



Appeal Decision

Site visit made on 10 December 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 02 January 2020

Appeal Ref: APP/R5510/D/19/3238674

123 Central Avenue, Hayes UB3 2BS

- 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 R Kumar against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 20352/APP/2019/1672, dated 16 May 2019, was refused by notice dated 25 July 2019.
 - The development proposed is described as 'a two-storey side and part two-storey and single-storey rear extension with loft conversion with rear dormer'.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect that the proposed extensions would have on the character and appearance of the host building and the wider area; and (ii) whether future occupiers would be likely to experience acceptable living conditions in terms of outlook and natural light.

Reasons

Character and appearance

3. The appeal property is an end of terrace two-storey dwelling, positioned on a prominent corner plot at the junction of Central Avenue and Orchard Road in the 'Central Avenue, Hayes, Area of Special Local Character' (ASLC).
4. The building is typical of development in the area, the street-scene of which is generally characterised by short terraced rows of two-storey properties that are aligned in an ordered and spacious manner. These characteristics, along with the subtle variations in the design of the buildings within their respective rows, notwithstanding that some have been extended, combine to give the street-scene a strong rhythm and rather spacious feel, which the appeal property positively contributes towards.
5. Moreover, by virtue of the prominent corner location of the site within the spacious layout of development in the area, the modest size and design of the appeal property positively contributes to the local architectural character and appearance of the ASLC.
6. The design of the proposed part two-storey, part single storey side/rear extensions would incorporate subordinate characteristics. The two-storey side

extension would be set back by approximately 1.0 metre from the front elevation of the existing house and the roof ridge would be set down from the roof ridge of the host property by 0.5 metres. Furthermore, the width of the side extension and the set-back distance from the side boundary, and the depth and height of the proposed rear extension, would comply with the dimensional guidance set out in the relevant sections of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions (2008) (SPD).

7. However, notwithstanding these subservient characteristics, the proposed development would substantially extend the property, significantly increasing its size. Together, the extensions, which would be seen in the context of the existing built form, would add very considerable bulk and mass to the building. Consequently, the proposal would be out of keeping with the predominantly modest sized properties of the terraced row, thereby disrupting the rhythm of development and the street-scene.
8. Notwithstanding the unusually large size of the site, the cumulative effect of the proposed extensions would overly intensify the quantum of built form at a prominent corner location. The proposed development would not be subordinate to the scale, built form or character of the host building or wider area. Consequently, the proposed development, which would be very readily apparent from the public domain, would have a significant adverse influence on the street-scene. Thus, for the reasons outlined above, would be significantly harmful to the character and appearance of the host building, the wider area and the ASLC.
9. Consequently, in this regard, the proposed development would conflict with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012); Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (2007) as incorporated into the Hillingdon Local Plan (2012), and the SPD which, amongst other things, seek to ensure extensions achieve a high quality of design that enhances the local distinctiveness of the area; respect the scale, form and proportions of the original building; conserve and enhance Areas of Special Local Character, and complement the character and quality of the overall street-scene. These shortcomings with respect to development plan policy are not outweighed by the dimensional compliance with guidance set out in the SPD.

Living Conditions

10. The proposed development would include a loft conversion with rear dormer. The submitted plans indicate the room would be a 'play room' and the appellant contends that the room would not be regularly used and is not a habitable space. However, the Council calculate that the floor area of the room would be 12.67 square metres and has a width of 2.85 metres and so considers that the size of the room would amount to habitable space. In the absence of any compelling evidence to the contrary I consider that the room could potentially be utilised as habitable space.
11. The proposed rear dormer would include two windows and the rear roof slope would include a rooflight. The appellant states that the dormer facilitates the staircase and the two windows in the dormer would provide light and outlook over the top of the staircase from the floor below as it opens into the loft room. However, considering that the windows are positioned close to a proposed

internal wall and in the absence of any substantive evidence to demonstrate that the proposed rooflight is proportionate in size to the area of the room, the proposed converted loft space would potentially not receive adequate levels of natural light. Moreover, for the same reasons, the room would potentially have poor levels of outlook.

12. I conclude, therefore, that the proposed development would potentially not provide acceptable living conditions for future occupiers in terms of outlook and natural light. Furthermore, the potential lack of natural light to the proposed loft room would result in the development being more reliant upon artificial means of lighting contrary to the interests of sustainability and improved energy efficiency.
13. Consequently, in this regard, the proposal would not accord with Policies 3.5 and 5.3 of the London Plan (2016); Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two – Unitary Development Plan Saved Policies (2007) as incorporated into the Hillingdon Local Plan (2012), and the SPD, in so far as they set out to ensure proposals avoid harmful effects upon the living conditions of the occupiers of proposed development, ensure adequate natural light reaches habitable rooms and demonstrate high standards of sustainable design to improve the environmental performance of new development.

Other Matters

14. The appellant points out that other properties, including the house next door at 59 Orchard Road on the same road junction and the house at 52 Orchard Road on a junction diagonally opposite the appeal site, have been considerably extended. He also refers to a recently approved development at 86 Central Avenue. Whilst I note the other developments in the local area referenced by the appellant, this does not justify the harm that I have identified in character and appearance terms and in particular the harm that would be caused to the host dwelling if planning permission were to be approved. The existence of the other extensions referred to by the appellant does not alter or outweigh my conclusions on the character and appearance main issue.
15. The appellant has pointed out that the rear dormer and loft conversion are permitted development. Be that as it may, the proposal is for planning permission for a 'two-storey side and part two-storey and single-storey rear extension with loft conversion with rear dormer'. Thus, the existence of permitted development rights for part of the proposal is not determinative to the outcome of the appeal.

Conclusion

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

Andrew Bremford

INSPECTOR