



Appeal Decision

Site visit made on 12 November 2019

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 18th November 2019

Appeal Ref: APP/R5510/D/19/3235692

1 Thackeray Close, Uxbridge UB8 3DW

- 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 Anandaselvam Jebananthan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 15285/APP/2019/1888, dated 4 June 2019, was refused by notice dated 1 August 2019.
 - The development proposed, as described on the decision notice, is part two storey, part single storey side extension involving demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the living conditions of occupiers of Rose Marie, Peggotty Way; the effect of the proposed development on the character and appearance of the host property and its surroundings; and whether there would be adequate private usable amenity space for existing and future occupiers.

Reasons

Effect on occupiers of Rose Marie

3. Thackeray Close is a cul de sac of mainly semi-detached houses off Dickens Avenue. Behind Nos 9-15 (odds) Dickens Way is a service road that links Thackeray Close with Peggotty Way. The appeal property, No 1 Thackeray Close, occupies a wedge-shaped plot that adjoins the service road. Rose Marie is a bungalow in a larger wedge-shaped plot, also adjoining the service road, that has a shared boundary with the appeal site and the adjacent houses at Nos 2, 3 and 4 Thackeray Close.
4. No 1 has a large single storey flat roofed garage occupying most of the space between the main side wall of the house and part of the boundary with Rose Marie. The garage is wider at the front than the back such that its side wall is parallel to the shared boundary and is built flush with the main front elevation of No 1.
5. Rose Marie is a roughly L shaped bungalow with a conservatory in the south-west elevation facing towards the shared boundary at a distance of some 5m. Other windows in that elevation also face the shared boundary as does the side

- of a bay window that is somewhat further away. No 1 and Rose Marie are positioned in such a way that part of Rose Marie's south-west elevation faces towards, and overlaps, part of the north-east elevation of No 1.
6. The proposed two-storey extension would be rectangular in shape and, at the closest point, would be about 1m from the shared boundary; some 5.8m from the conservatory and some 9m from a main wall at Rose Marie. Due to its height and the relative positions of the two properties I consider that the extension, even with a hipped roof, would be over-dominant in relation to the windows and private, well used, garden area of Rose Marie whether or not there are other garden areas at that property. It would appear visually intrusive and oppressive when viewed from the windows and garden of Rose Marie and would result in a gloomier environment. It would not amount to good design whether or not windows at first floor in the proposed rear elevation were to be obscure glazed.
 7. For the reasons set out above I conclude that the proposed extension would have a harmful effect on the living conditions of occupiers of Rose Marie. Accordingly the proposed development would conflict with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan Part Two Unitary Development Plan Saved Policies 2012 (the UDP) and the Council's Supplementary Planning Document HDAS: 'Residential Extensions' (the HDAS) which, amongst other things, seek to ensure development improves the amenity and character of the area and to safeguard the living conditions of occupiers of existing houses.
 8. It would also conflict with Policy DMHD 1(ii) and (v) of the Hillingdon Local Plan Policies with Modifications 2019 (the emerging Plan) which seek a satisfactory relationship with adjacent dwellings and to protect outlook. Whilst not adopted the emerging Plan is at an advanced stage and carries some weight in this appeal. There would also be conflict with the National Planning Policy Framework which seeks a high standard of amenity for existing and future users of land and buildings.

Character and appearance

9. The Council's main concern in this respect is that the proposed side extension would fail to be subordinate to the host dwelling; would unbalance the symmetry of the pair of semi-detached houses Nos 1 and 2; and would be detrimental to the street scene and surrounding area. The Report of the Head of Planning, Transportation and Regeneration explains this is because the single storey part of the proposal would be flush with the existing main front wall of the house whereas Policy BE22 of the UDP and the HDAS guidelines encourage a set back of 1m for the full height of the building.
10. The proposed development would accord with the guidelines in respect of: the minimum distance from the side boundary of the plot; the minimum set back of the first floor from the existing front elevation; and the maximum width of the extension relative to the existing house. The set down of the roof from the existing ridge would be 0.4m which is slightly less than the guideline of 0.5m. However, this would enable the pitch of the hipped roof to match that of the main roof and I agree with the Council that this would be acceptable. At ground floor there would be no setback. The single storey part of the extension would be flush with the front of the main house with a pitched roof over.

11. There is a porch on the front elevation of the appeal house and this would effectively screen the proposed single storey extension in relation to the adjoining house No 2. When approaching from Dickens Avenue the extension would be viewed against the two storey side wall and the existing porch. For these reasons I conclude the proposed extension would not be overly dominant in relation to the host property; would not significantly unbalance the pair of semi-detached properties; and would not harm the visual amenity of the street scene or the surrounding area.
12. For the reasons set out above I conclude the proposed development would not have a harmful effect on the character and appearance of the host property and its surroundings. I find no conflict with Policy BE1 of the Hillingdon Local Plan Part One – Strategic Policies 2012; Policies BE13, BE15 and BE19 of the UDP; Policy DMHD 1(i) and (iii) of the emerging Plan or the HDAS. These together, amongst other things, seek to ensure that development harmonises with the street scene and the original building.

Amenity space

13. The appeal property has a sizeable front garden much of which is used for parking. The rear garden is relatively small and of irregular shape. The proposed extension would have a smaller footprint than the garage it would replace. The resulting additional open space would be of an awkward shape but could be used, for bin storage for example, freeing up the more useable space behind the dwelling.
14. On this basis I conclude there would be adequate private usable amenity space for existing and future occupiers despite the shortfall against the garden space standards for three bedroom houses. I therefore find no significant conflict with Policies BE19 and 23 of the UDP or Policy DMHD 1 (vi) of the emerging Plan which seek to ensure adequate garden space is retained.

Conclusion

15. The proposal would not have an adverse effect on the character and appearance of the area and would provide adequate private amenity space. However it would have a harmful effect on the living conditions of the occupiers of Rose Marie. In conflicting with Policies BE19, BE20 and BE21 of the UDP and Policy DMHD 1(ii) and (v) of the emerging Plan the proposal cannot comply with the development plan as a whole. For the reasons set out above I conclude that the appeal should be dismissed.

S Harley

INSPECTOR