
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: 12 July 2017

Appeal Ref: APP/R5510/D/17/3177077

43 Princes Park Lane, Hayes UB3 1JU

- 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 Dharmindera Singh Kalyan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 34778/APP/2017/164, dated 16 January 2017, was refused by notice dated 15 March 2017.
 - The development proposed is first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension at 43 Princes Park Lane, Hayes UB3 1JU in accordance with the terms of the application, Ref 34778/APP/2017/164, dated 16 January 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site & Block Plan; Existing Front, Rear & Side elevations; Existing Ground, Proposed First Floor; Proposed Front, Rear & Side elevations.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension 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 details.

Main Issue

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

Reasons

3. Princes Park Lane is a wide road lined with two-storey dwellings set back from the street. On the western side the properties towards the southern end are mostly laid out as terraces, but on the eastern side semi-detached dwellings are the predominant building form. On corners with the cul-de-sacs to the east some dwellings are set at angles while others, like the appeal property, face Princes Park Lane square on.

4. The appeal property is the southern of a pair of semi-detached properties and has a single storey side and rear extension on the southern side. There is a gap between the side of this extension and the boundary fence and then a further gap to Princes Park Parade, one of these side cul-de-sacs. To the east, within Princes Park Parade, are further dwellings including a detached property, No 1A, which is approximately in line with the others on the north side of that road.
5. The proposal is for a first floor extension some 3.4 m wide from the side of house, and inset by some 0.6 m from the extent of the ground floor. It would be set back by 1 m from the front elevation, but level with the rear elevation, and have a hipped roof set down from the main roof ridge.
6. 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.
7. The Council is concerned that the proposed extension would extend beyond the 'building line' of the properties on the north side of Princes Park Parade and cites Section 5.0 of the HDAS which indicates, at paragraph 5.3, that "where an existing return building line exists, any extension should ensure that the openness of the area is maintained and the return building line is not exceeded." The diagram showing this makes clear that the 'return' line is that of the side road; in this case Princes Park Parade. The HDAS is, of course, guidance and this needs to be considered in the light of the situation on site.
8. In the Council Report there is reference to a Planning Inspector and a quote concerning the effect of an earlier scheme. This would appear to have been for a larger proposal, where it was found that the proposed extension then considered would have projected well in front of the return line and reduce the openness of the junction. I have not been provided with full details of that scheme, including its size, or the context of the quote. However, I would concur that should the proposed extension extend significantly into the open space to the side of the property it may well be harmful to the street scene and thus the character and appearance of the area.
9. However, the current appeal proposal would only extend a relatively short distance into the gap between the properties on the eastern side of Princes Park Lane. There would still be a significant gap to the side fence and then a further gap to the highway, as well as the gap of the road itself. While the properties opposite on the junction of Princes Park Lane and Princes Park Parade are set at an angle, in my view, there would be sufficient space to ensure that the open nature of the corner was retained.
10. Further, although the proposed extension would extend beyond the return line to the properties on the north side of Princes Park Parade there would sufficient

space to those properties so that this would not appear harmful and ensure the openness of the area is maintained. It would therefore be in accordance with the principles set out in the HDAS.

11. Consequently, I am satisfied that the proposal would not be harmful to the character and appearance of the area. It would therefore comply with 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 comply with Policies BE13, BE15 and BE19 of the LPP2 in that it would harmonise with the existing street scene, harmonise with the scale, form and architectural composition and proportions of the original building, and would complement or improve the character of the area. Although it would be contrary to the HDAS as set out above I find that it would comply with that document's overall principles. Finally it would be comply with paragraph 58 of the Framework, as set out above.

Conditions

12. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
13. I have also imposed a condition requiring materials for the external surfaces to be submitted and approved. Currently, the materials for the single storey side extension do not completely match the main house and in order to protect the character and appearance of the area it is important that detailed and careful consideration is given to the materials to be used.
14. Where necessary and in the interests of clarity and precision I have altered the conditions to better reflect the relevant guidance.

Conclusion

15. For the reasons given above I conclude that the appeal should be allowed.

RJ Jackson

INSPECTOR