



Appeal Decision

Site visit made on 26 April 2022

by A Caines BSc(Hons) MScTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 May 2022

Appeal Ref: APP/R5510/D/22/3293636

13 Skipton Drive, Hayes UB3 1PL

- 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 R Sharma against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 76874/APP/2021/4261, dated 15 November 2021, was refused by notice dated 13 January 2022.
- The development proposed is single storey rear extension & internal alterations.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: i) the living conditions of the occupiers of 15 Skipton Drive with particular regard to outlook; and ii) the character and appearance of the area.

Reasons

Living conditions

3. The appeal property is one half of a pair of two-storey, semi-detached houses. It currently has a modest 3 metre long, flat roof rear extension, which is set in slightly from the common boundary with No 15. No 15 has not been previously extended at the rear and has a large ground floor window close to the boundary.
4. Policy DMHD1 of the Hillingdon Local Plan: Part 2 - Development Management Policies 2020 (the DMP) sets out various criteria for extensions to dwellings. For a single-storey rear extension on a semi-detached house, the maximum depth is 3.6 metres, while the maximum flat roof height is 3 metres. However, the proposed full-width extension would project 6 metres along the boundary with No 15. It would initially have a flat roof form of some 3.7 metres in height for approximately half of its length, before sloping down to an eaves height of around 2.48 metres. At this height, a large proportion of the extension would rise notably above the existing boundary fence. The combination of its height, length, and proximity to the boundary, would undoubtedly have an excessively dominant impact on the rear outlook from No 15.
5. Due to its orientation to the north of No 15, the extension is unlikely to significantly reduce the amount of light to this neighbour's windows and garden. I also note that the flank elevation would not contain any windows overlooking No 15. Nonetheless, these matters do not outweigh the harm that I

have identified above. Furthermore, the fact that no objections were received from the occupants of No 15 is not determinative. It is right and proper to consider the amenity of existing and future occupants of land and buildings irrespective of whether any objections have been received.

6. The appellant has drawn my attention to two cases where the Council recently approved 6 metre rear extensions. However, on the limited information before me, it would appear that in both cases the adjoining properties already had their own extensions. As such, the circumstances are not comparable to the appeal scheme, which in any event, I have determined on its own merits.
7. I therefore conclude, on this issue, that the development would unacceptably harm the living conditions of the occupiers of 15 Skipton Drive, with particular regard to outlook. In this regard, the proposal conflicts with Policies DMHD1 and DMHB11 of the DMP, in so far as they seek to ensure that development does not have an adverse impact on the amenity of neighbouring occupiers.

Character and appearance

8. As set out above, the size of the extension exceeds the criteria of Policy DMHD1 of the DMP. However, its depth would still be limited in the overall context of the length of the rear garden, such that it would not harm the spacious character to the rear. Moreover, the rear elevations do not display any consistency in appearance due to the variety of extensions already present. In this context, and given the limited private vantage points from which it would be seen, the extension would have minimal impact on the character and appearance of this typical residential environment.
9. I therefore conclude, on this issue, that the development would not unacceptably harm the character or appearance of the area. Thus, despite conflicting with some of the criteria of DMP Policy DMHD1 as stated, the proposal complies with the overarching design aims of this Policy, which among other things, requires that there is no adverse cumulative impact on the character, appearance or quality of the existing street or wider area. The proposal also complies with DMP Policy DMHB11, and Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012), in so far as they require new development, including extensions, to harmonise with the local context. The Council has also referenced DMP Policy DMHB12 (Streets and Public Realm) in the refusal reasons, but I do not consider it to be relevant to the appeal scheme, and I find no conflict with it.

Conclusion

10. Although the development would not harm the character or appearance of the area, I have found significant harm in relation to the living conditions of neighbouring occupiers. The proposal therefore conflicts with the development plan as a whole and there are no considerations that would outweigh that conflict. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR