

## 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/19/3219687**  
**14 Denziloe Avenue, Uxbridge, UB10 0ED**

- 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 Jasvinder Bhatia against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 73629/APP/2018/3428, dated 25 September 2018, was refused by notice dated 19 November 2018.
  - The development proposed is a single storey rear extension and removal of arch to storm shelter.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and removal of arch to storm shelter at 14 Denziloe Avenue, Uxbridge, UB10 0ED in accordance with the terms of the application, Ref 73629/APP/2018/3428, dated 25 September 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: Ground floor plans, First floor plans, Roof detail, Sections, Proposed elevations, Proposed Site Plan – all Rev 1.

### Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the host property and the locality and b) living conditions for neighbours.

### Reasons

3. The appeal property is a two storey attractive semi-detached home in a neighbourhood of broadly similar properties. It and immediately adjoining houses have relatively generous rear gardens. The area is of established residential character and the streetscene is one of pleasing suburban appearance with some regularity which is not shared in terms of rear development or building lines. The appeal scheme is a virtually flat roofed
-

extension of in part 4 metres and in part 6m in depth, by 6.3m width, and up to 3m height. It would provide additional kitchen and living accommodation across the whole of the rear of the house.

#### *Character and appearance*

4. The Council is concerned that because of its size in all directions would not appear as an incongruous addition to the house and thus be architecturally detrimental its appearance and the aesthetics of the wider area.
5. This would be a large single storey extension and in terms of depth it would not accord with the normal constraints applied by the Council. However it must be acknowledged that there is a 'fall back' of a 4 metre deep scheme (of up to 4m in height) previously accepted under the 'Prior Approval Process'. For about two thirds of the width of this the depth with the appeal scheme would increase to 6 metres. As well as the fall back matters such as garden size, local extensions and outbuildings, and the strong and continued nature of the existing home have to be taken into account. The depth of the home itself is not insubstantial. The design of the extension is simple and would not be visually overwhelming in this instance. There are degrees of subordination and firm dimensions cannot always be suitable across the board. Furthermore as I note above the rear areas of local properties is very varied. In the wider picture the scheme would not be harmful, the original building would still be legible, and the pleasing street scene would be unaltered.
6. In my opinion the design would not unduly detract visually from host property and its context and would have no marked negative impact upon the aesthetic qualities of the surrounding area.
7. I therefore conclude that in the circumstances it would not run contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (LP2). These policies, like the Supplementary Planning Document HDAS: *Residential Extensions* (SPD), share common themes of seeking to protect or enhance the character and appearance of buildings and their neighbourhood, to ensure harmonious development and the safeguarding of local distinctiveness.

#### *Living conditions*

8. The Council is concerned in sum that size and proximity of the extension would harm amenities at 16 Denziloe Avenue through dominance, blinkering and loss of light.
9. I mention the Prior Approval scheme above and this appeal proposal has embodied that 4m length along the side boundary before, at 2m in from the boundary, extending a further 2m outward. In other words there is a 'bite' missing from the most pertinent outer corner. In my opinion this would be a reasonable design solution to keep excessive bulk away from neighbours. The height of the whole structure would be limited to up to 3m and with that 2m set-in from the boundary then potentially the most significant part for amenity imposition of any type is not in place. In any event No 16's garden is of a good length to afford significant scope for outlook and at any time of day for most of the year it should offer opportunity for direct sunlight at parts.
10. In all the circumstances the planned rear extension on the appeal property would be reasonable in residential amenity terms.

11. LP2 Policies BE19, BE20 and BE21, 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 SPD and I have considered its pertinent dimensional *guidance* in reaching my conclusion.

*Conditions*

12. 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*

13. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality or on living conditions for neighbours. Accordingly the appeal is allowed.

*D Cramond*

INSPECTOR