
Appeal Decision

Site visit made on 12 September 2016

by Christa Masters MA (hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 September 2016

Appeal Ref: APP/R5510/D/16/3153844

19 Bury Street, Ruislip, Hillingdon HA4 7SX

- 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 Mr & Mrs Huggett against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71603/APP/2016/508, dated 9 February 2016, was refused by notice dated 20 April 2016.
 - The development proposed is two storey side extension and single storey rear extension involving demolition of garage and carport to side.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension and single storey rear extension involving demolition of garage and carport to side at 19 Bury Street, Ruislip, Hillingdon HA4 7SX in accordance with the terms of the application, Ref 71603/APP/2016/508, dated 9 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans listed: unnumbered site location plan, drawing nos 1, 2A, 3A, 4.

Main Issues

2. This appeal has two main issues. Firstly, whether the proposal would preserve or enhance the character and appearance of the Ruislip Village Conservation Area. Secondly, the effect of the proposal on the living conditions of the existing and future occupiers of No 21 Bury Street.

Reasons

Character and Appearance

3. The appeal site comprises a detached two storey residential dwelling. The property is set back from the main road accessed via a shared driveway with Nos 15 and 17 and is screened from Bury Street by dense vegetation. As a
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consequence, the visibility of the property as well as the neighbouring dwellings is very limited from the main public highway. No 21 is a detached dwelling which is set back some distance from the building line established by Nos 15-19. The positioning and orientation of this dwelling within its plot is markedly different from the appeal site.

4. The Ruislip Village Conservation Area leaflet explains that the centre has a medieval village core with a distinctive village character. It goes on to note that extensions and alterations should not be out of scale with the original house, and should respect the property's original design. From what I saw on the site visit, the host property as well as Nos 15 and 17 do form a distinct group of detached dwellings in terms of plot size and positioning. However, No 17 is a chalet style bungalow and No 15 has been extended with a two storey side extension in a manner similar to the appeal proposal. As such, I am unable to agree that the dwellings are similar in design as suggested by the Council.
5. My attention has been drawn to policies BE1 and HE1 of the Hillingdon Local Plan: Part One Strategic Policies (LP) 2012. Policy BE1 is a general policy concerning the built environment. It advises, amongst other things, that all developments should achieve a high quality design which enhances the local distinctiveness of the area. Policy HE1 relates to heritage matters and seeks to ensure that Hillingdon's distinct and varied environment is conserved and enhanced. In addition, policy BE15 of the Saved UDP policies (UDP) 2012 states that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form and proportions of the original building, whilst policy BE13 of the UDP advises that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene.
6. I have also been provided with the Hillingdon Design and Accessibility Statement Supplementary Planning Document (SPD) concerning Residential Extensions, 2008. Paragraph 5.1 states that residential extensions should be set back a minimum of 1 metre from the side boundary of the property in order to protect the gaps between properties. In the case of this appeal, this distance would not be achieved. However, the location of No 21 is set back some 2.6m from the main rear wall at No 19. As a result of the separation distances involved, the orientation of the dwellings and the dense vegetation which exists along the boundary between No 19 and 21, the gap between the properties would be protected and the development would not result in a terraced appearance or cramped form of development.
7. The appellant has explained in detail how the design of the 2 storey extension takes into account the existing character of the area, and in particular the existing extension at No 15 and the crown roof. I agree this approach is consistent with the approach set out by policy BE13. The roof height would accord with paragraph 5.8 of the SPD which advises that extension to detached dwellings should have a roof height equal to that of the main house. Paragraph 5.7 also notes that in two storey side extensions, there is no specific requirement for a set-back from the front of the house. As a result, the extension as proposed is proportionate in scale and form to the host dwelling. It would present a subservient feature to the existing front gable. Taking into account the existing pattern of development, the proposal would cause no harm to the character or appearance of the Conservation Area or the overall street scene.

8. With regards to the depth of the rear extension, it would appear from the Officers report the proposal has been incorrectly assessed as a terraced house. The depth of the rear extension is also in accordance with the SPD on this matter.
9. I therefore conclude on the first main issue, the proposal would preserve the character and appearance of the Ruislip Village Conservation Area. It would as a result, accord with the development plan policies referred to above, as well as policies BE19 and BE22 of the UDP which have also been referred to. In addition, whilst reference has been made to policy BE4 of the UDP, this relates specifically to demolition and loss of buildings and features which contribute to the special architectural and visual quality of the area. I am not convinced this policy is directly applicable to the issues before me.
10. Taking the above into account, the proposal would therefore be consistent with paragraph 132 of the Framework which anticipates that great weight should be given to the conservation of heritage assets. For these reasons, I conclude that the proposal would preserve both the character and appearance of the Conservation Area, in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Effect of the proposal on the living conditions of the existing and future occupiers of No 21 Bury Street

11. The Council contend the proposal would result in overdominance, overshadowing, visual intrusion and loss of light to the existing and future occupiers of No 21. I deal with each of these matters in turn. In terms of over dominance and visual intrusion, I have already explained the existing relationship between No 21 and the appeal site and the generous separation distance which exists between the two properties in this urban location. As a result of the positioning, orientation and dense vegetation between the two properties, I am unable to agree that the extension proposed would cause material harm in this regard.
12. The officers report advises that the two storey side extension would breach the 45 degree line of sight, resulting in an overbearing impact on the occupiers of No 21. However, in my consideration of the SPD, there is clearly a degree of flexibility evident from the text at both paragraph 5.20 and 5.21. For the same reasons and factors explained above, I am unable to conclude that the proposal would result in an overbearing impact on the existing or future occupiers of No 21.
13. Finally in terms of light levels, I am unable to see any objective assessment on this issue by the Council. The window closest to the proposed extension is located on the front elevation of No 21. The amount of light this window receives is already restricted by the presence of the large porch which dominates the front elevation of this property, as well as the existing relationship to the appeal property. From the evidence presented, I understand this window serves a kitchen which is also served by an additional window on the flank elevation which faces east. Taking these factors into account, as well as the fact that the front elevation of No 21 is north facing, I do not consider the proposal would result in any significant material harm in relation to this issue.

14. Taking all of the above into account, I therefore conclude the proposal would have an acceptable effect on the living conditions of the existing and future occupiers of No 21. It would, as a result accord with the SPD on this issue, as well as policies BE19, BE20 and BE21 of the UDP. Policy BE19 seeks to ensure, amongst other things, that new development within residential areas compliments or improves the amenity of the area. Policy BE20 goes onto note that buildings should be laid out so that adequate daylight and sunlight can penetrate. Finally, policy BE21 advises that planning permission will not be granted for new buildings or extensions which would result in a significant loss of residential amenity.
15. I also consider this conclusion to be consistent with the Framework and in particular, paragraph 17 which advises that developments should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings.

Conditions

16. A standard condition limiting the life of the permission is necessary. I also agree that it is necessary to specify the approved plans as this provides certainty. In the interests of character and appearance, I have also included a condition to require the materials proposed to be used on the extension hereby permitted to match those on the existing dwelling.

Conclusion

17. I therefore conclude that having considered all matters raised, the appeal should be allowed.

Christa Masters

INSPECTOR