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## Appeal Decision

Site visit made on 3 August 2022

**by Mr M Brooker DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 September 2022.

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**Appeal Ref: APP/R5510/D/22/3294276**

**9 Angus Drive, Ruislip HA4 0RZ**

- 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 Nassair Kassam against the decision of London Borough of Hillingdon.
  - The application Ref 23697/APP/2021/4278, dated 19 November 2021, was refused by notice dated 21 February 2022.
  - The development proposed is described as the "demolition of existing conservatory and outbuilding and erection of single storey rear extension".
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### Decision

1. The appeal is allowed and planning permission is granted for the "demolition of existing conservatory and outbuilding and erection of single storey rear extension" at 9 Angus Drive, RUISLIP, HA4 0RZ in accordance with the terms of the application, Ref 23697/APP/2021/4278, dated 19 November 2021, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) the materials used in the exterior of the single storey rear extension hereby approved shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

### Applications for costs

2. The appellant has made an application for full costs from the London Borough of Hillingdon. This application is the subject of a separate decision.

### Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupiers of 9a and 9b Angus Drive with particular regards to outlook, daylight and privacy.

### Reasons

4. The appeal site consists of the appeal property 9 Angus Drive and the properties referred to as 9a and 9b. I saw at the site visit that these properties are occupied by family members and are of a limited size and provide only limited facilities such that they can only be occupied as ancillary accommodation to the main dwelling, No9. Furthermore, based on the evidence before me it is clear that these properties were granted planning permission subject to conditions that restrict occupation to purposes ancillary to the

residential use of No9. As such these properties do not form separate dwellings.

5. The appeal scheme proposes the replacement of the existing conservatory with a single storey rear extension. The appellant details that the proposed extension is approximately 0.1m deeper and 0.8m wider than the existing structure. The increased width would bring it closer to the existing rear extensions, in particular a bedroom window.
6. Nonetheless, on the basis that the proposed extension will only be marginally closer to this room, that is used as a bedroom and does not form a separate dwelling, and that the appeal scheme would be of specific benefit to the occupier of the bedroom, I am satisfied that the living conditions of the occupiers of the properties on the site will not be materially harmed by the appeal scheme.
7. As such, the appeal scheme is not contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) that amongst other matters seek to protect the living conditions of the occupiers of neighbouring properties.

### **Conditions**

8. In the interests of clarity, I have included a condition relating to the implementation of the development and in the interests of the appearance of the area I have included a condition relating to the materials to be used in the extension of the appeal scheme.

### **Conclusion**

9. For the reasons given I conclude that the appeal should succeed.

*Mr M Brooker*

INSPECTOR

