The Planning Inspectorate

Appeal Decision

Site visit made on 26 April 2021

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2021

Appeal Ref: APP/R5510/D/20/3262990
13 Nellgrove Road, Uxbridge UB10 0SX

- 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 Sandip Kaur Sangha against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 75893/APP/2020/2970, dated 17 September 2020, was refused by notice dated 2 November 2020.
- The development proposed is single storey rear extension with flat roof and 2no. flat profile roof windows.

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue in this appeal to be the impact of the proposed development on the amenity of the occupiers of no.11 Nellgrove Road with particular regard to daylight and outlook.

Reasons

3. The appeal property is a mid-terrace dwelling with a plot which stretches from Nellgrove Road to the front and a public park to the rear. The dwelling is part of a relatively uniform terrace with a number of dwellings having various additions to the rear of the properties. No. 15 shares a boundary with the appeal site, and part of this boundary consists of a flat-roofed rear extension to that property, which extends approximately 3m from the rear of the original dwelling.

4. The appeal site has a pair of glazed doors set within a small canopied extension which immediately abuts this extension at no. 15. There is also a further door access to the house, alongside a small window. No. 11 has a similar arrangement, with a door and window closest to the boundary with the appeal site, and then a canopied window arrangement serving the living space to that house. No. 11 also has a lean-to timber shelter which has a corrugated plastic roof, but which remains open to the garden.

5. Policy DMHD 1 of the Local Plan[1] states that extensions of dwellings will be required to ensure that a satisfactory relationship with adjacent dwellings is

[1] Hillingdon Local Plan: Part Two – Development Management Policies (adopted 16 January 2020)

achieved, saying that single storey rear extensions to terraced properties should not exceed 3.6m where the plot width is 5m or more. Policy DMHB 11 goes on to state that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties.

6. The proposal would introduce an extension to the host dwelling which spans the full width of the property. The development would result in a 5m deep extension to the existing house, to a height to match that at no. 15. The appellant confirms that their property is 5.6m wide and as such the depth of the development would conflict with the requirements of the Local Plan. Given the depth, height and position of the proposal, the development would create a dominant and solid flanking wall and would thus create an unneighbourly sense of enclosure and would create a gloomier and more oppressive outlook for future and existing occupiers of no. 11. The proposed extension would overshadow that portion of the rear garden close to it to some extent, and would be visually intrusive when seen from no. 11.

7. For these reasons I conclude that the proposed development would have a harmful effect o the living conditions of the neighbouring residential property at no. 11 with particular regard to daylight and outlook. The proposal is therefore contrary to the amenity protection aims of Policies DMHB 11 and DHMD 1 of the Local Plan, the National Planning Policy Framework and the London Plan.

Other Matters

8. I acknowledge the appellant's comments regarding the size of the proposed development and that there are previous examples of similar development within the area, however I have not been provided with full details of these proposals so I am unable to make any meaningful comparisons. These are therefore not directly comparable to the appeal before me and do not outweigh the identified harm.

9. I recognise that the neighbours have not raised any objections to the proposal and I had regard to the desire of the appellant to provide longer-term needs of their family. However, I am mindful that the harm identified would be permanent and is not outweighed by the appellant' particular circumstances, and the lack of objections does not in itself render the proposal acceptable.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Rebecca Thomas

INSPECTOR