



Appeal Decision

Site visit made on 07 October 2019 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2019

Appeal Ref: APP/R5510/D/19/3232664

1 Hubbards Close, Uxbridge UB8 3HB

- 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 Mrs Siobhan Fitzpatrick against the decision of Hillingdon Council.
 - The application Ref 73828/APP/2019/598, dated 20 January 2019 was refused by notice dated 15 April 2019.
 - The proposed development is a two storey side extension, including conservation grade rooflights to the existing roof, to provide daylight to the internal stairs/corridor/bathroom.
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Decision

1. The appeal is dismissed

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Both parties noted that this site is within the Green Belt. However, initially, neither explicitly expressed their views as to whether the development would be inappropriate or not inappropriate in the Green Belt. Therefore, clarification was sought from both parties accordingly and their responses are discussed below.

Main Issues

4. The main issues are therefore:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the NPPF and development plan policies; and
 - The effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

Whether it would be inappropriate development

5. Paragraph 145 of the NPPF states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One exception is

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original dwelling. The Council referred to Saved Policy OL1 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998), Saved Policies, 27th September 2007 (UDP) in their decision notice. However, as this relates to the type of land uses that are not inappropriate in the Green Belt, it has little relevance to the proposal before me.

6. Elsewhere in the evidence reference has been made to UDP Policy OL4. The Council state within their response to the clarification sought from the Inspector, that the proposed development meets their percentage increase criteria for development within the Green Belt. From my reading of Policy OL4, of which I have been provided a copy, there is no specific percentage limit. However, Part (i) of the policy requires proposals to not result in a disproportionate change to the original building. In this regard, it is consistent with paragraph 145 of the NPPF and as such part (i) of the policy holds substantial weight. The appellant suggests that the extension would represent an increase in the size of the house of around 50% which, in their experience, is generally considered proportionate by Councils. It appears then that the parties agree the size of the extension is not disproportionate to the original dwelling.
7. However, the Council state the development would not meet parts (ii) and (iii) of Policy OL4 which generally require development to respect the character and appearance of the area for it to be able to be considered not inappropriate. This is not consistent with the criteria set out within paragraph 145 of the NPPF and so Parts (ii) and (iii) of the UDP hold limited weight. Notwithstanding this, the impact on the character and appearance of the proposed development will be assessed below accordingly.
8. As the parties agree the size of the extension is not disproportionate to the original dwelling, it is therefore not inappropriate in the Green Belt. The proposed development does not conflict with Saved Policy OL4, Part (i) of the UDP or paragraph 145 of the NPPF.

Character and appearance

9. The appeal site is a two-storey end of terrace property which is located on the corner of Hubbards Close and West Drayton Road. The pavement north of the site has a spacious green area parallel to it. This is considerably larger than similar green areas presented elsewhere along the southern side of West Drayton Road and as such, it provides a spacious feel which contributes positively to the character and appearance of the area.
10. Policy BE13 of the UDP states development would not be permitted if the development fails to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers desirable to retain or enhance. From the Planning Officer's report, it can be seen that this specific section of open land, which is described as an important gap, is considered desirable to retain.
11. I did not notice a strong building line along the south side of West Drayton Road, however, the proposed development, although set in from the boundary, would be closer to the public highway compared to the other houses in the immediate vicinity to the east and west along West Drayton Road. As such, the

proposed development would harmfully impact on the open and spacious nature of this section of the public highway and so, by virtue of its siting and scale, would be highly visible from West Drayton Road and would appear to be a prominent and incongruous addition to the street scene. The fact that the proposed development would match the height of the original dwelling and would appear to be approximately half the width of the original has little bearing on its effect on the West Drayton Road street scene.

12. For these reasons, I conclude the proposed development would harm the character and appearance of the area. The proposed development therefore conflicts with Policy BE1 of the Hillingdon Local Plan: Part 1, Strategic Policies, November 2012, and Policies BE13, BE15 and BE19 of the UDP, which generally seek to ensure developments are well designed and respect the local area.

Other Matters

13. Whilst I sympathise with the appellant's need to improve the quality of accommodation, these personal circumstances are not enough to outweigh the harm identified. The lack of objections from neighbours is also not a consideration that outweighs the harm caused by the development.
14. The appellant comments on the pre-application referred to in the Planning Officer's Report. Due to the different nature of that scheme, I do not find it to be relevant to the proposal before me.
15. The appellant raised the Council's approval of the developments under Ref 72945/APP/2017/2090 and 39969/APP/2016/3579. I do not have full details of the Council's assessment by way of an Officer Report for these decisions and they are significantly far from the appeal site such that they have a different context. Therefore they are not directly comparable to the case before me. Notwithstanding this, I have assessed this planning appeal on its own merits.
16. The Council and appellant refer to the guidance set out within the Supplementary Planning Document (SPD). I have not been provided with a copy of this, and the Council do not rely on it in their decision notice. However, regardless of whether the proposal adheres to this or not, I find a clear conflict with the policies as outlined above.

Recommendation and Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Mariam Noorgat

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR