



Appeal Decision

Site visit made on 25 July 2024

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2024

Appeal Ref: APP/R5510/D/24/3342850

18 The Uplands, Ruislip, Hillingdon, HA4 8QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr N Solanki against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 65398/APP/2023/3462.
 - The development proposed is a single storey rear infill, first floor side/rear extension, conversion of garage into habitable space and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed single storey rear infill extension on the living conditions of occupiers of 16 The Uplands with respect to outlook, visual intrusion, overshadowing and light.

Reasons

3. The appeal dwelling is a detached two storey house of traditional design set on a generous corner plot. It has been extended in the past through the addition of a single storey rear extension which has a staggered building line closest to the boundary with No 16.
4. No 16 lies to the south west of the appeal site and the other neighbour, No 20 to the north east. Owing to the location of the three dwellings in a corner location, the rear elevations of Nos 16 and 20 are angled towards the appeal dwelling. The rear elevation of No 16, which has not been extended is also set back from that at No 18.
5. The Council raises no objection to the first floor side/rear extension nor to the conversion of the garage to habitable accommodation and other internal alterations. I agree these are acceptable. I shall therefore restrict my further consideration to the single storey rear infill extension. This would square off the corner of the existing single storey extension. It would involve an infill with a depth of some 1.8m and a width of about 2.8m. The roof would be some 3m high to match the roof of the existing extensions. A gap of some 1.65m at the far corner would remain between the extension and the boundary with No 16.

6. Policy DMHD 1 of the Council's Local Plan: Part 2 - Development Management Policies (DMP), 2020, states that single storey rear extensions to detached dwellings should not exceed 4m in depth. The existing extension closest to the boundary with No 16 appears to have been built with a depth of about 3.7m. An additional 1.8m is now proposed, clearly exceeding the 4m limit. The evidence shows that this would result in the extension impinging on a line drawn at 45 degrees from the centre of the closest window in No 16. This would limit the existing outlook from the window to the rear of No 18.
7. The appellant suggests that the loss of outlook would be minimal and notes that it is intended to increase the height of the boundary fence to 2m. However, owing to the rear of No 16 being angled towards the boundary of No 18, the loss of outlook within the main field of vision would be more pronounced than for a conventional layout. Notwithstanding the increase in fence height and the gap between the proposed extension and the boundary, a noticeable degree of visual intrusion would therefore result.
8. The rear elevation of No 16 has a number of windows and glazed doors and the evidence shows that the rear rooms of the dwelling have been combined to form a kitchen/dining room. Nevertheless, I do not agree with the appellant that this would render it acceptable to materially reduce outlook from the closest window, depriving part of the room of its existing outlook.
9. Turning to light, the position of No 16 to the south west of the appeal dwelling means that no material loss of sunlight or overshadowing would occur as a result of the proposed infill extension. Nevertheless, I find that the loss of outlook would, owing to the angled relationship between the two dwellings, be significant and that this would materially harm the living conditions of occupiers.
10. It is concluded on the main issue that the proposed single storey rear infill extension would have a materially harmful effect on the living conditions of occupiers of 16 The Uplands with respect to outlook and visual intrusion. However, there would be no material overshadowing or loss of light. Nevertheless, the proposed development would conflict with Policies DMHB 11 and DMHD 1 of the DMP. Taken together these expect new development to be designed such that it does not adversely impact on the amenity of adjacent properties and in particular does not result in an unacceptable loss of outlook.
11. The occupiers of No 20 The Uplands express concern regarding loss of light to side ground floor windows as a consequence of the proposed first floor side/rear extension. However, I agree with the Council that owing to the separation distance between No 20 and the shared boundary no material loss of light would occur.
12. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR