



Appeal Decision

Site visit made on 6 June 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2022

Appeal Ref: APP/R5510/D/22/3297796

3 Owen Road, Hayes UB4 9JY

- 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 G Bhudia against the decision of London Borough of Hillingdon.
 - The application Ref 46647/APP/2021/4542, dated 15 December 2021, was refused by notice dated 26 February 2022.
 - The development proposed is described as "1st floor side extension".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 4 Owen Road in respect of light and outlook.

Reasons

3. The proposal would introduce built development within close proximity to the first floor side window of 4 Owen Road (No 4). Observations at my site visit, as well as evidence submitted by the appellant, confirms that the extension would not be directly adjacent to this first floor window of No 4. Nevertheless, the positioning and bulk of the extension given its close proximity to this window of No 4 would be an overbearing structure that would have a detrimental effect on outlook from the room of this first floor side window.
4. The appellant indicates that this first floor side window of No 4 is a secondary window to the bedroom. This matter does not alter my findings above though, as this first floor side window is a large window and the proposal would compromise outlook from the window that would adversely effect living conditions of occupiers of No 4.
5. Accordingly, the proposal would have a harmful effect on the living conditions of the occupiers of No 4 with respect to outlook. The proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two – Development Management Policies which seeks development to protect the amenity of surrounding land and buildings, particularly residential properties, and ensure there is no unacceptable loss of outlook to neighbouring occupiers.
6. Due to the position and orientation of the proposed extension, I do not find that the proposal would compromise living conditions of the occupiers of No 4

with regards to light. This matter however does not outweigh the harm I have identified above in respect of outlook.

7. It is acknowledged that the proposal would not have a detrimental effect on the character and appearance of the surrounding area.

Conclusion

8. The proposal would not have a detrimental effect on the living conditions of neighbouring occupiers in respect of light and on the character and appearance of the area. However, these matters would not outweigh the harm I have identified with regards to the effects on the living conditions of occupiers of No 4 with regards to outlook.
9. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweigh this finding.
10. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR