
Appeal Decision

Site visit made on 12 August 2019

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2019

Appeal Ref: APP/R5510/D/19/3232310

40 Micawber Avenue, Uxbridge UB8 3NZ

- 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 Surjit Singh against the decision of the London Borough of Hillingdon Council.
 - The application Ref 10947/APP/2019/885, dated 13 March 2019, was refused by notice dated 5 June 2019.
 - The development proposed is a single storey front extension, single storey rear extension and enlargement of roof space and raising of ridge height.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension, single storey rear extension and enlargement of roof space and raising of ridge height at 40 Micawber Avenue, Uxbridge in accordance with the terms of the application, Ref 10947/APP/2019/885, dated 13 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1844-os-01 and 1844-pl-01C.
 - 3) The materials used in the construction of the external surfaces of the works hereby permitted shall match those of the existing dwelling.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the side facing walls or roof slopes of the development hereby approved.
 - 5) The first floor windows facing 38a and 42 Micawber Avenue shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level before the rooms that they serve are first brought into use and they shall be retained as such at all times thereafter.
 - 6) Access to the flat roof over the rear extension hereby approved shall be for maintenance or emergency purposes only and it shall not be used as a roof
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garden, terrace, balcony, patio or similar amenity area at any time.

Main Issue

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

Reasons

3. The proposal would raise the overall height of the property and include a corresponding increase in the height of the eaves. Generally, the design would reflect that of the dwelling as it currently exists with a front facing gable and a hipped roof to the two storey element behind. The existing four dormer windows, which face the sides of the property, would be replaced by larger dormers but these would be in a similar position.
4. This road has a mix of properties. A large number of these are bungalows, some of which have rooms within the roof. A number of other properties were clearly built as two storey dwellings. Despite this variety, Micawber Avenue has a distinctive character that results from many of the bungalows having forward facing gables. The result of this is that the houses appear as distinct individual buildings that dominate the centre of their plots whilst maintaining space between them and their neighbours at roof level due to the low eaves being closest to the side boundaries. Although the proposal would raise the eaves and ridge, the forward facing gable would continue to add to the existing character and the bulk of the development would remain central to the plot.
5. The side facing roof slopes would be more prominent within the street scene because of their greater height but there would remain a significant gap between the higher eaves and the eaves of the neighbouring houses. The proposed dormers would not be a positive design feature but as they would be set to the rear of the dwelling and would replace the existing dormers, they would not result in significantly greater harm with regard to their impact on the street scene. The greater height of the property would materially alter the proportions of the house and whilst this would change the relationship with neighbouring dwellings, I am not satisfied that the design overall would be unacceptable. It would continue to contribute to the variety of housing designs and sizes within this street without becoming overly dominant.
6. Whilst I have had regard to the concerns raised by the Councillors at the planning committee meeting, I agree with the officers that the design would be acceptable and would maintain the quality of the built environment. The proposal would not therefore conflict with the design objectives of policy BE1 of the Hillingdon Local Plan: Part One-Strategic Policies 2012 or policies BE13, BE15 or BE19 of the Hillingdon Local Plan Part Two-Saved Unitary Development Plan Policies 2012 (UDP). As these policies generally accord with the design requirements of the National Planning Policy Framework, I afford them considerable weight.
7. The Hillingdon Local Plan Part Two-Development Management Policies is close to completing the process leading to adoption and as a result the relevant policies can be afforded some weight. However, with regard to design, these do not materially alter the requirements of the adopted policies.

8. The Council has adopted a Supplementary Planning Document entitled Hillingdon Design and Accessibility Statement: Residential Extensions 2008. The section relevant to roof alterations does not anticipate wholesale redevelopment of the original roof and its specific requirements are not therefore directly relevant. I am satisfied however that the details proposed satisfy the main design objectives of the guidance.
9. Concerns have been raised with regard to the impact on neighbouring residents with regard to the dominance of the enlarged building and loss of privacy. Whilst the side facing dormers would undoubtedly offer the opportunity for overlooking, it is proposed that they would be obscure glazed. As the bathroom and dressing room do not need an outlook and the bedrooms have other primary windows that face the rear, I consider that this approach would be reasonable and necessary and would overcome this concern. The rear and forward facing windows would not result in unacceptable levels of overlooking.
10. The greater scale of the building would increase its dominance. Given that the eaves would remain to the side and as the property to the north extends a similar depth to the two storey element of the proposal, I do not find that the increased height of the main roof, the dormers or the depth of the ground floor rear extension would result in the building being unacceptably overbearing for the residents of that property. Any increase in shading of the neighbouring rear garden would also be limited due to the orientation.
11. The impact on the property to the south, number 38a, would be greater as this does not extend as far to the rear and the building is closer to the shared boundary. The large dormer window in particular would be more imposing given that it would be set closer to the boundary than the existing. The outlook from the neighbouring house itself would remain generally unaltered but the new works would be more imposing when in the rear garden area nearest to the house. However, given the distances involved, the overall form of the roof and the intervening boundary treatment, I am satisfied that the greater dominance of the new roof form, dormer window and the rear extension would not unacceptably harm the living conditions of the residents of 38a Micawber Avenue with regard to the reduction in outlook. Given the aspect of these properties, there would be no significant concern with regard to shading.
12. Whilst I have had regard to the concerns raised by both the local residents and Councillors, I have not found there to be any concerns that would result in unacceptable harm or conflict with the development plan. I therefore allow the appeal.
13. I have imposed conditions with regard to the commencement of the works and the details of the approved plans in the interests of certainty. I have also required that the materials match to ensure that the extended dwelling would have a satisfactory appearance. I have imposed the conditions suggested by the Council with regard to additional side openings, obscure glazing and the use of the flat roof of the rear extension as these are necessary to safeguard the privacy of the neighbouring residents.

Peter Eggleton
INSPECTOR