



Appeal Decision

Site visit made on 14 November 2023

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th December 2023

APP/R5510/D/23/3327586

94/96 Manor Waye, Uxbridge, UB8 2BH

- 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 Saffi Rayman against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 78040/APP/2023/1058, dated 11 April 2023, was refused by notice dated 17 July 2023.
 - The development proposed is erection of two storey extensions to the rear of two adjoining residential dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the interests of clarity, in the banner heading above I have referred to the description of the proposal given by the appellant on the appeal form as this gives a clear description of the type of development proposed which reflects that used by the Council in their decision notice.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the site and surrounding area; and,
 - the living conditions of occupiers of 98 Manor Waye, with particular regard to light and outlook.

Reasons

Character and appearance

4. The appeal site relates to 2 adjoining terraced houses. No 94 is at the end of the terrace and has a 2 storey hipped roofed rear projecting wing. Both houses have single storey rear extensions. The rear of houses on this section of Manor Waye back onto Manor Waye Recreation Ground, the boundary with which comprises a close board fence within the appeal site and metal railings on the recreation ground side. Although there are mature trees within the park along the boundary, the rear roof of the appeal property and others along the road is visible between the trees and contributes to the character and appearance of the area.

5. The proposed development would add a first floor hipped roofed extension to No 96, which would mirror the design of the first floor hipped roofed element on No 94 and be linked to it by a crown roof. Both hipped roofs would be below the main roof ridge and the crowned section would be lower still. Nonetheless, it would project well beyond the main roof plane. In combination with the other extended elements, it would fail to meet the requirements of Policy DMHD 1 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) (DMP) which states that extensions should be no more than two thirds the average width of the original roof and retain a substantial element of the original roof slope above the eaves line. It would appear both bulky and out of keeping with other houses nearby, none of which have crowned sections and most of which remain relatively unaltered. The proposal would therefore conflict with the National Planning Policy Framework (2023), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the DMP which require high quality design that harmonises with the local context.

Living conditions

6. The proposed first storey extension on No 96 would be to the side of a first floor window serving the neighbouring house, No 98, which is above a side passage between the two houses giving access to No 96's rear garden. From this window the side wall of the extension would have an overbearing presence, but the appellant has stated that the window is at the top of the stairs. Views of the extension would therefore be peripheral and fleeting as occupiers of No 98 use the stairs. Other windows at the neighbouring property are far enough from the proposed extension side wall that the outlook from them would not be affected. Also, it would be set in from the boundary between the houses and given its depth, and the length of the neighbouring garden, I do not consider that the outlook for occupiers of No 98 would be unacceptably harmed by the proposal.
7. The rear of the appeal site and neighbouring houses faces north. Consequently, the rear windows and garden area closest to the back of the houses are in shadow for much of the day. The proposed extension would increase the amount of shade at the back of No 98 to a small degree in the late afternoon, but not to a level that it would harm the living conditions of occupiers of the property. Therefore, I conclude on this main issue that the proposed development would not harm the living conditions of occupiers of No 98 and there would be no conflict with Policies DMHB 11 and DMHD1 of the DMP which seek to prevent development from harming neighbours' amenity in terms of daylight, sunlight, and outlook.

Other matters

8. According to the appellant, the design was subject of pre-application discussion with the Council. However, the Council is not bound by the advice given when considering a formal application. Procedural issues such as this must remain a matter between the main parties. More particularly, my remit is limited to assessing the planning merits and impacts of the proposed development, and I have reached my decision on this basis.

Conclusion

9. I have considered all other matters raised in support of the appeal, including the processing of the planning application and the absence of public

representations. However, for the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR