



Appeal Decision

Site visit made on 20 January 2020 by Mariam Noorgat BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/R5510/W/19/3237967

4 Gilfrid Close, Uxbridge UB8 3HN

- The appeal is made under section 78 of the Town Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Ghandi against the London Borough of Hillingdon Council.
 - The application Ref 60954/APP/2019/1763 dated 23 May 2019 was refused by notice dated 29 August 2019.
 - The development proposed is a first floor side extension, loft conversion/extension with rear dormer/front roof windows, alterations to fenestration and creation of two separate dwellings with associated bin storage, bicycle parking, amenity space and off-street parking.
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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 Matters

3. The Council referred to Policy BE13, BE15, BE19, BE21 and BE24 of the London Borough of Hillingdon Unitary Development Plan, Saved Policies 27th September 2007 (UDP) within their decision notice. The Council have since adopted the London Borough of Hillingdon Local Plan Part 2, Development Management Policies, Adopted 16 January 2020, (Local Plan Part 2) and confirm the aforementioned policies of the UDP are withdrawn. The Council have provided copies of the adopted version of the policies within Local Plan Part 2 that replace those from the UDP, namely Policies DMHB11, DMHB12 and DMHD1. These policies are similar to those referenced within the decision notice in what they seek to achieve, and I have based my decision on them.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development upon the living conditions of the occupiers of 7 Aintree Close, with particular regard to privacy.

Reasons

Character and appearance

5. The appeal site accommodates a semi-detached property located within an established residential area. It includes a single storey side extension that protrudes beyond the original rear elevation of the property and adjoins the single storey development at the rear. Although there is no symmetry between the semi-detached pair of houses at the front, in particular because the appeal property has a gable at the front whereas No.5 does not, the rear elevation above ground floor level is symmetrical and provides a neat and balanced view when seen from the surrounding area, particularly from West Drayton Road. The appeal site boundary to the north abuts West Drayton Road and there is a gap from this boundary to the flank wall of the existing side extension, and an even larger gap at first floor level. There are various types of building styles along the southern side of West Drayton Road and there is no strong building line present when viewing the appeal property and surrounding buildings on this side of the road. However, the majority of the buildings that are visible from West Drayton Road, in particular above ground floor level, are set back a significant distance from the pavement along West Drayton Road. As such, the spacious gaps between any high level built form and the southern boundary of West Drayton Road provide an open view and is a characteristic feature of this section of the road.
6. The proposed first floor side extension would span across the width and depth of the present single storey extension and so beyond the rear elevation of the main house at first floor level, except that it would be set back from the front elevation. The appellant and Council agree the proposed side extension would adhere to the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions, December 2008, (SPD) regarding its width and depth. I consider that, due to the lack of a strong building line on West Drayton Road and as the extension would be set back around 2.1 metres from the side boundary, it would accord with paragraph 5.3 of the SPD which sets out criteria for the required distance to the side boundary for extensions.
7. However, notwithstanding the guidance within the SPD, Policy DMHB 11 of the Local Plan Part 2 states development should harmonise with the local context taking into account the surrounding streetscape rhythm. I consider the proposed development would be in close to the proximity of the northern boundary of the appeal site and so would appear prominently in the street scene and would not harmonise with the streetscape rhythm or surrounding built forms which have significant setbacks from this boundary treatment along West Drayton Road. The length of the extension, greater than that of the host dwelling, would add to its prominence. The proposal therefore would be highly visible when approaching from the eastern or western sides of West Drayton Road and would lead to a cramped and visually intrusive form of development.
8. The proposed loft conversion would be set in from the sides, set back from the eaves and set down from the ridge of the main roof of the appeal property. As such, it would appear to be a subordinate extension to the host dwelling and not appear to be a third storey element when viewed from the surrounding area. However, the proposed loft conversion would unbalance the symmetry of the pair with No.5 at roof level at the rear. Given the prominent visibility of

No.4 from West Drayton Road, this unbalance would have a detrimental impact on the street scene when viewed from the eastern side of this road.

9. The appellant states there are examples in the immediate area, on Craig Drive and Aintree Close, where properties on corner plots do not have spacious gaps to the boundaries. Although the gaps on corner plots for these properties vary, they are not comparable to the appeal site due to the views available to the appeal site from West Drayton Road.
10. By way of a fallback position, the appellant draws attention to the existence of permitted development rights and that a dormer could be built as per 2 Gilfrid Close. However, I have no evidence before me to satisfactorily demonstrate that the dormer would be permitted development, so can give this little weight. Furthermore, the dormer at No 2 is not as visible as that proposed would be, given its location further from West Drayton Road.
11. Based on the reasoning above, the proposed development would result in an adverse effect on the character and appearance of the area. It therefore would conflict with Policy BE1 of the Hillingdon Local Plan Part 1, Strategic Policies, Adopted November 2012 and Policies DMHB11, DMHB12 and DMHD1 of the Local Plan Part 2 which all seek to protect the character and appearance of the area.

Living Conditions

12. The first-floor side extension element of the proposal would have rear windows facing the rear garden of 7 Aintree Close. However I found there to be sufficient distance between the proposed development and the rear garden of No.7 such that any overlooking would not be detrimental to the occupiers of that property.
13. The Council state the development would fail to provide a distance of 21m from the garden of No 7 and that therefore it would conflict with the guidance in the Residential Layouts SPD. However the guidance states this distance is only required between facing windows. Given the orientation of the proposal to the windows at No 7, any views between windows would be at an extremely acute angle, and so would not affect privacy.
14. The appellant submitted amended plans with the appeal showing the first floor rear window on the extension repositioned to the side elevation. As I do not consider the design within the originally submitted plans to impact the living conditions of the occupiers of 7 Aintree Close to a detrimental degree, it is not necessary for me to consider these plans.
15. Based on the reasoning above, the proposed development would not result in an unacceptable degree of overlooking and would not impact the privacy of the occupiers of 7 Aintree Close. It would therefore not result in unsatisfactory living conditions for these occupiers. As such, I find no conflict with Policies DMHD1 and DMHB11 of the Local Plan Part 2 which seek to protect the amenity of neighbouring occupiers.

Other Matters

16. Though housing targets may change in future as a result of the review into the London Plan, I have no substantive evidence of this and at present the parties

do not dispute that the Council have a sufficient deliverable supply of housing. Therefore, the benefit of an additional unit carries minimal weight.

Recommendation and Conclusion

17. Although the proposed development would not harm the living conditions of the occupiers of 7 Aintree Close, this does not outweigh the harm caused to the character and appearance of the area. As such, for the reasons given above, and having had 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