21/3275140 134 Long Lane, Hillingdon UB10 0EH

- 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 Sarabdeep Lotay against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74860/APP/2021/1120, dated 21 March 2021, was refused by notice dated 10 May 2021.
 - The development proposed is the erection of a part two storey, part single storey side and rear extension.
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Decisions

1. Appeal A and Appeal B are dismissed.

Main Issue

2. For both appeals, it is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 136 Long Lane.

Reasons

3. The appeal property is a two-storey semi-detached dwelling located in a predominantly residential area comprising a mix of semi-detached and terraced properties. For both Appeal A and Appeal B the proposed development includes a part two-storey and part single storey extensions to the side and rear of the property. The Council's reasons for refusal raise the same issues for both schemes and refer specifically to the single storey element of the proposed side extension which would be sited adjacent to the shared boundary with 136 Long Lane. It was noted during the site visit that the ground level of the rear garden of No. 136 was lower than the appeal property's garden.

4. The appeal applications were submitted in response to proposals subject of previous appeals which were dismissed by the Inspector¹. Other than the information and images contained in the appellant's evidence the full details of these previous proposals have not been provided. However, I have been able to ascertain that the Inspector was concerned about the siting and height of the previous proposals and their effects on the living conditions of the occupiers of No. 136.
5. Full details of the extant planning permissions² for alterations to the property are also unavailable to me but I do possess some information which is sufficient to enable a comparison to be made between the approved and appeal schemes. The principle of the siting and scale of a 2-storey side extension is established by the approved schemes albeit its flank wall would be set back from the shared boundary with No. 136 by between 1 and 2 metres. At their closest the flank walls of the ground floor elements of both appeal schemes' would be set back by circa 0.2 metres.
6. For Appeal A, the proposed single storey side extension would have parts of its flank wall being erected adjacent to the shared boundary with No. 136. There would be a gap of around 6 metres where the flank wall would be set back to create a partially covered garden area. The height of the proposed flank wall would be around 3 metres closest to the rear elevation of No. 136 but it would only project about 1 metre beyond this neighbouring dwelling's side/rear extension. Beyond the gap the remainder of the proposed flank wall would be circa 2.1 metres high and possess a sloping roof with a ridge height of approximately 3 metres. The roof of the proposed ground floor extension would project above the existing fence.
7. Although the appellant has sought to address the previous Inspector's concerns, the proposed single storey addition to the lounge would still be visually intrusive and detrimental to the outlook of the occupiers of No. 136 by reason of scale, height and siting. The roof of the proposed extension would be seen from the rear windows, including the kitchen window, and the rear garden of No. 136 which is at a lower ground level. This unacceptable visual intrusion associated with the single storey extension would be accentuated by its close association with the bulk of the flank wall of the first floor side addition.
8. Further, and although not a reason for this appeal to fail, the design of the proposed side extension for Appeal A would be contrived and would not reflect the general form and design of the property, even as approved to be altered. As such, it would not represent high quality design of the type sought by the National Planning policy Framework and adds to the unacceptable harm identified.
9. For the reasons given, it is concluded that the development proposed by Appeal A would cause unacceptable harm to the living conditions of the occupiers of 136 Long Lane and, as such, it would conflict with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part 2 (LP). In addition to criteria for extensions, including causing no unacceptable loss of outlook to neighbouring occupiers, these policies also require alterations to buildings to be of the highest standards.

¹ APP/R5510/D/20/3262991 and APP/R5510/D/20/3267545

² 74860/APP/2020/2165 and 74860/APP/2020/3702

10. For Appeal B, the proposed flank wall would be sited adjacent to the shared boundary with No. 136 and would have an eaves height varying between 2 and 2.5 metres. The side extension would have a sloping roof with a ridge height of approximately 3 metres. Part of the flank wall and the roof of the proposed ground floor extension would project above the existing fence. In combination, the siting, height and length of the single storey flank wall and associated pitched roof would result in an unacceptable visual intrusion for the occupiers of No. 136.
11. Further, for Appeal B the outlook of the occupiers of No. 136 from their garden and the rear windows, in particular the kitchen window, would be dominated by built development close to the boundary rather than having the relief offered by the approved schemes whereby the approved flank walls would be set back from the shared boundary. The unacceptable visual intrusion associated with the single storey extension would be accentuated by its close association with the bulk of the flank wall of the first floor side addition.
12. For Appeal B, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 136 Long Lane and, as such, it would conflict with LP Policies DMHB 11 and DMHD 1 for the reasons already cited.
13. Accordingly, it is concluded that both Appeal A and Appeal B should be dismissed.

D J Barnes

INSPECTOR