
Appeal Decision

Site visit made on 19 September 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 29th September 2017

Appeal Ref: APP/R5510/D/17/3178944
53 Parkfield Road, Ickenham UB10 8LW

- 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 Tomas Brill against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 53790/APP/2017/1220, dated 3 April 2017, was refused by notice dated 8 June 2017.
 - The development proposed is a ground floor rear extension and roof extension with rear dormer and roof windows.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. An application for a similar extension at 53a Parkfield Road was submitted simultaneously to the application subject of this appeal and refused by the Council at the same time. I have had regard to that proposal in my decision. I am also determining the appeal in relation to that application, which is the subject of a separate decision.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host property and surrounding area;
 - whether the proposal would represent an acceptable form of development having regard to the risk of flooding; and,
 - the effect of the proposal on the living conditions of the occupiers of 53a Parkfield Road with particular regard to light and outlook.

Reasons

Character and Appearance

4. Parkfield Road is characterised by a linear arrangement of single and two storey detached and semi-detached houses. Set back from a wide road, the properties benefit from generous spacing between and good sized front gardens. As a result, the area has a spacious, suburban character.

Nevertheless, there is a wide variation in the architectural composition of the dwellings, several of which have been extended and altered over the years.

5. The appeal property is a semi-detached property. It contains a projecting gable feature to the front over a bay window, with a central door under an arched alcove. The property adjoins 53a Parkfield Road which is similarly designed with comparable architectural features and a large, hipped roof with a central chimney stack between the two. Consequently, the pair exhibits a pleasing symmetry and the derived sense of uniformity and balance makes a positive contribution to the character and appearance of the area.
6. It is proposed to construct a hip-to-gable extension to the existing roof of the property along with a dormer window on the rear roof slope and a single storey rear extension. The dormer would extend across almost the entire width of the rear roof slope. Moreover, whilst set around 1.6m below the ridge, it would vertically extend more than half the height of the original roof. As such, although the visibility of the dormer from within the street would be limited to glimpsed views, any appreciation of the original form of the roof would be largely subsumed and the dormer would not appear as a subordinate addition to the property.
7. Furthermore, the proposed hip-to-gable extension would bring the side of the roof in line with the side wall of the property and the projecting gable feature over the ground floor bay window. This would be in contrast to the gentler slope of the existing hip which leaves much of the projecting gable unframed, allowing a greater appreciation of its contribution towards the architectural composition of the pair. The proposed hip-to-gable extension would diminish much of this appreciation, lessening the contribution of the projecting gable feature and introducing significant bulk that would erode the symmetry of the pair. As a result, the proposed dormer window and hip-to-gable extension would fail to harmonise with the host property and would introduce an incongruous feature within the street scene.
8. I recognise the proposal would be identical to the proposed development at the adjoining property, No 53a. If the development at No 53a were to take place, then the harm arising from the imbalance of the pair would be overcome, though the harm from the dormer window would not. In any event, the two developments would be physically severable, and there is no evidence before me that the appellant would have any control over the neighbour's land. Thus it would not be possible to impose conditions that require the completion of both developments or prevent occupation of one until both are completed. The only other mechanism that would secure the simultaneous construction of both developments would be a completed planning obligation, whereby both owners agree to carry out the development as one scheme. No such obligation is before me.
9. I conclude, therefore, that the proposal would have a harmful effect on the character and appearance of the host property and the surrounding area, in conflict with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies 2012 (LPP1) which requires high quality design. It would also conflict with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two – Saved UDP Policies 2012 (LPP2) which require development to harmonise with the street scene, the scale, form, architectural composition and proportions of the original building and complement the character of the area.

