

10 THE GREENWAY, ICKENHAM UB10 8LS

Appendix 2: Appeal Summary

APPEAL BY MR AND MS L AND T P REDDEN AND FERNANDES

UNDER SECTION 78(1) OF THE TOWN AND COUNTRY PLANNING ACT 1990

AGAINST THE DECISION OF THE LONDON BOROUGH OF HILLINGDON TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF A NEW GROUND FLOOR PORCH AND FIRST FLOOR EXTENSION AT 10 THE GREENWAY, ICKENHAM UB10 8LS

1. Introduction

The Appellant refutes the Local Planning Authority (LPA)'s assessment of the proposal as a rear extension and its impact on the residential amenity of the neighbouring property occupiers at Number 12. Whilst the reason for refusal states, in part that 'The development, by reason of the cumulative size, scale, and design would result in a visually dominant form of development.', this is contradicted by the reasoned justification within the Officer's Report (OR) which concludes that 'The design along the street scene would also appear sympathetic to the main dwelling.' The impact of the scale of the development is therefore limited to how the LPA perceives it as affecting the amenities of the occupiers at Number 12. No harmful impact on the wider street scene is therefore alleged. The Appellant's submission seeks to demonstrate that the proposed development is a **side extension** projecting from the flank wall of the dwelling and is designed in accordance with local and national policy guidance, including **DMHD 1, DMHB 11, and London Plan D3**.

2. Daylight and Sunlight – Objective Evidence

A professional study by The Daylight Lab (June 2025) assessed the potential impact of the extension on neighbouring properties using **Vertical Sky Component (VSC)** and **Annual Probable Sunlight Hours (APSH/WPSH)**, following **BRE Guidelines (2022)**.¹

Key findings:

- All windows at No.12 pass VSC and APSH/WPSH tests.
- No overshadowing of neighbouring amenity space is expected.
- No loss of No-Sky-Line is anticipated.

These results demonstrate **no material reduction in daylight or sunlight**, nor significant impact on neighbouring amenity areas. The refusal letter appears to rely on subjective impressions rather than this objective, evidence-based analysis. BRE compliance is explicitly recognised in national guidance as good practice and should be given full weight.

3. Overbearing Impact – Assessment

The refusal cites concerns regarding cumulative size, proximity to the boundary, and projection beyond No.12. The evidence indicates these concerns may have been overstated:

- **1m Set-In Compliance:** The proposal fully meets the first-floor side extension set-in requirements under **DMHD 1(iv)**.
- **Subordinate Design:** The extension is set down from the main ridge, remaining visually subordinate to the host dwelling.

¹ Appendix 1

- **Neighbouring Dual-Aspect Rooms:** No.12's ground-floor rooms are dual-aspect with large windows, mitigating any potential sense of enclosure.
- **Relative Scale:** No.12 is materially larger than No.10, with multiple previous extensions and outbuildings. The proposed extension would not create a disproportionate or dominant building.
- **BRE Compliance:** Objective daylight and sunlight measurements indicate no measurable loss of amenity, contradicting perceived overbearing impacts.

4. Outlook

The LPA's claim of loss of outlook is not supported by site conditions:

- No.12's principal area (garden and main view) remains open and unobstructed by the proposed side extension.
- The first-floor window at No.12 is set away from the shared boundary.
- No tunnel or enclosed effect is formed; the openness on multiple sides preserves outlook.

5. Street Context and Precedent

Several properties on The Greenway contain substantial side and rear additions, including a larger two-storey extension at No.8. While precedent is not determinative, inspectors typically consider:

- Street context and established character.
- Proportionality of plot sizes.
- Consistency of planning decisions.

The proposed extension is **proportionate to the corner plot** and consistent with surrounding developments.

6. Site Geometry and Perceived Massing

The property occupies a triangular corner plot, resulting in:

- Open views on multiple sides.
- No continuous wall line along the street.
- Reduced perceived mass compared with conventional terraced rear infill extensions.

This spatial arrangement lessens any potential impact on neighbouring amenity and visual dominance.

7. Potential Misinterpretation – Classification of the Extension

The proposed extension is a **side extension**, projecting from the flank wall rather than the rear. The officer's report appears to have assessed it as a rear extension, which may have led to a conservative application of policy tests.

- The principal elevation contains the front door and faces the road.
- The rear elevation is directly opposite the principal elevation.
- The neighbouring property's front area (patio and main view) remains open and unobstructed.
- No tunnel effect or loss of outlook occurs from the neighbour's principal viewing area.

Correctly classified as a side extension, the proposal fully complies with **DMHD 1**, including set-in distance, subordination, and roofline considerations.

8. Conclusion

The appeal demonstrates that, when objectively assessed:

1. BRE daylight and sunlight studies show **no loss of daylight, sunlight, or overshadowing**.
2. Claims of overbearing impact are **not supported by measured evidence** and are mitigated by the relative scale of No.12.
3. Alleged loss of outlook is based on a **misinterpretation of the neighbouring property's layout and principal viewing areas**.
4. Street context, proportionality, and existing precedent support the development.
5. The corner-plot geometry reduces perceived massing impacts.
6. The extension is correctly classified as a **side extension**, in full compliance with local planning policy.

On this basis, the Appellant respectfully requests the Inspector to reconsider the LPA's reason for refusal as the proposed development causes **no material harm to neighbouring amenity** or the character of the area.