

## Appeal Decision

Site visit made on 11 October 2016

**by Elaine Worthington BA (Hons) MTP MUED MRTPI**

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

**Decision date: 14<sup>th</sup> October 2016**

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**Appeal Ref: APP/R5510/D/16/3154830**

**11 Great Benty, West Drayton, Middlesex, UB7 7UP**

- 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 Dr Sam Al-Jajjoka against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 41826/APP/2016/1388, dated 8 April 2016, was refused by notice dated 13 June 2016.
  - The development proposed is a new double storey side extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host property and the surrounding area.

### Reasons

3. The appeal property is a two storey semi-detached house on a corner plot adjacent to the access driveway to a rear garage court. The surrounding area is residential. The proposal is for a two storey side and rear extension to replace the existing flat roofed side car port and conservatory structure.
  4. The Hillingdon Design and Accessibility Statement Supplementary Planning Document Residential Extensions (SPD) requires the width of proposed two storey side extensions to be between half and two thirds of the width of the main house. Two storey extensions should also be set in a minimum of 1 metre from the side boundary of the property. However, on corner plots it recognises that there may be some scope for flexibility on the set in where the openness of the corner plot would be maintained. Policy BE22 of the Hillingdon Local Plan: Part Two – Saved UDP Policies (Local Plan Part Two) also requires extensions of two or more storeys to be set back a minimum of 1 metre from the side boundary.
  5. Additionally, for semi-detached dwellings, the SPD requires the ground and first floor of two storey side additions to be set back 1 metre from the main front building line to ensure a subordinate appearance to the existing house. Furthermore, the roof height should not exceed the height of the main roof (it should be lowered by around 0.5 metres).
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6. The proposed two storey side extension would be flush with the front elevation of the dwelling and would have a pitched roof to the full height of the main roof of the house. Although it would be less than two thirds of the width of the original house, it would be positioned right up to the flank boundary of the site and would be some 5 metres in width. As such, there would be no set in from the boundary, no set back from the front of the house, and no set down from the ridge of the roof and the proposal would fail to meet these requirements of the SPD. The proposed two storey rear extension element of the scheme would also be directly on the boundary. It would be 13 metres deep and would extend well rearwards of the house beyond the extent of the existing single storey rear addition. Thus it would significantly increase the depth of the building to the full height of the host dwelling.
7. As a result, overall the proposal would appear as an unduly large and bulky addition that would fail to be subordinate to the host dwelling and would overwhelm its appearance. It would also seriously unbalance the appearance of the property when viewed in the context of the other adjoining half of the semi-detached pair. Since it would be directly adjacent to the access to the garage court, the considerable increase in the depth and height of the flank elevation would be prominent in views from Great Benty. Whilst the existing car port/conservatory is constructed up to the boundary, it is a relatively open and lightweight single storey structure. In contrast, the appeal proposal which would introduce a large two storey addition which would seriously undermine the openness of the corner plot.
8. On the other side of the garage court access No 13 is an end of terrace property with a two storey side extension which was permitted in 2013. The appellant regards that extension to be similar in size and scale to the appeal proposal. He considers that the appeal scheme would unify the appearance of the two properties on either side of the access and add to the existing variety of different properties and extensions nearby to the benefit of the street scene.
9. I appreciate that the extension at No 13 is wide in relation to the host dwelling, flush with the front wall and is not set down from the full height of the roof. However, I am mindful that No 13 is an end of terrace property rather than a semi-detached house. The SPD advises that for such properties extensions should be integrated with the existing house with a roof height equal to that of the main house and with no requirement for a set back from the front. Additionally, unlike the proposal before me, No 13's extension is set off the boundary by around a metre and does not extend significantly rearwards of the host property at two storey level. As such, I do not regard this existing development to be directly comparable with the appeal scheme.
10. Given these differences between the appeal property and No 13, along with their separation by the access, I am not persuaded that they currently relate closely to each other or that they appear particularly unbalanced. Nor am I convinced that the appeal scheme would create a sense of symmetry between the appeal property and No 13 or that the amendments sought by the Council (to meet the SPD requirements) would create an ugly extension that would appear at odds with No 13. Rather, I consider that even in the context of the extension at No 13, the appeal proposal would stand out as an unduly dominant feature in Great Benty where it would be appreciated as an incongruous and unsympathetic addition to the street scene.

11. I therefore conclude on this issue that the proposal would be harmful to the character and appearance of the host property and the surrounding area. This would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies which advises that new developments should achieve a high quality of design which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place. It would be at odds with Local Plan Part Two Policy BE13 which resists development if the layout and appearance fail to harmonise with the existing street scene or other features of the area. It would conflict with Local Plan Part Two Policy BE15 which is permissive of extensions where they harmonise with the scale, form, architectural composition and proportions of the original building. It would undermine Local Plan Part Two Policy BE19 which advises that development should complement and improve the amenity of the residential area, and Local Plan Part Two Policy BE22.
12. It would also fail to comply with the detailed advice in the SPD. I note the appellant's view that the SPD is out of date, but despite its age, in so far as I have had regard to it in relation to this appeal, I consider it to generally align with the aims of the core planning principle of the National Planning Policy Framework (the Framework) to seek to secure high quality design.

#### *Other matters*

13. I note the appellant's view that the appeal scheme would encourage residents to best use the space they have and so give rise to additional development nearby. However, I have been provided with no evidence to demonstrate what particular promotional role the appeal scheme would play, and in any event see no reason why any such benefits could not be realised by a less substantial extension.
14. The Council raises no concerns in relation to the provision of car parking or the impact of the proposal on the living conditions or nearby residents. There are no objections from neighbouring occupiers. However, the absence of harm in these regards counts neither for, nor against the scheme.
15. The appellant considers the Council's approach to be at odds with the Government's widening of permitted development rights for homeowners (and in particular the ability to construct single storey rear extensions up to 6 metres in depth). Nevertheless, the appeal scheme relates to two storey development that requires planning permission. As such, I do not regard this to be a reason to allow development that would be harmful.

#### **Conclusion**

16. For the reasons set out above, I conclude that the appeal should be dismissed.

*Elaine Worthington*

INSPECTOR