
Appeal Decision

Site visit made on 7 March 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th April 2022

Appeal Ref: APP/R5510/D/21/3287789

10 Frays Avenue, West Drayton UB7 7AF

- 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 Nestor Fon against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 5235/APP/2021/1541, dated 19 April 2021, was refused by notice dated 3 September 2021.
 - The development proposed is single storey rear extension, single storey side extension and raising of roof to allow conversion of roofspace to habitable use to include 1 x side/rear/front dormer and 1x side rooflight.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has changed from the application form to the decision notice. That on the application form adequately describes the proposal and I note that overall, the proposal contains three separate dormer windows.

Application for costs

3. An application for costs was made by Mr Nestor Fon against the Council of the London Borough of Hillingdon. This application is the subject of a separate Decision.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area and the effect of the single storey side extension on the living conditions of occupiers of No. 8 Frays Avenue (No.8) with particular regard to light and outlook.

Reasons

5. The proposal relates to an existing bungalow which incorporates accommodation within the roofspace which is served by front and rear dormer windows. The property sits within the Garden City, West Drayton, Area of Special Local Character which has a residential character (ASLC).

Character and appearance

6. The size and scale of other residential properties within the wider ASLC is mixed whilst the appeal property sits in between two other bungalows with only modest roof heights.
7. Only small increases are proposed to the ridge and eaves height on the roof. This being the case, the overall scale, height and bulk of the resultant bungalow would not be out of keeping with the neighbouring dwellings.
8. Dormer windows are already an established feature of the dwelling. Whilst larger than those existing, those proposed would not be excessively large nor bulky and would be appropriately sited, being set down from the ridgeline and away from the eaves. Three dormers would not be excessive, particularly bearing in mind that two already exist. Their hipped design would not be uncommon to the area.
9. The proposal would comprise a non-intrusive intervention within the street scene and would therefore preserve the character and appearance of the area and the ASLC.
10. With regard to this particular matter, the proposal would subsequently be in accordance with policies BE1 and HE1 of the Hillingdon Local Plan Part 1 Strategic Policies (2012), policies DMHB 1, DMHB 5, DMHB 11, DMHB 12 and DMHD 1 of the Local Plan Part 2 Development Management Policies (2020) (LP2DMP) and policies D4, D6 and HC1 of the London Plan (2021).

Living conditions

11. The existing single storey side element on the northern elevation of the property is largely set back to the west of what the evidence indicates to be a habitable window serving a bedroom within the southern side elevation at No.8.
12. However, the proposal seeks to bring forward the single storey side element such that this element would then sit forward of the window. The side extension would run to the boundary, and the window within No.8 is only a short distance from the boundary to the north.
13. Accounting for this, it is likely that the occupiers would suffer harm to their living conditions as a result of loss of light and loss of outlook from this window brought about by the resultant proximity of this part of the scheme, even in the case that there were another window serving the room.
14. The proposal in relation to this particular matter would therefore conflict with policies DMHB 11 and DMHD 1 of the LP2DMP. Amongst other things these policies require development proposals which should not adversely impact on the amenity and daylight of adjacent properties, and which cause no unacceptable loss of outlook and achieve a satisfactory relationship with adjacent dwellings.

Other Matters

15. It is suggested that the single storey side extension would be permitted development and therefore should be taken into account as a fallback position. However, there is no agreement between the parties that this element of the scheme would be permitted development and there is nothing compelling

within the evidence which confirms that this would be the case. I therefore afford this matter limited weight.

Planning balance and conclusion

16. There is no indication that the decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

TJ Burnham

INSPECTOR