Flood Risk

10. The appeal site is located within Flood Zone 2. Footnote 20 of the National Planning Policy Framework (the Framework) states that all proposals for new development within Flood Zone 2, including minor development, should provide a Site Specific Flood Risk Assessment (FRA). As householder development the proposals would be classed as minor development. However, Paragraph 104 of the Framework states that, although minor development is exempt from having to undergo the Sequential Test and subsequent Exception Test, it should still meet the requirement for an FRA.
11. National Planning Practice Guidance (the Guidance)¹ states that an FRA needs to demonstrate whether a development is likely to be affected by flooding from any source, whether it would increase flood risk elsewhere and whether the measures proposed to deal with these effects and risks are appropriate. LPP1 Policy EM6 seeks to direct development away from Flood Zones 2 and 3 in line with the Framework.
12. In this instance the proposal is not supported by an FRA. The appellant indicates that an FRA, including appropriate mitigation measures, could be secured by condition. However, in my view, an FRA could not be addressed through a planning condition or obligation because an assessment of the potential risks of flooding is fundamental to the acceptability of the scheme. As a result, I find that there is insufficient evidence to determine the effects of the proposals with regard to flood risk.
13. I conclude, therefore, that the proposal would not represent an acceptable form of development having regard to the risk of flooding, in conflict with LPP1 Policy EM6 and LPP2 Policies OE7 and OE8 which state that in areas liable to flooding that permission will not be granted for new development or the intensification of existing development unless satisfactory flood protection measures are implemented and new development will not be granted which would result in an increased flood risk. It would also conflict with London Plan² Policies 5.12 and 5.13 which require development to reduce flood risk and accord with the FRA requirements of the Framework, as well as the flood risk policies set out in the Framework itself.

Living Conditions

14. It is proposed to construct a single storey extension to the rear of the appeal property. The extension would project along the shared boundary with the adjoining property No 53a. No 53a has a window on the rear elevation adjacent to the shared boundary with the appeal property. The window serves a living room.
15. The proposed extension would project around 4m depth beyond the rear wall of No 53a. The Hillingdon Design and Accessibility Statement Supplementary Planning Document – Residential Extensions 2008 (HDAS SPD) states, at paragraph 3.3, that single storey rear extensions on semi-detached houses with a plot of 5m or greater in width can project up to 3.6m in depth. Thus, the proposed extension would conflict with the guidance.

¹ PPG - Paragraph: 030 Reference ID: 7-030-20140306

² The London Plan: The Spatial Development Strategy for London Consolidated with Alterations since 2011, 2016

16. However, the living room in the rear of No 53a is also served by a second window in the side elevation. Moreover, whilst the extension would undoubtedly feature strongly in the outlook from the rear window, it would do so at an oblique angle and occupiers of No 53a would retain a direct and open outlook across their own expansive rear garden. As a result, I am satisfied the extension would not appear unduly dominant or intrusive within the outlook from No 53a.
17. In addition, I note the window in the rear of No 53a is south-west facing and there would therefore likely to be some degree of overshadowing from the extension. However, existing levels of daylight within the living room are compromised by the substantial vegetation within the garden of the appeal property close to the boundary. Given that the room is also served by another window in the side elevation, the effect of the proposal on the existing levels of daylight within the neighbouring property would not likely be harmful.
18. I conclude, therefore, that, whilst the proposal would conflict with the guidance set out in the HDAS SPD, it would not have a harmful effect on the living conditions of the occupiers of 53a Parkfield Road with particular regard to outlook and light. As a consequence, it would accord with LPP2 Policies BE19, BE20 and BE21 in so far as they state that development should complement neighbouring amenity, that buildings should be laid out so adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded, and that permission will not be granted for extensions which would result in a significant loss of residential amenity.

Other Matters

19. I note the proposal would provide some benefit to the appellant in terms of providing additional living space. However, such benefits would not outweigh the cumulative harm I have found in respect of the main issue above.
20. The appellant has referred to several examples of developments in the area which have recently been granted planning permission. However, I have only limited detail of those cases and cannot therefore be sure that they represent comparable circumstances to those before me here. In any event, I have considered this proposal on its own merits. I note the proposal would not give rise to harm in respect of the provision of external amenity space for future residents or highway safety. However, the lack of harm in such respects would not outweigh the harm which I have identified.

Conclusion

21. Whilst I have found the proposal would not have a harmful effect on the living conditions of neighbouring occupiers, I have found that the proposal would have a harmful effect on the character and appearance of the area and would not be acceptable in respect of the risk of flooding. Those are the prevailing considerations. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR