



Appeal Decision

Site visit made on 20 June 2019

by Mark Caine BSc (Hons) MTPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2019

Appeal Ref: APP/R5510/D/19/3227315

32 Pield Heath Road, Uxbridge, UB8 3NG

- 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 Amin Huda against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74317/APP/2019/344, dated 29 January 2019, was refused by notice dated 8 April 2019.
 - The development proposed is described as "The project involves the addition and construction of a ground floor rear and side extension wrap around extension as well as the conversion of one of the Garages at the rear of the site. The proposed rear and side ground floor extension will allow the addition of a ground floor bedroom and guest Bathroom for visiting guests i.e Parents, overseas friends etc. The ground floor extensions will also allow a larger Kitchen and open plan living and dining area that the family are in need of for a better sense of living, the existing Kitchen is too small for a practical Kitchen for the family to use. The proposed side extension will be 1 meter or above away from the site boundary and public road. The proposed summer House at the rear will be converted from one of the existing Garages, they also have another Garage space adjacent so they will still have a garage for off street parking. The proposed summer house will make use of an unused garage and allow the Family to have a space they can use to socialise and work. The existing side boundary fence will also be changed from an old weathered fence into a new part fence part brick boundary."
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side/rear extension and part conversion and extension of existing detached garage to habitable use as a summer house, involving alterations to front and side elevation at 32 Pield Heath Road, Uxbridge, UB8 3NG in accordance with the terms of the application, Ref 74317/APP/2019/344, dated 29 January 2019, 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: Location Plan; Site Plan/Block Plan; SE1179_01; SE1179_02; SE1179_03; SE1179_04; SE1179_05; SE1179_06; SE1179_07; SE1179_08; SE1179_09; SE1179_11; SE1179_12; SE1179_13; SE1179_14; SE1179_15; SE1179_16; SE1179_17; and SE1179_18.

- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) The detached garage extension shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 32 Pield Heath Road.

Procedural Matter

2. The application form describes the development proposed as provided in the final bullet header above. The description was subsequently altered by the Council to the "Single storey side/rear extension and part conversion and extension of existing detached garage to habitable use as a summer house, involving alterations to front and side elevation." I have determined the appeal on this basis and amended the description of the development accordingly in my decision as it more accurately describes the proposal.

Main Issue

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

Reasons

4. The appeal relates to one half of a pair of semi-detached dwellings that is situated on a prominent corner position next to the junction of Pield Heath Road and Newlyn Close.
5. The immediate area is predominantly residential in character comprising a mixture of two-storey detached and semi-detached houses. However, there is a single storey veterinary surgery that occupies a similar corner plot on the opposite side of Newlyn Close. Whilst it is set back from Pield Heath Road the surgery is situated in close proximity to the back edge of the Newlyn Close highway and is enclosed by an approximate 1.8 metre high concrete pillar and post timber fence.
6. The appeal dwelling's side garden area already contains a single storey side conservatory and is enclosed by a mixture of approximate 1.6 - 1.8 metre high boundary treatment. Therefore, although the side garden provides a degree of visual separation between the built form and the Newlyn Close highway I do not consider the immediate context to be one that is significantly spacious.
7. The Council has not found the part conversion and extension to the existing detached garage to be objectionable and I have no reason to disagree. Nonetheless, it argues that the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions (SPD) seeks to preserve the open character of corner locations, and that the approximate 1 metre space between the proposed side extension and side boundary would not respect the corner plot character.
8. However, the SPD only requires residential extensions and buildings of two or more storeys in height (my emphasis) to be set back a minimum of 1 metre from the side boundary of the property. The proposal is only of a single storey height and would therefore retain an open area above it (at first floor level) and maintain a large portion of the visual gap that the Council attaches

importance to. Given the slightly tapered shape of the site and the staggered footprint of the proposal the space between the proposed extension and the side boundary would also increase (from 1 metre) to the rear before adjoining the back garden area.

9. Newlyn Close also dog legs to the rear of the appeal site. As a consequence a number of neighbouring houses on the western side of this highway have a staggered relationship with each other. Indeed, intervening garages are positioned in front of the nearest neighbouring dwelling at 1 Newlyn Close. As a result of this the proposal would also not protrude forward of any regimented return building line.
10. In light of the factors above I am satisfied that the proposal would not appear cramped or represent an overdevelopment of the site. I therefore do not find that the development proposed would have a harmful effect on the character and appearance of the area. It would thereby not conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's SPD. These seek, amongst other matters, to protect or enhance the character and appearance of buildings and their neighbourhood, to ensure harmonious development and to safeguard local distinctiveness.

Conditions

11. I have considered the planning conditions suggested by the Council. In addition to the statutory time limit condition, I agree that a condition specifying the relevant plans is necessary to provide certainty and that a condition relating to materials is necessary in the interests of character and appearance. Given the separate access to the extended detached garage I also consider that, as recommended in the planning officer's report, a condition is necessary to ensure that its use remains ancillary to that of the host dwelling.
12. For the reasons given above, the appeal should therefore be allowed.

Mark Caine

INSPECTOR