
Appeal Decision

Site visit made on 27 January 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th February 2022

Appeal Ref: APP/R5510/D/21/3286355
12 Snowden Avenue, Uxbridge UB10 0SD

- 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 Glenn Madison against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 20539/APP/2021/2535, dated 22 June 2021, was refused by notice dated 18 August 2021.
 - The development proposed is single storey rear extension (conservatory).
-

Decision

1. The appeal is allowed. Planning permission is granted for a single storey rear extension (conservatory) at 12 Snowden Avenue, Uxbridge UB10 0SD in accordance with the terms of the application Ref 20539/APP/2021/2535 dated 22 June 2021 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: 01_A, 02_A, 03_A, 04_A, 50_B, 51_A, 52_B & 53_B.
 - 3) The extension hereby permitted shall not be occupied until the windows within the side elevations have been fitted with obscured glazing, and no part of those windows that are less than 1.7 metres above the floor of the room shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

Procedural Matter

2. The description of the proposal has altered from the application form to the decision notice. That on the application form adequately describes the proposal and I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the dwelling.

Reasons

4. The proposal relates to a modest pitched roof terraced dwelling, which the evidence indicates has previously been extended through the provision of a single storey flat roofed extension to the rear. The property benefits from a lengthy rear garden.
5. Policy DMHD 1 of the Hillingdon Development Management Policies (2020) (DMP) part B)i) states that single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more. The supporting text at A1.7 further states that the addition of conservatories or other extensions to buildings that have already been extended will not be permitted.
6. The existing flat roofed ground floor extension has obscured the width of the original rear elevation at ground floor level and its grey render finish contrasts somewhat with the light-coloured brickwork used within the rear elevation at first floor level.
7. Whilst adding further footprint to the rear elevation of the dwelling, the conservatory would be set down from the existing extension, resulting in it having a subordinate appearance when viewed against the rear elevation. Further, the lengthy garden would allow the additional footprint to be comfortably accommodated within the plot and a well sized garden would be retained.
8. The conservatory would not therefore form an over-dominant or incongruous addition. Further, given the mixed materials and roof forms and subsequent mixed character of the rear of the dwelling, the proposal would not be detrimental to the architectural composition of the host property. It would subsequently not be detrimental to its character and appearance.
9. The weight I afford to the above matters which act in support of the proposal outweigh the conflict with part B) i) of Policy DMHD 1 of the DMP. I have not found conflict with Policy BE 1 of the Hillingdon Strategic Policies (2012) nor Policy DMHB 11 of the DMP. Amongst other things these require proposals of good design, which are appropriate to the character of an area and subordinate to the host dwelling.

Other Matters

10. The Council have not identified any adverse effect on the living conditions of adjacent residential occupiers and I have no reason to disagree given the height of the high-level windows on the side elevations of the conservatory combined with the use of obscure glazing.
11. Further, there is no compelling evidence that it would not be possible to clean the side windows by some means and they also do appear to be set in slightly from the boundary lines.
12. Given the limited height of the structure and its materials, it is unlikely to result in any unacceptable shading issues to neighbouring properties which would result in the proposal having a detrimental impact on the living conditions of adjacent residential occupiers.

Conditions

13. Planning permission is granted subject to the standard three-year time limit. A condition requiring matching materials is not necessary as these are clearly detailed on the application form. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.
14. A condition is necessary in the interests of the living conditions of neighbouring occupiers to secure suitable obscure glazing as indicated on the plans prior to the first use of the conservatory.

Planning Balance and Conclusion

15. I have identified conflict with the development plan. However, considerations indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR