The Planning Inspectorate

Appeal Decision

Site visit made on 6 July 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2023

Appeal Ref: APP/R5510/D/23/3316599
13 Oak Avenue, West Drayton UB7 9EP

- 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 Jarnail Singh against the decision of the London Borough of Hillingdon.
- The application Ref: 77097/APP/2022/3630, dated 30 November 2022, was refused by notice dated 17 January 2023.
- The development proposed is a single storey rear extension.

Decision

1. The appeal is allowed, and planning permission is granted for a single storey rear extension at 13 Oak Avenue, West Drayton UB7 9EP in accordance with the terms of the application, Ref 77097/APP/2022/3630 dated 30 November 2022, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 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: MD6098/HH2-01/SP, MD6098/HH2-02/SP and MD6098/HH2-04/SP.

Preliminary Matter

2. The description of development is taken from the decision notice. In my view, this more clearly and concisely describes the development omitting reference to an earlier planning application and I have used it for my decision. I have however had regard to the planning history as part of my considerations.

Main Issue

3. The main issue is the effect of the development on the amenities of the adjoining occupiers at 15 Oak Avenue.

Reasons

4. No.13 is an end-of-terrace property located within a small crescent of houses around a green set back from Oak Avenue. It has a corner position and a relatively triangular plot with a large area of garden to the side.

5. The proposal would create a large single-storey extension across the full width of the property. It would project adjacent to the shared boundary with No.15 which as I saw on site comprises a wall and fencing at a height of over 2m and vegetation providing further screening. The depth of the extension would be significantly in excess of Policy DMHD 1 criterion B i) of the Hillingdon Local Plan - Part Two - Development Management Policies (2020). However, the Council have not found that the design and form would be harmful to the property, or the character of the area and I agree with that assessment. Additionally, the property also benefits from Prior Approval Consent for an extension with a depth of 4m – Council reference 77097/APP/2022/613.

6. The extension would project along the shared boundary to the north of the neighbouring property, No.15. This property also has a sizable garden which kinks out further behind the area of the proposed extension.

7. Due to the flat roof design and limited height the extension would not be significantly prominent or an overly imposing feature. The Council advise that No.15 has an outbuilding to its southern boundary and while the extension would result in a level of enclosure to both sides, it would not be dissimilar to the existing boundary or the approved extension. Whilst the depth of the extension would be increased, given its form I do not find that it would further materially reduce the outlook or have an overbearing impact.

8. The appellant has referred me to a number of appeal decisions for similar extensions. Whilst each case is to be considered on its own merits, they do show support for larger single-storey extensions, and in accordance with my findings in this case, extensions to terraced properties greater than the depth set out in policy DMHD 1 criterion B i) will not necessarily be harmful to the neighbours' amenity.

9. Overall, I conclude that the extension would not be likely to result in any significant adverse impact on the living conditions of the occupiers of No.15. Accordingly, the proposal would accord with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan - Part Two - Development Management Policies (2020) which, amongst other things, require that development proposals achieve a satisfactory relationship with the adjacent dwelling and ensure that there is no unacceptable loss of outlook to neighbouring occupiers.

Conditions

10. As well as the statuary timescale for development, conditions are necessary to require the use of matching materials for the extension in the interests of appearance and to list the plans for the avoidance of doubt.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed.

G Ellis

INSPECTOR