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# Appeal Decision

Site visit made on 6 July 2023

**by G Ellis BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 July 2023**

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**Appeal Ref: APP/R5510/D/22/3313371**

**2A Tudor Way, Hillingdon, Uxbridge Middlesex UB10 9AB**

- 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 R Nordin against the decision of the London Borough of Hillingdon.
- The application Ref 77609/APP/2022/3088, dated 9 October 2022, was refused by notice dated 5 December 2022.
- The development proposed is the demolition of conservatory and the erection of two storey rear extension.

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## Decision

1. The appeal is allowed, and planning permission is granted for demolition of conservatory and erection of two storey rear extension at 2A Tudor Way, Hillingdon, Uxbridge Middlesex UB10 9AB in accordance with the terms of the application, 77609/APP/2022/3088 dated 9 October 2022 subject to the following conditions: -
  1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, 1, 2 rev B, 3 rev A, and 4.
  3. The external surfaces of the development hereby permitted shall match the existing building.

## Main Issues

2. The main issues are the effect of the development on:
  - i) the character and appearance of the area and host property; and
  - ii) the living conditions of the occupiers of No.2 Tudor Way with particular regard to overbearing impact, overshadowing and outlook.

## Preliminary Matter

3. When I visited the site, the conservatory had been removed and a rear extension up to a single-storey level was under construction.

## Reasons

### Character and Appearance

4. The appeal property is located at the end of Tudor Way. Along with its neighbour, No.2B, the two detached properties with linked garages are of the same design with the rest of the street exhibiting a mix of property styles and forms.
5. The proposed two-storey extension would align with the rear of the garage and reflects the existing form of the property. The proposal would effectively move the rear façade further back creating a lengthy side elevation. It thereby would fully reflect the architectural design and integrate with the existing property. It would also be proportionate to the existing property and would accord with policy DMHD1 criterion 6 of Hillingdon Local Plan: Part Two – Development Management Policies for two-storey rear extensions not to *extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property*.
6. Due to the driveway space between Nos.2A and 2B the side of the extension would be seen in views between those properties. Although that would only be from directly opposite and in general views along the street the depth would not be discernible. Moreover, I do not find that it would be an incongruous feature and there are other buildings in the immediate vicinity which have a large scale including an apartment block seen through the gap to the side of the appeal property.
7. In conclusion, I do not find that the development would be visually intrusive or harmful to the existing property. The proposal would thereby accord with the requirements of Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies. It would also accord with the design requirements of the National Planning Policy Framework.

### No.2 Tudor Way

8. As noted above, the extension would not protrude beyond the 45-degree line, and it would be offset from the shared boundary with No.2. Having regard to the relationship I do not find that the extension would be overly intrusive to have an overbearing impact or significant loss of outlook. The additional depth of the extension would result in some overshadowing, however, given the orientation this would only be for part of the morning, and would not be to the extent to be materially harmful to the occupiers' enjoyment of their property.
9. Therefore, the development would accord with policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) with regards to not adversely impacting on the amenities of adjacent properties.

### Conditions

10. Conditions are necessary in the interests of compliance with statutory requirements relating to the commencement of development and the plans for certainty. I have also imposed a condition to secure the materials in the visual interest.

**Conclusion**

11. For the reasons given above and having had regard to all other matters raised, I conclude that the appeal should be allowed, and planning permission granted.

*G Ellis*

INSPECTOR