



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: 03 January 2020

Appeal Ref: APP/R5510/W/19/3238759

93 Hunters Grove, Hayes, Middlesex UB3 3JF

- 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 Ali Sohrabi, Residents of 91 and 93 Hunters Grove, against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74557/APP/2019/351, dated 1 February 2019, was refused by notice dated 9 April 2019.
 - The development proposed is described as '*Proposed work for 93 Hunters Grove includes demolition of the existing side and rear extension and erection of a double storey side, rear and front extension and internal alterations. Proposed work for 91 Hunters Grove includes demolition of the existing side extension and erection of a double storey side, rear and front extension and internal alterations*'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's refusal notice refers to Policy DMHD 1: Alterations and Extensions to Residential Dwellings of the emerging London Borough of Hillingdon Local Plan Part 2 - Development Management Policies with Modifications (March 2019) (LLP2). Since the application was determined the examining Inspector has found the emerging LLP2 sound, subject to a number of main modifications. On this basis I afford Policy DMHD 1 of the emerging LLP2 significant weight in my consideration of this appeal.

Main Issues

3. The Council's refusal notice refers to the effect of the development on the character and appearance of the area. It also states that the development would "*result in overly dominant features that overshadow the adjacent properties, and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity to the occupiers*". In respect of the latter issue, it is clear from reading the Council's officer report that this relates to outlook in addition to light.
4. Therefore, the main issues are the effect that the proposed extensions would have on (i) the character and appearance of the host properties and the area; and (ii) the living conditions of the occupiers of 89 and 95 Hunters Grove in respect of outlook and light.

Reasons

Character and appearance

5. The appeal site comprises a pair of semi-detached two-storey properties located on the northern side of Hunters Grove, set back within their plots from both adjacent pairs of semi-detached properties.
6. The properties are typical of development in the area, the street-scene of which is generally characterised by reasonably evenly spaced pairs of semi-detached houses. Notwithstanding that some of the properties have been extended, including the host pair of semis, most dwellings in Hunters Grove are of similar size and further east along the street there is a reasonably standardised building line. However, in the vicinity of the appeal site the building line is noticeably staggered on both sides of the street. By virtue of their size and position relative to neighbouring dwellings the appeal properties positively contribute to the aforementioned characteristics of the area.
7. The proposed development would include the erection of two-storey front, side and rear extensions to both original host properties, 91 and 93 Hunters Grove, following the demolition of all the existing extensions. The proposed rear extensions would extend approximately 3.0 metres from the rear wall of the original houses. Thus, in this regard, would comply with the dimensional guidance set out in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions (2008) (SPD).
8. However, notwithstanding that the roof height of the extensions would be lower than the roof height of the host properties and the extensions would be set back approximately 1.0 metre from the side boundaries of the neighbouring properties, 89 and 95 Hunters Grove, by virtue of their overall size and bulk the two-storey extensions, which would wrap around the houses, would overwhelm both original semi-detached properties. Consequently, the development would not amount to subordinate additions sympathetic to the size of the original dwellings.
9. Although the proposed front extensions would be set back from the front elevation of Nos 89 and 95 by approximately 1.0 metre and approximately 2.0 metres at the entrances of the properties, the primary front elevation of the extensions would be positioned approximately 1.8 metres forward of the front elevation of the existing semi-detached properties. As a result, the development would disrupt the characteristic staggered building line along this part of Hunters Grove.
10. For the above reasons the development, which would be very readily apparent from the public domain, would have a significant adverse influence on the street-scene and the immediate pattern of development. Thus, I conclude that the proposal would be significantly harmful to the character and appearance of the host properties and the area. Consequently, in this regard, it would conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012); Policies 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); the SPD, and Policy DMHD 1 of the emerging LPP2. Amongst other things, these policies seek to ensure extensions appear subordinate to the main dwelling, respect the proportions of the original

building, relate to the street pattern and complement the character and quality of the overall street-scene.

Living Conditions

11. In the interests of the amenity of occupiers of existing development, the Council's SPD requires proposals for two-storey extensions to be set back a minimum of one metre from the side boundary of the property and not to breach the 45-degree rule.
12. The proposed extensions would adhere to the minimum set back distance from the boundaries of the neighbouring properties. They would extend to a maximum of approximately 6.0 metres beyond the two-storey north-east facing rear elevation of No 89 and the original two-storey north-east facing rear elevation of No 95. There is no dispute between the main parties that the rear extensions would not breach a 45-degree line drawn from the centre of the nearest first floor windows in the rear elevations of Nos 89 and 95.
13. Although the development would be two-storeys in height, based on the evidence before me, I conclude it would not be dominant or overbearing upon the outlook from the rear elevation windows of Nos 89 and 95. Furthermore, for the same reasons, and by virtue of the proposed rear extensions being to the north-west and north-east of Nos 89 and 95 respectively, the development would not substantially reduce the amount of daylight or sunlight reaching the rear elevation windows of the neighbouring dwellings.
14. However, there are two entrance doors, one of which is fully glazed, and two windows in the north-west side elevation of No 89. Notwithstanding the staggered building line, the ground floor window and glazed door already experience some overshadowing due to the proximity of No 91. The presence of the proposed two-storey side extension alongside the side elevation of No 89 would not only have an enclosing effect upon the outlook from the two windows and glazed door, but would also result in increased overshadowing to the ground floor window and glazed door and overshadowing not previously experienced to the first floor window. Therefore, the development would result in some loss of daylight reaching the side elevation windows and glazed door, however by virtue of the development being to the north-west of the side elevation it would not materially reduce the amount of sunlight reaching the windows and glazed door of No 89.
15. Taking all these matters into account, I therefore conclude that no material harm would be caused to the living conditions of the occupiers of No 95 in respect of outlook and light. However, I conclude that the proposed development would cause harm to the living conditions of the occupiers of No 89 in respect of outlook and light. Consequently, in this regard, it would conflict with 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); the SPD and Policy DMHD 1 of the emerging LPP2 in so far as they set out to ensure proposals avoid harmful effects upon the living conditions of the occupiers of neighbouring properties.

Other Matters

16. The appellant points out that the reason for the development is due to issues with the existing houses. These include excessive cold and damp, lack of insulation, too narrow and small hallways, too steep staircases and the front gardens/driveways being prone to surface water flooding. I have taken these matters into account, however they do not outweigh the harm that I have found in respect of character and appearance and living conditions.
17. The appellant states that the proposal would provide provision for parking, storage for cycles and waste bins, no loss of privacy due to the side elevation windows being obscurely glazed and only capable of being opened above 1.7 metres, additional landscaping and adequately sized rear gardens. However, these are not matters in dispute and thus they do not alter or outweigh my overall conclusions set out above.
18. There are no other matters raised which would lead me to reach a different conclusion on the main issues.

Conclusion

19. In conclusion, whilst the proposal would not cause material harm to the living conditions of the occupiers of No 95 in respect of outlook and light, this would not overcome the harm that would be caused to the living conditions of the occupiers of No 89 in respect of outlook and light and the significant harm that would be caused to the character and appearance of the host properties and the area. Therefore, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR