



Appeal Decision

Site visit made on 23 February 2021

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 March 2021

Appeal Ref: APP/R5510/D/20/3261556

11 Acacia Avenue, Hayes UB3 2NB

- 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 Kanwarjit Kaur against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 50341/APP/2020/1681, dated 1 June 2020, was refused by notice dated 28 July 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of No 9 Acacia Avenue, with particular regard to light and outlook.

Reasons

3. The appeal property is an end-of-terrace 2 storey dwelling. It has an existing single storey flat roofed rear extension, at around 3 metres deep, which adjoins the boundary with No 9 Acacia Avenue. There is also a conservatory which extends around 2.46 metres further to the rear. This is set-in from the boundary and it is of lightweight construction due to the predominantly glazed walls. Furthermore, the conservatory is lower than the flat-roofed extension and features a mono-pitched roof that reduces in height to the rear. These factors combine to limit the visual impact of the existing conservatory on the adjoining property at No 9.
4. The proposed single storey rear extension would replace the conservatory, and it would match the width and height of the existing flat-roofed extension. Whilst the proposal would match the depth of the conservatory, its side wall would be positioned closer to the boundary with No 9 than the conservatory; it would be taller and appear more obtrusive.
5. The proposal would not cause a significant loss of light to the habitable windows and patio area of No 9 in comparison to the existing situation. Nevertheless, the enlargement would form a solid wall at around 3 metres tall adjacent to the boundary, which would extend about 5.46 metres beyond the rear elevation of No 9. This would cause an unacceptable sense of enclosure

and loss of outlook from the nearest ground floor habitable window and the patio area of the neighbouring property.

6. I have had regard to the appellant's statement that the proposal would create a greater sense of privacy for the occupiers of No 9 Acacia Avenue. However, the side corrugated panel of the existing conservatory obscures views into the neighbouring garden. This consideration would not outweigh the harm I have identified above.
7. For the above reasons, I conclude that the proposed development would be harmful to the living conditions of the occupiers of No 9 Acacia Avenue in respect of outlook. It would therefore conflict with Policies DMHB 11 and DMHD 1 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted January 2020. Amongst other things, these policies state that extensions of dwellings will be required to ensure that there is no unacceptable loss of outlook to neighbouring occupiers.

Conclusion

8. For the above reasons, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR