
Appeal Decision

Site visit made on 12 December 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st December 2022

Appeal Ref: APP/R5510/D/22/3302483

87a Braybourne Close, Hillingdon, Uxbridge UB8 1UJ

- 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 and Mrs Messing against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70625/APP/2022/1326, dated 22 April 2022, was refused by notice dated 17 June 2022.
 - The development proposed is first floor rear extension and chimney stack on the rear roof.
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Decision

1. The appeal is allowed. Planning permission is granted for first floor rear extension and chimney stack on the rear roof at 87a Braybourne Close, Hillingdon, Uxbridge UB8 1UJ in accordance with the terms of the application Ref 70625/APP/2022/1326 dated 22 April 2022 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan A549-SK1, A549-P-01-rev A & A549-P-02-rev A.

Main Issues

2. The first main issue is the effect of the extension on the character and appearance of the dwelling and the area. The second main issue is the effect of the proposal on the living conditions of the occupiers of No.87 Braybourne Close (No.87) and No. 88 Braybourne Close (No.88) with particular regard to light, outlook, overshadowing, overlooking, overdominance and overbearing effect.

Reasons

Character and appearance

3. The appeal dwelling is a modern terraced property of two storey design to the front and three storey design to the rear where the Frays River flows on a north-east, south-west axis.

4. The extension would be placed solely above an existing rear extension and would be the same width and depth as this earlier addition. It would incorporate the same hipped roof form, the ridgeline of which would terminate well below that on the main dwelling.
5. The extension would therefore be entirely in keeping with the character and appearance of the dwelling. It would remain subordinate and would not result in overdevelopment of the site. There would be no adverse impact on the character and appearance of the area.
6. There would subsequently be no conflict with Policy BE 1 of the Hillingdon Local Plan Part 1 Strategic Policies (2012), policies DMHB 11, DMHB 12 and DMHD 1 of the Local Plan Part 2 Development Management Policies (2020) (DMP) and policies D3 and D8 of the London Plan (2021). Amongst other things these policies require high quality design which is appropriate to the character of an area.

Living conditions

7. The extension would only occupy approximately half of the rear elevation of the dwelling. It would be built on the other side of the elevation to No.87 which sits to the north-east, well away from the windows of this neighbouring property.
8. While acknowledging its lesser height, there would be a reasonable degree of space between the extension and No.88 to the southwest as a result of the intervening passageway between that dwelling and the side elevation of the host dwelling. Further, No. 88 is set further back than the host dwelling which would serve to limit the impact of the extension.
9. For the above reasons, the extension would not be likely to result in any significant adverse impact on the living conditions of the occupiers of neighbouring properties at No.87 and No.88 with regard to light, outlook, overshadowing, overlooking, overdominance and overbearing effect.
10. There would not therefore be conflict with Policies DMHB 11 and DMHD 1 of the DMP which amongst other things require that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and that extensions will be required to ensure that there is no unacceptable loss of outlook to neighbouring occupiers.

Other Matters

11. The Council have raised no concern with regard to the chimney stack, which would be a modest feature and I have no reason to disagree. There is no evidence to indicate that the extension would have any significant detrimental impact on the enjoyment of outdoor areas of nearby properties especially when considering the existing extension at the site and existing context.
12. Construction disturbance is an inevitable impact of any development and I cannot afford any significant weight to this matter.

Conditions

13. Planning permission is granted subject to the standard three-year time limit. A condition requiring matching materials is necessary in the interests of the character and appearance of the area. 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.

Conclusion

14. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR