
Appeal Decision

Site visit made on 20 June 2017

by R J Jackson BA MPhil DMS MRTPI MCMi

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

Decision date: 06 July 2017

Appeal Ref: APP/R5510/D/17/3176256

66 Brookside Road, Hayes UB4 0PL

- 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 Khem Singh Malhotra against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 38186/APP/2017/794, dated 22 February 2017, was refused by notice dated 25 April 2017.
 - The development proposed is first floor side and part first floor rear extension.
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Decision

1. The appeal is dismissed.

Background

2. The Council granted planning permission¹ in July 2016 for a similar development; the main difference being that the approved extension would not extend as far to the side as the appeal proposal being set in by 0.5 m.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. Brookside Road is a wide street leading to an area of open space. The properties are generally two-storeys in height with pitched roofs. Development in the area is made up of pairs of semi-detached properties and short terraces, with some of the semi-detached pairs joined at ground floor level. This ensures that there is a sense of space above ground floor between properties and makes it distinctive.
5. The appeal property is a semi-detached dwelling, part finished in brick and part in render and features a two-storey gable on the front elevation incorporating bay windows at ground and first floors. It has a single storey flat-roofed side extension which also extends to the rear. The other half of the pair has two two-storey gables, one close to the joint boundary and one at the opposite end. A further pair of semi-detached properties lies adjacent to the southwest, 64 and 62 Brookside Road, with a terrace of four properties opposite.

¹ Council Ref: 38186/APP/2016/1786

6. Policy BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (the HLPP2) indicates that residential extensions of two or more storeys in height should be set back a minimum of 1 m from the side boundary for the full height of the building. I consider that proposals for first floor extensions should be considered against this policy as otherwise it would be possible to circumvent the aim of the policy by constructing development in stages.
7. The Council has published the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) (the HDAS). This was adopted following public consultation and is written so as to provide clear and unambiguous guidance on the types of residential extensions and alterations which are likely to be considered acceptable. As regards two storey side and first floor side extensions the HDAS considers proposals in terms of their setting and with particular reference to the character and quality of the overall street scene. As this is in accordance with paragraph 58 of the National Planning Policy Framework (the Framework), which indicates that decisions should aim to ensure that developments respond to local character, reflecting the identity of local surroundings, I am able to give this part of the HDAS significant weight.
8. Pursuant to this policy the HDAS indicates (paragraph 5.1) that all residential extensions of two or more storeys in height should be set back a minimum of 1 m from the side boundary of the property for the full height of the building to protect the character and appearance of the street scene and to protect the gaps between properties. It does, however, note that where there is an existing single storey extension within 1 m of the boundary the first floor should be set in a minimum of 1.5 m.
9. The Council's report on the application indicates that the existing single storey extension is 900 mm from the boundary and this dimension is not disputed by the appellant. In line with the HDAS the extension should, therefore, be set in by 1.5 m which would not be the case. The adjoining property to the southwest, No 64, has a two storey seemingly flat roof extension a similar distance to the boundary on the other side.
10. This means that the proposal would result in the closing of the gap between properties reducing the sense of space, particularly at first floor level, and resulting in a terracing effect. This would be harmful to the character and appearance of the area, particularly the street scene.
11. As noted above there is a permission for an extension and if this appeal were to be dismissed I consider that there is a realistic prospect that this would be constructed as it would provide similar accommodation that here proposed, and I therefore give that significant weight.
12. However, this would be set in by 0.5 m when compared to the appeal proposal. To my mind this additional gap between properties would have a material effect in maintaining the sense of space, which would not occur in the appeal proposal. I therefore consider that while the smaller extension would be likely to be constructed it would have a materially different effect.
13. The appellant has also pointed to the terrace of four properties opposite as indicating that gaps are not prevalent in the area, particularly in the section of Brookside Road beyond the junction with Ashford Avenue. However, this

terrace reads as a single building of a particular architectural form and there is a gap to the pair of semi-detached properties to its southwest. I am therefore satisfied that there is a material difference to what is here proposed.

14. The Council has referred to a number of policies which it considers the proposal contravenes. Included within these is Policy BE15 of the HLPP2 which requires extensions to harmonise with the scale, form and architectural composition and proportions of the original building. I am satisfied that the design of the extension, of itself, is acceptable; rather what is not acceptable is the effect that it has on the character and appearance of the area.
15. As such the proposal would be harmful to the character and appearance of the area. Consequently it would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) which requires development to improve and maintain the quality of the built environment enhancing local distinctiveness. It would also be contrary to Policies BE13, BE19 and BE22 of the HLPP2 in that it would not harmonise with the existing street scene, would not complement or improve the character of the area, and as explained above. It would also be contrary to the HDAS and paragraph 58 of the Framework both as set out above.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR