

Appeal Decision

Site visit made on 6 December 2016

by K E Down MA (Oxon) MSc MRTPI MRSB

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

Decision date: 14 December 2016

Appeal Ref: APP/R5510/D/16/3161835
181 Long Drive, Ruislip, Middx, HA2 8TE

- 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 Ms Victoria Whellan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 72010/APP/2016/2422, dated 17 June 2016, was refused by notice dated 16 September 2016.
 - The development proposed is erection of a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey rear extension at 181 Long Drive, Ruislip, Middx, HA2 8TE in accordance with the terms of the application, Ref 72010/APP/2016/2422, dated 17 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: ref. 2016/26/01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. There are two main issues. Firstly, the effect of the proposed extension on the character and appearance of the host dwelling, the adjoining dwelling at 183 Long Drive and the surrounding area; and secondly, the effect on the living conditions of occupiers of 183 Long Drive with respect to visual amenity, outlook, shading and light.

Reasons

3. The appeal property is a large semi-detached house on a generous plot some 10m wide. It lies within a row of similar properties and in a mainly residential street. It adjoins No 183 but is architecturally different since that dwelling has gables to front and rear whereas the appeal property has a ridge running parallel with the street and a hipped roof. The arrangement of windows in the
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rear elevation of the pair is also different. The appeal dwelling is linked to No 179 by a single storey structure which projects about 3m into the rear gardens.

4. The proposed extension would be some 3m deep adjacent to the boundary with No 183 and some 6m deep where it joins the existing single storey rear projection. It would have a maximum height of about 4m and an eaves height of about 2.6m. Although the 6m projection from the original rear elevation would be significant its location, set between the 3m deep part of the proposed extension and the existing 3m deep rear projection and well away from both side boundaries, would ensure that it did not appear excessive. The pitch of the roof would match that of the original dwelling and hence harmonise with the original architecture. Overall I am satisfied that the design of the extension would complement the original dwelling.
5. Although the depth of the 6m element of the proposed extension and the overall height would exceed the guidelines set out in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions, December 2008, owing to the design of the proposed extension and the width of the plot I consider that in this case it would nonetheless be sympathetic to the appearance of the host dwelling.
6. The Council suggests that the extension would unbalance the dwelling and its semi-detached pair but as the two properties are already architecturally distinct I am satisfied that this would not be the case.
7. It is concluded on the first main issue that the proposed extension would have no materially detrimental effect on the character or appearance of the host dwelling, the adjoining dwelling at 183 Long Drive or the surrounding area. In consequence there would be no conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (LP), adopted November 2012, or with Policies BE13, BE15 or BE19 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies 27th September 2007 (UDP). Taken together, these policies expect extensions to existing buildings to improve and maintain the quality of the built environment and in particular harmonise with the scale, form, architectural composition and proportions of the original building such that they complement or improve the character of the surrounding area.
8. Turning to the effect on living conditions of neighbours at No 183, the extension would adjoin the shared boundary and at this point it would project 3m from the rear wall of the host dwelling. This would comply with HDAS guidelines. The mono-pitched roof would be in excess of the suggested 3.4m height limit where it met the rear wall of the dwelling. However, it would reduce to 2.6m at the eaves. Owing to the highest part of the roof being close to the existing dwelling and to the orientation of the dwellings with the rear elevations facing south-east and No 183 lying north-east of the appeal dwelling, I am satisfied that, whilst noticeable, its effect on visual amenity, light reaching and outlook from windows in the rear elevation of No 183 would be limited and not materially harmful to the living conditions of occupiers or appreciably greater than that resulting from either a flat roof or a shallower pitched roof that complied with HDAS guidelines. I therefore find that it would not be unduly oppressive or overbearing when seen from the house or garden of No 183.

9. Moreover, it would be within the limits set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 which is more recent than the HDAS and allows single storey rear extensions with a pitched roof of up to 3m in depth and 4m in height at semi-detached dwellings. The appellant points out that under these provisions a 3m deep extension of 4m in height could be built at the appeal dwelling without planning permission. I have no reason to doubt that such an extension would be built if this appeal were to fail.
10. The 6m section of the extension would exceed depth limits set out in HDAS but, due to the separation distance between it and the shared boundary with No 183, it would not materially impinge on visual amenity, light reaching or outlook from No 183. As reasoned above it would also be aesthetically satisfactory and therefore I consider that it would amount to an acceptable form of development in this case.
11. The owner of No 183 is further concerned that the effect on outlook from first floor bedroom windows in that property would be adversely affected by the proposed extension. However, I agree with the Council that, as the closest section of roof would be below the cill height of the windows and falling away towards the eaves, the effect would not be overbearing.
12. It is concluded on the second main issue that the proposed extension would have no materially harmful effect on the living conditions of occupiers of 183 Long Drive with respect to visual intrusion, outlook, shading or light. In consequence there would be no conflict with Policies BE19, BE20 or BE21 of the UDP which, taken together, require new development in residential areas to complement or improve the amenity and character of the area and safeguard residential amenity, including maintaining adequate levels of daylight and sunlight reaching existing houses.
13. The owner of No 183 draws my attention to a boundary dispute between himself and the appellant. However, this is not a planning matter and therefore not within my jurisdiction.
14. In addition to the statutory commencement condition, the Council suggests conditions requiring the proposed development to be carried out in accordance with the approved plans and using materials that match those used in the existing building. I agree that both are necessary in order to protect the character and appearance of the host dwelling and the surrounding area.
15. For the reasons set out above and having regard to all other matters raised, including an alternative plan submitted with the appeal, I conclude that the appeal should be allowed.

KE Down
INSPECTOR