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## Appeal Decision

Site visit made on 2 August 2022 by S Wilson LLB MSc LRTPI

### Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2022

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### Appeal Ref: APP/R5510/D/22/3298755

#### 14 Saxony Parade, Hayes, Middlesex UB3 2TQ

- 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 Mrs S Shazada against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 75320/APP/2021/3522, dated 4 May 2021, was refused by notice dated 4 March 2022.
  - The development proposed is first floor rear extension.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. At my site visit I observed that the appeal property had an existing hip to gable roof extension incorporating a full width, flat roof, rear roof extension. To the ground floor was an existing full width rear extension and to the first floor a part width rear extension.
4. During the application process, the Local Planning Authority (LPA) saw the roof extensions, noted that they did not have any planning history and included them into the description of development, changing it to: *'Proposed first floor rear extension; conversion of roof space to habitable use to include a rear dormer and alteration of roof from hip to gable end'*. The LPA considered the application on that basis. There is no evidence before me that this revised description was agreed with the appellant.
5. It is not for me, within the remit of this S78 appeal, to determine whether the roof extensions are lawful, and the appellant has made their position clear that they do not form part of the proposal before me. Therefore, I have considered the appeal based on the description of development on the application form.

### Main Issues

6. The main issues are: the effect of the proposal on the character and appearance of the area; the effect of the proposal on the living conditions of the occupiers at 16 Saxony Parade with regard to outlook and light; and

whether the proposal would provide suitable living conditions for existing and future occupiers of the appeal property with regard to outside amenity space.

## **Reasons for the Recommendation**

### *Character and appearance*

7. The property has already been substantially extended, but part of the rear elevation remains visible beside the existing first-floor extension. Although relatively modest in relation to the existing extensions, the appeal proposal would nonetheless add significant further bulk, mass, and scale to the existing rear extensions. It would fill the remaining space at first-floor level, completing a total reimagining of the rear elevation and significantly altering the existing dwelling. Cumulatively, the rear extensions would dominate the original dwelling and would not to be subordinate to it.
8. Furthermore, the proposal would create a wide, shallow roof over the combined first-floor extensions, relating poorly to the pitch of the main roof and creating a very awkward relationship with the rear dormer, to the detriment of the appearance of the dwelling. The existing first-floor extension also interrupts the dormer, but it is of far smaller scale than this proposal, and its design is therefore not as harmful as the appeal proposal.
9. While there are other extensions in the local area, I have not been made aware of any with this cumulative scale and massing. Consequently, in conjunction with the existing extensions to the property, the proposed design would not harmonise with the local context in terms of the surrounding scale of development, height, mass and bulk of adjacent structures.
10. The proposal would not be visible from the road and therefore would not impact on the street scene. However, it would be visible from private views and, due to its design and cumulative impact, would therefore harm the character and appearance of the area. Accordingly, it would fail to comply with Policy BE1 of the Hillingdon Local Plan - Part One – Strategic Policies (adopted 2012) (LPP1), Policies DMHD1 and DMHB11 of the Hillingdon Local Plan - Part Two – Development Management (adopted 2020) (LPP2), and Policy D4 of the London Plan (2021) insofar as they require a high standard of design to improve and maintain the quality of the built environment.
11. The LPA has also cited Policy DMHB12 of the LPP2 in its reason for refusal. However, as the roof extensions are not part of the proposal before me, and the proposed development does not impinge on the street realm or public realm, I find no conflict with that Policy.

### *Living Conditions: 16 Saxony Parade*

12. The existing first-floor extension is set well away from the boundary with No 16, which does not benefit from any rear extension. It therefore has a limited impact on light and outlook to that property.
13. The proposal would extend almost up to the boundary with No 16 and be 2300mm deep. It would therefore breach a 45-degree line of sight drawn from the centre of the nearest neighbouring first-floor window by some distance. The additional bulk, mass, and scale of the proposed extension would make it a dominant feature when seen from the first-floor window of No 16. It would also create a significant sense of enclosure from both the ground and first-floor



windows of that property. It would therefore result in a significant and unacceptably harmful loss of outlook from No 16.

14. The existing dwelling and No 12 already create some shading of No 16 in the afternoons. However, due to its proximity, height and orientation, I consider that the proposed extension would result in further shading of the nearest windows of that neighbouring property. While the additional shading would occur for a relatively short time, it would nevertheless adversely impact on the light reaching the adjacent property, further harming the occupiers' living conditions.
15. Although the supporting text to LPP2 Policy DMHB11 refers to an expectation that developments will be assessed under British Research Establishment (BRE) guidance on sunlight and daylight, no such report has been provided with this appeal. It has not therefore been demonstrated that the difference in shading would be minimal, as the appellant suggests.
16. Consequently, the proposal would harm the living conditions of the occupiers of No 16 with regard to outlook and light. Accordingly, it would not comply with LPP2 Policies DMHD 1 and DMHB 11 insofar as they require that development should not adversely impact on the daylight and sunlight of adjacent properties or create an unacceptable loss of outlook.

*Living conditions: existing and future occupiers*

17. LPP2 Policy DMHB18 requires new residential development to have outside amenity space in accordance with specified standards set out in a table in the supporting text to that Policy. For 2 and 3 bedroom houses the minimum amenity space is 60sqm, rising to 100sqm for 4+ bedroom houses. Policy D6 of the London Plan also sets out standards for private outside space, but these apply only where there are no higher local standards, which is not the case here.
18. The existing floorplans submitted with this appeal show 4 existing bedrooms in the appeal property. The proposal would enlarge one of these and would not add more bedrooms. Therefore, while the existing amenity space provision may be below the required LPP2 standard, the proposal would not lead to an increase of habitable rooms or a need for additional amenity space.
19. Consequently, it would not result in any adverse impact on the living conditions for existing and future occupiers of the appeal property with regard to outside amenity space. I therefore find no conflict with Policy DMHB 18 of the LPP2, Policy D6 of the London Plan (2021) or the National Planning Policy Framework (2021) in this respect.

**Other Matters**

20. The absence of local objection does not change my conclusions on the proposal. While the neighbouring property could also be extended, this has not occurred and there is no substantive evidence before me that there are any plans to do so. Therefore, this does not mitigate the harmful effects of the proposal that I have identified, having considered the proposal in light of the existing situation on site at the time of my visit, and on its own merits.

### **Conclusion and Recommendation**

21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*S Wilson*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*L. McKay*

INSPECTOR