



Appeal Decision

Site visit made on 27 June 2022

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/R5510/D/22/3297247

42 Greenacres Avenue, Ickenham UB10 8HH

- 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 Ricky Markham against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 8037/APP/2022/110, dated 14 January 2022, was refused by notice dated 18 March 2022.
- The development proposed is double storey side and rear extension.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against the Council. That application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the development on:
 - the living conditions of the occupiers at 40 Greenacres, with particular regard to outlook and light; and
 - the character and appearance of the surrounding area.

Reasons

Living conditions

4. The appeal property is a two-storey detached dwelling with a lean-to garage at the side and a flat roof single-storey extension at the rear.
5. To the east, separated by the width of a passageway is the neighbouring bungalow, 40 Greenacres, which has a bedroom window in the side elevation facing the appeal property. Currently, the direct outlook from this window is upon a small shed with a shallow sloping roof, whilst behind the shed is the flat-roofed, single-storey rear extension which does not project much past the window, if at all. As a consequence, the outlook from this window is only affected to a minor degree at present.
6. In contrast, the proposed side and rear extensions would be two-storey and project notably above and past the window. As a result, the direct outlook from the window would be dominated by the solid mass of the extensions at a close proximity. Thus, even accounting for the distance of around 1 metre off the boundary, the proposal would introduce considerable massing that would be

unduly oppressive and overbearing creating a sense of enclosure and uninviting outlook from this window. Consequently, occupiers of No 40 would experience an adverse visual impact which would be detrimental to their living conditions.

7. There is some suggestion that the window is of lesser importance given it serves a bedroom rather than a living room. However, a bedroom is also classed as a habitable room, and I note there are only two bedrooms in this neighbouring property. In addition, bedrooms can still be used for a considerable amount of time during the day, particularly if it is a children's bedroom, or if used for other purposes during the day such as home working. As such, that the window serves a bedroom is not a factor which diminishes the weight I attach to the harm I have identified above.
8. Concern has also been raised that the extensions would substantially reduce the amount of daylight and sunlight reaching the window. However, having carefully considered the appellant's Daylight and Sunlight Assessment and the further clarification provided with the appeal, the reduction in the amount of daylight to the window would not, in and of itself, be wholly unacceptable, albeit there would be some impact. In addition, as the window faces more than 90 degrees of due south, the extensions would not cause a loss of sunlight. As such, the proposal would not result in a materially harmful loss of light. However, this does not alter my findings in respect of outlook.
9. Taking all the above into consideration, while acceptable with regard to the effect on light, due to the close relationship, scale and massing of the proposed extensions, I conclude that this proposal would harm the living conditions of occupiers of No 40 with particular regard to outlook. It would therefore conflict with Policies DMHB11 and DMHD1 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020) (the DMP). Amongst other things, these seek to protect the living conditions of neighbouring residents by ensuring there is no unacceptable loss of outlook arising from the development.

Character and appearance

10. The appeal property is located within a large suburban housing estate and is a design found commonly throughout the estate, although there is a range of house types and designs which contribute to a varied street scene.
11. The two-storey extension at the side would have a modest width, and has been designed with a set back from the front elevation and a slightly lower ridge line. This would achieve an appropriate degree of subservience to the host dwelling, consistent with the design requirements of Policy DMHD1 of the DMP. Indeed, this is acknowledged in the Council's officer report.
12. The majority of massing would be located at the rear of the dwelling. However, the rear garden is relatively long and as such the extensions would not appear overlarge relative to the overall plot size. Moreover, the depth and elongated roof form would be consistent with Nos 44 and 46, which are the same house type and appear to have been similarly extended at the rear.
13. Concerns were also raised about the use of a crown roof. However, there are other examples of crown roofs along Greenacres Avenue which influence its character, and in any event, this element would not be large, or highly prominent from the public realm. As such, it would not be an incongruous feature as suggested by the Council. In addition, the rear rooflights would not

be so large or numerous in relation to the extent of the roof that they would cause the rear elevation to have a cluttered appearance.

14. In reasoning the above, I have also taken into account that a very similar scheme was recently approved by the Council in Copthall Road West¹, which is only a short distance from the appeal site.
15. I therefore conclude, on this issue, that the proposed extensions would not cause harm to the character and appearance of the area. In this regard, the proposal complies with the design principles of Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012) and Policies DMHD1, DMHB11 and DMHB12 of the DMP, in so far as these require new development to be appropriate to the local context and to ensure no adverse cumulative impact on the character, appearance, or quality of the existing street and wider area.

Conclusion

16. The development would provide enlarged accommodation within the property without causing harm to the character and appearance of the area. Nevertheless, I have found significant harm to the living conditions of neighbouring occupiers in respect of outlook. The proposal therefore conflicts with the development plan as a whole and there are no considerations that indicate a decision should be taken other than in accordance with the development plan. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR

¹ Ref: 21591/APP/2021/657