
Appeal Decision

Site visit made on 11 March 2019

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2019

Appeal Ref: APP/R5510/D/18/3216072
14 Cavendish Avenue, Ruislip, HA4 6QH

- 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 David Gullick against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 7041/APP/2018/2458, dated 3 July 2018, was refused by notice dated 5 September 2018.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 14 Cavendish Avenue, Ruislip, HA4 6QH in accordance with the terms of the application, Ref 7041/APP/2018/2458, dated 3 July 2018, subject to the following conditions:
 1. The development hereby permitted shall begin not later than 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: 01A & 02A.

Main Issue

2. The main issue is the effect of the proposal on living conditions for neighbours.

Reasons

3. The appeal property is a two storey end of terrace home and in common with its relevant neighbours has an exceptionally long rear garden extending out south eastwards. The appeal scheme is as described above and is effectively an extension to an existing flat roofed rear projection to allow for an increased kitchen / dining arrangement. The extension would add about 1.6 metres in depth to existing structure which is presently around 2.8 metres in depth.

Living conditions

4. The Council is concerned that the size, bulk and depth of the proposed extension would in terms of 16 Cavendish Avenue be overdominant, blinkering, and overbearing and cause overshadowing and loss of light.
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5. However this neighbouring property has a substantial length of rear garden and is within an area where there is a characteristic of a rear building line which is very varied. There would be some small additional side screening to outlook but this would not be of significant change to neighbours given the existing built arrangement, the screen fence in situ, and the 'blocking' and to a degree parallel position of their own shed. The clear aspect down their garden, beyond the shed would continue to be enjoyed. The orientation of the extension and its height and length would be such that any change to sunlight penetration and general levels of light for neighbours would at most be for a part of the day in part of the year and such change would be modest even in the worst case. The scheme is a very limited addition to an existing situation and to my mind it does not reach the tipping point for rejection; it is not unreasonable in residential amenity terms.
6. Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), taken together, seek to ensure that new development is neighbourly. I conclude that this scheme would not run contrary to these policies for the reasons I have given. This same objective is embodied in the Supplementary Planning Document HDAS: *Residential Extensions* and I have considered its pertinent *guidance* in reaching my conclusion. This document cannot be expected to cover every eventuality and at times needs to be considered with a degree of flexibility

Conditions

7. The scheme should have the standard commencement condition. The Council suggests the requirement for materials to match the existing building. I agree this condition would be appropriate in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty.

Overall conclusion

8. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the living conditions of neighbours. Accordingly the appeal is allowed.

D Cramond

INSPECTOR