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## Appeal Decision

Site visit made on 8 February 2017

**by Keith Manning BSc (Hons) BTP MRTPI**

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

**Decision date: 14<sup>th</sup> February 2017**

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**Appeal Ref: APP/R5510/D/16/3165280**  
**79 Lime Grove, Ruislip HA4 8RW**

- 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 Sundeep Saxena against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 23947/APP/2016/3275, dated 31 August 2016, was refused by notice dated 18 November 2016.
  - The development proposed is first floor extension with modified roof structure, single storey rear extension with conservatory, parking bay to front garden, demolish existing shed.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Although initiated as an 'access required' case, it did not in the event prove possible to access the rear of the property owing to the absence of an authorised representative of the appellant. However, with the permission of the occupiers, I was able to see all that it was necessary to see from Nos. 77 and 81 Lime Grove, the occupier of the latter having in any event requested a viewing from her kitchen/diner. The appellant has been informed accordingly.

### Main Issues

3. The main issues are:-
  - The effect of the proposed development on the character and appearance of the dwelling and that of the area, with particular reference to the street scene;
  - The effect of the proposed development on the living conditions of occupiers of Nos. 77 and 81 Lime Grove with particular reference to outlook and light; and
  - The effect of the proposed development on highway safety.

### Reasons

4. The appeal site is a modest bungalow on a relatively modest plot flanked by bungalows to either side, detached in the case of 77, semi-detached in the case of 81. The frontage to Lime Grove is limited in extent and as a consequence the gap between the flank wall of the property and that of No 77 is narrow.

The equivalent gap between 79 and 81 is more substantial owing to the presence of the driveway at the appeal site and a narrow strip of land within the curtilage of the latter. The driveway at the side of 79 is partially occupied by a lightly constructed car port and leads to a brick built garage to the rear on the common boundary with No 81.

5. As a consequence of these circumstances and, fundamentally, the original layout of the dwellings relative to one another, the bungalows already appear tightly knit as a group within the street scene, which I accept includes some two storey dwellings, is varied, and has apparently become more so over time as various alterations to property have occurred. Nevertheless, the immediate group of dwellings and those for a short distance northwards on this western side of the street remain, in character and appearance, very much the group of bungalows as originally constructed.
6. The scheme of extension proposed in this case is comprehensive and would result in a detached two storey dwelling of substantial proportions that in the context I have described would appear cramped within the street scene and overly dominant in respect of its immediate neighbours, an effect that would be exacerbated by the relatively limited space to the front which has necessitated the proposed laying out of a parking space parallel, rather than at right angles to, the highway.
7. The proposals for No 79 include a deep single storey flat roofed extension across the back of the dwelling, elongated further into the rear garden by the addition of a substantial 'Victorian' style conservatory, taking it well outside the Council's guidelines for such projections, as detailed in the officer's report.
8. All in all, the character and appearance of the dwelling would be altered beyond recognition but that of itself would not necessitate refusal, all other things being equal. The Council's guidelines for rear extensions are for guidance not prescription and, taken in isolation, the two storey design proposed for the main bulk of the dwelling would be unexceptional; but in the context of the tightly knit group of bungalows it would in my view appear incongruous. Even though the overall height of the roof ridge would be increased by a comparatively small amount, the greatly increased eaves height and dominant fenestration relative to the closely related bungalows to either side would impart a visual dominance in the street scene that the context would not comfortably support, albeit the proposed scheme of single story development at the rear of the building would not be evident in the street.
9. I acknowledge that a two storey dwelling across the street appears to have recently been constructed and is not altogether unsuccessful in terms of its individual design and its accommodation within the street scene. However, I note that its immediate context, although similar, is less cohesive overall and that the dwelling occupies a wider plot in any event. I do not consider the proposal at issue, on its specific merits, would replicate the acceptability of the example cited.
10. Good design in context is a fundamental tenet of the National Planning Policy Framework (NPPF) and the failure to achieve that in this instance would bring the proposal into conflict with a suite of policies, BE13, BE15 and BE19, in the Council's local plan which combine to support that object and therefore in that respect merit full weight. The object of good design in context is given further articulation in the adopted Supplementary Planning Document HDAS:

Residential Extensions, a form of guidance which carries weight as a material consideration, albeit not the full weight merited by the development plan itself.

11. As far as the living conditions of neighbouring occupiers are concerned, the depth of the main body of the proposed rear extension would not be a significant cause of concern as far as occupiers of No 81 are concerned given the current dominance of the brick built garage, which would be removed. The outlook of occupiers of No 77 when using the garden, particularly, would be altered but within approximate accordance with the Council's guidelines. However, the additional depth and rather incongruous increase in height of the proposed conservatory when juxtaposed with the flat roof of the primary rear extension would impose that incongruity on the occupiers of both neighbouring properties from a variety of viewpoints; and in that sense the harm to the character and appearance of the dwelling at the rear of the property would be apparent not just to occupiers of No 79 itself, but also to the immediate neighbours, albeit that would be a matter of aesthetics akin to concerns around the first issue rather than living conditions as such.
12. Of more direct concern in respect of living conditions would be the impact of the proposed scheme of extension on the outlook from the broadly south facing kitchen/diner window on the flank wall of No 81, which I was able to assess from inside the property. This is already relatively restricted and the altered configuration of the facing flank wall proposed at No 79 would further reduce to some degree light and sunlight, especially during the winter months, and further restrict the outlook. Whilst this would be a reduction rather than a major deleterious change, and insufficient in itself to justify refusal, it would nevertheless be a limited negative effect which, in the context of the objects of policies BE19, BE20 and BE21 of the local plan, weigh against the proposal when combined with the more significant harm I have identified in respect of the first issue.
13. The third and final issue concerns highway safety and I concur with the Council that the proposed parking bay to the front of the house is likely to encourage reversing out at an awkward angle to the detriment of safety in respect of both passing vehicles and pedestrians, contrary to the intentions of policy AM27 of the local plan, the relevant supplementary guidance concerning residential extensions and the general aims of national policy. I note that the appellant suggests that this element could be omitted but I take the proposal as I find it and in view of my conclusions on the first issue, in particular, there is no call for any form of split decision.
14. The decision in this case turns primarily but not exclusively on the first issue. My conclusions on the second and third issues add weight to my conclusion on that issue, which is that the proposed development would, for the reasons I have given, conflict significantly and harmfully with the development plan. I have taken all other matters raised into account but none are sufficient to persuade me that there are material considerations which outweigh that conflict. I therefore conclude that the appeal should be dismissed.

*Keith Manning*

Inspector