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**COPY OF APPEAL DECISION LETTER
REFERRING TO 10 TOWNFIELD ROAD**

Appeal Decision

Site visit made on 19 February 2019

by Peter D Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2019

Appeal Ref: APP/R5510/W/18/3217923

10 Townfield Road, Hayes, Middlesex UB3 2EL

- 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 Julie Markwell against the decision of the London Borough of Hillingdon Council.
 - The application Ref 35695/APP/2018/2157, dated 7 June 2018, was refused by notice dated 3 September 2018.
 - The development proposed is two storey side extension to form new house with associated parking and external works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would have an adverse effect on the living conditions for present and future occupants of No 1 Fifth Avenue and No 10 Townfield Road in terms of light levels, overshadowing, proximity and outlook.

Reasons

3. No 10 Townfield Road is the end property in a short terrace of 3 two storey houses. The appeal property occupies a large corner plot which is triangular in shape on the corner of Townfield Road and Fifth Avenue. A detached single garage occupies part of the plot which would be removed to allow the terrace to be extended to provide the new dwelling. The gable end of No 1 Fifth Avenue faces towards No 10's garden. The 2 gardens are separated by a narrow rear pedestrian access.
 4. Whilst on the site visit I had the opportunity to assess the proposed dwelling from the garden of No 1 Fifth Avenue. No 1 has its main patio area to the rear of the house and a side garden between the house and outbuildings. These garden areas would be around 6 metres from the rear wall of the proposed dwelling. Given the short separation distance, the height of the new house at nearly 8 metres and its bulk would be dominant, obtrusive and overbearing on the rear garden of No 1 and have a significant and detrimental impact on the outlook from it and the principal sitting-out area directly south of the new dwelling. Currently the garden affords a view over the garden of No 10 towards open sky and trees to the north. This would be lost as a result of the new dwelling and a significant feeling of enclosure created in its place.
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5. Although loss of light was included in the reason for refusal I am not persuaded that this would be significant for occupants at No 1. Given the orientation of the properties, the extension to No 10 to provide the new dwelling would be almost due north of the garden to No 1 Fifth Avenue. Accordingly there would be virtually no overshadowing of the garden as a result of the new dwelling. However the proposal to construct the new dwelling as an extension to No 10 would affect sunlight to No 10 itself. Currently the gable end to No 10 faces west north west and includes a bathroom, landing and bedroom window at first floor level all of which would be blocked by the new dwelling resulting in the loss of late afternoon and evening sunlight into the dwelling.
6. I acknowledge that there would be no direct overlooking of neighbouring properties from the new dwelling in that only one obscure glazed window at first floor faces directly towards No 1 Fifth Avenue and the garden of No 10. Although there are proposed to be windows in the side elevation of the new dwelling, given its orientation, these would look past windows in the side of No 1 Fifth Avenue.
7. *National Planning Policy Framework* (the Framework) at paragraph 127 seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. Policies BE19, BE20 and BE21 of the *Hillingdon Local Plan Part 2 Saved UDP Policies* (HLP2) remain consistent with this policy of the framework in seeking to ensure that development complements or improves amenity and character of an area, safeguards the amenities of existing houses and avoids significant loss.
8. Notwithstanding the fact that there would be no significant overlooking from the new dwelling, its overbearing relationship to No 1 Fifth Avenue and the impact on sunlight levels into No 10 would be in conflict with the Framework and HLP2 policies BE19, BE20 and BE21.

Other Matters

9. The proposed design of the new dwelling as an extension to No 10 would be respectful of the terrace. The dwelling would be set down slightly at the ridge and in from the rear elevation of No 10 and would therefore appear subordinate to the host dwelling. It would respect the return building line established by the Fifth Avenue properties and complement the existing terrace in terms of design, fenestration and materials. I am therefore satisfied that it would be acceptable in terms of the character and appearance of the area and would be in accordance with *Hillingdon Local Plan Part 1* policy BE1(1).
10. I acknowledge that the proposal would see the development of a small site and make effective use of residential land both encouraged by paragraphs 68 and 122 of the Framework. It would also meet internal and external space standards set out in the *Technical Housing Standards* and the *Hillingdon New Residential Layouts Supplementary Planning Document* and it would provide an additional, unit of residential accommodation in a sustainable location. However these benefits would not outweigh the harm to living conditions were I to allow the appeal thereby creating an overbearing and unsatisfactory relationship for the occupants of No 1 Fifth Avenue.

Conclusion

11. I have considered the matters before me and conclude that notwithstanding

that the proposal would create an additional unit of accommodation and that it would not harm the character and visual appearance of the surroundings the appeal should be dismissed for the reasons above.

P. D. Biggers

INSPECTOR