
Appeal Decision

Site visit made on 15 March 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 21st March 2017

Appeal Ref: APP/R5510/W/16/3162565
14 and 16 Rutland Road, Hayes UB3 4AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs B Parbhakar-Sohal against the Council of the London Borough of Hillingdon.
 - The application Ref 71907/APP/2016/1902 is dated 18 May 2016.
 - The development proposed is a part two storey, part single storey side/rear extension to no. 16 and part two storey, part single storey side/rear extension including extension to porch to front to no. 14 Rutland Road.
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Decision

1. The appeal is allowed and planning permission is granted for a part two storey, part single storey side/rear extension to no. 16 and part two storey, part single storey side/rear extension including extension to porch to front to no. 14 Rutland Road in accordance with the terms of the application, Ref 71907/APP/2016/1902 dated 18 May 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 approved plans: 1:1250 Location Plan, 1:500 Block Plan, Existing Floor Plans Drawing No 01, Proposed Floor Plans, Drawing No 02, Proposed Roof Plans Drawing No 03 and Proposed Elevations Drawing No 04.
 - 3) No development shall commence until samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.

Procedural Matters

2. The Council resolved that had it been in a position to determine the application, it would have refused planning permission for reasons relating to the effects of the proposal on (1) the character and appearance of the area and (2) the impact on the living conditions of the occupants of No 18 Rutland Road (No 18) with regard to outlook.
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Main Issues

3. The main issues are the effect of the proposed development on the:
- character and appearance of the area;
 - living conditions of the occupants of No 18 with particular regard to outlook.

Reasons

Character and appearance

4. The appeal properties are a pair of semi-detached dwellings in a residential area where the dwellings are all set a similar distance back from the road and of formal layout. The properties in the area are of a variety of styles and thus, the area has a formal but varied character and appearance.
5. I acknowledge that the proposal would result in a pair of properties which would not be symmetrical. However, the proposed extensions to No 14 Rutland Road would be similar to the extension in place at No 12 Rutland Road. Furthermore, the proposed roof would be set down from the ridge of the main roof. As such, when viewed from Rutland Road, the proposed extensions would appear subordinate to the main dwellings and would not appear out place in a street scene which has a varied character and appearance.
6. Thus, the proposed development would not harm the character and appearance of the area and would accord with saved Policies BE13, BE15 and BE19 of the London Borough of Hillingdon Unitary Development Plan (1998) (UDP), Policy BE1 of the Hillingdon Local Plan: Part 1 (2012) (LPP1) and the Hillingdon Design and Accessibility Statement Supplementary Planning Document (2006) (HDAS). These policies, taken together, seek to ensure good design and that new development makes a positive contribution to the character and appearance of an area.

Living conditions

7. Even though the proposed rear extensions would project beyond the rear elevation of No 18, the proposed two storey element is set off the boundary with No 18 and only projects a short distance to the rear. Furthermore, No 18 has a relatively large timber structure extending some distance along the shared boundary with the appeal site. Moreover, the proposed single storey rear projection would incorporate a flat roof such that it would only be partially visible beyond the timber structure and over the boundary fencing beyond.
8. For these reasons, I find that the proposed extensions would not be overbearing and as such would not harm the living conditions of the occupants of No 18 with particular regard to outlook. The proposed development would therefore accord with Policy BE21 of the UDP and the HDAS which taken together, seek to ensure good design and that new development does not harm the amenities of the occupiers of adjacent properties.

Conditions

9. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also

imposed a condition which requires samples of materials to be submitted to the Council and agreed in the interests of safeguarding the character and appearance of the area.

10. However, given the scale of the proposed development and the limited opportunities for landscaping and boundary treatments I have not imposed conditions which require such matters to be agreed as I do not feel they are necessary.

Conclusion

11. For the reasons set out above, I conclude that the proposed extensions would accord with the development plan and therefore the appeal is allowed and planning permission is granted.

L Fleming

INSPECTOR