



## Appeal Decision

Site visit made on 31 August 2024

by **Elaine Benson BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

**Appeal Ref: APP/R5510/D/24/3346390**

**13 Chestnut Close, Hayes UB3 1JF**

- 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 Mrs Kellie Portugal Walker against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 78553/APP/2024/283.
- The development proposed is erection of single storey rear extension following demolition of extension.

### Decision

1. The appeal is dismissed.

### Main Issue

2. The Council raises no objection in respect of the impact of the proposed extension on the living conditions of adjacent occupiers. There are no reasons to disagree. The main issue in this appeal therefore is the effect of the appeal proposal on the character and appearance of the host property and the surrounding area.

### Reasons

3. Notwithstanding that an existing outside toilet and garden structure would be removed, the proposed 6m deep extension would significantly increase the footprint of the appeal property. It would extend further into the garden than the two neighbouring extensions which the Council indicates are broadly in line with the 3.6m depth permitted by Policy DMHD 1. There are no other, deeper extensions in the visual context of the appeal site. In my judgment the proposed extension would appear incongruous and overly dominant to the host property and would out of character with similar development in the surrounding area.
4. It is also relevant to this appeal that an Article 4 Direction prevents the erection of 6m deep extensions under 'permitted development' rights and restricts 'larger home extensions' to 4m in depth. There is therefore no 'fallback position' of constructing a 6m deep extension as 'permitted development'.
5. The appellant refers to planning permissions granted by the Council for 6m deep extensions at other properties. Whilst I do not have the full details of these cases, it is unlikely that the built context of the example sites is identical

to the appeal proposal which has been determined on its own merits and in the context of its unique surroundings.

6. I conclude that the depth and resulting bulk of the proposed extension would appear as a disproportionate and incongruous addition that would fail to respect the design and size of the original dwelling. The extension would harm the character and appearance of the host property. Due to its size, it would also fail to respect the prevailing character and appearance of the surrounding area. The proposal is therefore contrary to the design policies of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020). There would also be conflict with the design aspirations of Policy D3 of the London Plan (2021) and the National Planning Policy Framework.
7. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

*Elaine Benson*

INSPECTOR