

Appeal Decision

Site visit made on 12 January 2017

by J Dowling BA(Hons) MPhil MRTPI

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

Decision date: 26 January 2017

Appeal Ref: APP/R5510/D/16/3161577

102 Edinburgh Drive, Ickenham UB10 8QZ

- 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 Nayan Chavda against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 65095/APP/2016/2255, dated 9 June 2016, was refused by notice dated 8 August 2016.
 - The development proposed is retention of single storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for retention of single storey side and rear extension at 102 Edinburgh Drive, Ickenham UB10 8QZ in accordance with application Ref 65095/APP/2016/2255 dated 9 June 2016 subject to the following conditions:
 - 1) Within three months of the date of this decision letter an amended copy of plan 1405-pl-10 accurately detailing what has been built on site shall be submitted to and approved in writing by the local planning authority. The development hereby approved shall be carried out in accordance with that plan and plan 1405-os-01.

Procedural Matter

2. The Council amended the description of development to single storey side/rear extension (part retrospective). However, I observed at my site visit that the development has been completed. I have therefore considered the appeal on the basis that retrospective planning permission is sought for the extension as built and so have reverted to the description of development as detailed on the original application form as this more accurately describes the proposal.
3. I observed at my site visit that there are a number of differences between what has been built on site and what is shown on the submitted plans these include:
 - the retention of an original chimney stack within the rear roofslope; and
 - changes to the design of the windows and doors both within the extension and in the original house.

As these changes are of a minor nature taking into account the judgement given in *Bernard Wheatcroft Ltd V Secretary of State for the Environment and Harborough District Council* (1980) I consider that the Council and residents of adjoining properties would not be prejudiced by these changes and as a

consequence I have considered the appeal on the basis of what I observed on site.

4. Planning permission¹ has been granted for a single storey side and rear extension. From the information submitted with the appeal it would appear that the difference between the approved scheme and the appeal scheme is that rather than being set back from the front elevation the side extension has been constructed to line through with an existing single storey front projection. However, as I have not been provided with details of the approved plans I have been unable to compare the two schemes and therefore in considering the appeal have only been able to give the current planning permission limited weight.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

6. Edinburgh Drive is a pleasant suburban street that is characterised by two storey semi-detached houses. I note from my site visit that many of the properties have been the subject of extensions and alterations. No 102 is located close to the junction with Glebe Avenue just as the road turns 90 degrees and as a result the side boundary of the property forms the rear boundary for Nos 104-110.
7. Policy BE1 of A vision for 2026 Local Plan: Part 1 – Strategic Policies (2012)(the Local Plan) and Policies BE13, BE15 and BE19 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies (2007)(the Saved UDP) advocate that development should maintain the quality of the built environment (BE1), harmonise with the existing streetscene (BE13) harmonise with the scale, form and proportions of the original building (BE15) and should complement and improve the amenity and character of the area (BE19). The purpose of these policies is consistent with the National Planning Policy Framework (the Framework) which seeks, amongst other things to secure good quality design and a good standard of amenity for all existing and future occupiers of buildings.
8. Further detailed guidance on extensions is contained within the Hillingdon Design and Access Statement, Supplementary Planning Document Residential Extensions (2008) (the SPD) which advocates a number of criteria regarding depth, height, set in from the boundary and design for side and rear extensions on residential properties.
9. From reading the information submitted with the appeal and visiting the site it would appear that the Council consider that the proposal would accord with the majority of the guidance provided within the SPD except for the set in from the side boundary² and the set back from the front elevation³.
10. The SPD states that extensions should be set 0.25m from the boundary. Whilst the proposal is set in from the boundary it does not achieve the distance

¹ LPA reference: 65095/APP/2014/1794

² Paragraph 4.4 of the SPD

³ Paragraph 4.6 of the SPD

recommended by the SPD. The Council advocate that as a result the side extension fails to be a subservient feature. However, given that, unlike other properties within the road, the side boundary of this property is formed from the rear boundary of the adjoining properties I consider that this reduced set in does not affect the character and appearance of the streetscene. As a result I conclude that whilst the proposal is not in accordance with the guidance contained within the SPD it does comply with the requirements of policy BE1 of the Local Plan and policies BE13, BE15 and BE19 of the UDP.

11. With regards to side extensions the SPD advocates that in general the front wall can be in line with the front wall of the original house but that in some situations a set back from the front building line is required to preserve the character of the area particularly in conservation areas. The site is not within a conservation area. Furthermore, the appeal property, as do the majority of other properties in the road, has a stepped front elevation with the ground floor projecting forward of the front elevation. This appears to be part of the original design of these properties and therefore informs the character and appearance of the area.
12. I note that the Council state that the extensions on the properties opposite the appeal site were approved prior to the adoption of the SPD. However, at my site visit I observed that a large number of neighbouring properties, including those directly opposite, had ground floor side extensions that lined through with the ground floor front projection. As a consequence I consider that front building line for these properties appears to be set by the ground floor projection rather than the front wall of the original house. Furthermore, given the number of other similar extensions the proposal reflects the existing character and appearance of the streetscene. As a result I conclude that the proposal is in accordance with policy BE1 of the Local Plan and policies BE13, BE15 and BE19 of the UDP.
13. Concerns were raised that the side extension unbalances the symmetry of this and the adjoining property. However, whilst No 100 has not been extended to the side, it has the same original ground floor forward projection as No 102. The extension has been designed to reflect and respect the design of the host property and when viewed in the context of the general streetscene does not appear to unbalance the properties.
14. The appearance of the site during the construction of the extension and the sourcing of building materials are not a material consideration.

Conditions

15. Paragraph 206 of the Framework sets out a number of tests that conditions need to meet. I have considered the conditions suggested by the Council against paragraph 206 and judge that as the extension has been constructed the standard time limit and a condition requiring matching external materials do not meet the Framework tests as they are no longer relevant.
16. As highlighted at the start of this decision letter the details shown on the submitted plans differ from what has been constructed on site. These differences are of a very minor nature and have not affected my ability to consider the appeal. However, in accordance with the Planning Practice

Guidance⁴ for the avoidance of doubt and in the interests of proper planning I consider that the plans need to be amended to accurately reflect what has been built and as a consequence I have amended the wording of the approved plans condition to reflect this.

Conclusion

17. For the reasons set out above, and having regard to all other matters raised, I conclude that this appeal should be allowed.

Jo Dowling

INSPECTOR

⁴ Planning Practice Guidance Paragraph: 012 Reference ID: 21a-012-20140306
