



Appeal Decision

Site visit made on 3 August 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2022

Appeal Ref: APP/R5510/D/22/3298596

21 Francis Road, Eastcote, HA5 2ST

- 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 Ms N Sivasangaranathan against the decision of London Borough of Hillingdon.
 - The application Ref 20043/APP/2021/3978, dated 22 October 2021, was refused by notice dated 9 March 2022.
 - The development proposed is described as a rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect if the proposed development on (i) the character and appearance of the appeal property and local area and (ii) the living conditions of the occupiers of 38 Barnhill.

Reasons

Character and appearance

3. Curiously, while the decision notice issued by the Council refers to harm to the character and appearance of the appeal property and local area, the Officer's report concludes that there would be no harm in this respect and that the appeal scheme is not in conflict with Policy BE1 of Hillingdon Local Plan: Part One Strategic Policies (2012), and policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) with regards to character and appearance.
4. The submitted plans show that the extension is of some scale in itself and in proportion to the appeal property. Nonetheless I note that the appeal scheme has been designed to maintain the appearance and character of the appeal property, including the use of matching materials. Being located to the rear of the property, the appeal scheme is largely screened from the street and other public viewpoints.
5. As such I am satisfied that the appeal scheme would not harm the character and appearance of the appeal property and the local area and is not therefore contrary to policies Policy BE1 of Hillingdon Local Plan: Part One Strategic Policies (2012), DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) that) amongst other matters seek

that new development is of a high standard of design and contributes positively to the distinctiveness and character and appearance of the area

Living conditions

6. The appeal dwelling is already set back further from Francis Road than the neighbouring property to the north, 38 Barn Hill. As a result, the existing dwelling, including existing extensions, extend beyond the rear elevation of No.38 and the existing extensions sit adjacent to an area of hardstanding at No.38. I saw at the site visit that this area is used for outside seating and that there was slight change in levels with the appeal site and property at a higher level.
7. The appeal scheme would replace the existing extensions, consisting of a single storey conservatory and pergola, that the appellant confirms extend some 3m from the rear elevation of the appeal property. The proposed extensions are of a greater depth, shown on the submitted plans as projecting approximately 3.6m from the rear elevation of the property and including a substantial, in comparison to the existing structures, roof structure.
8. As a result of the projection of the appeal scheme beyond the rear elevation of No.38, the size and scale of the proposed extension and the position of the appeal scheme to the south of the neighbouring property I find that the appeal scheme would harm the living conditions of the occupiers of No.38 with particular regards to loss of daylight and outlook.
9. I therefore find that the appeal scheme is contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) that amongst other matters seeks that new development protects the living conditions of the occupiers of adjacent properties.

Other Matters

10. The appellant details that the appeal scheme would create, amongst other matters, a bedroom with shower room for a disabled relative and an enlarged living and kitchen to the ground floor to the ground floor and enlarge the two bedrooms to the first floor. I have no substantive evidence regarding the needs of the disabled person or how the appeal scheme would meet these needs. Therefore, while this is a material consideration that weighs in favour of the appeal scheme it does not outweigh the harm I have identified previously.

Planning Balance and Conclusion

11. While I have not found harm in respect of character and appearance, I have found harm in respect of the living conditions of the occupiers of the neighbouring property. For the reasons given above I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR