



Appeal Decision

Site visit made on 10 August 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2020

Appeal Ref: APP/R5510/D/20/3248781

277 Kingshill Avenue, Hayes UB4 8BP

- 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 Raj Kapur against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 7175/APP/2019/3606, dated 24 October 2019, was refused by notice dated 17 February 2020.
 - The development proposed is described as, "Part two storey part single storey side and rear extension and outbuilding to rear for use as storage."
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Decision

1. The appeal is allowed and planning permission is granted for a part two storey, part single storey side and rear extension, front canopy, conversion of roof space to habitable use to include a rear dormer and 2 front rooflights and outbuilding to rear for use as storage at 277 Kingshill Avenue, Hayes UB4 8BP in accordance with the terms of the application, Ref 7175/APP/2019/3606, dated 24 October 2019, subject to the following conditions:
 - 1) The development hereby permitted has been carried out in accordance with the following approved plans: 277KINGSHILL/2016/BREGS/2 REV A, 277KINGSHILL/2016/BREGS/2/1 REV A, 277KINGSHILL/2016/BREGS/5/2 REV A, 277KINGSHILL/2016/BREGS/6/2 REV B, 277KINGSHILL/2016/BREGS/8 REV A, 277KINGSHILL/2016/BREGS/8 REV A, 277KINGSHILL/2016/BREGS/9 REV A, 277KINGSHILL/2016/PLANNING/10 REV A.
 - 2) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 277 Kingshill Avenue, Hayes UB4 8BP.

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. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. The description of development given in the Council's decision notice is: "Part two storey, part single storey side and rear extension, front canopy, conversion of roof space to habitable use to

include a rear dormer and 2 front rooflights and outbuilding to rear for use as storage". This is the description used to determine the application. As that description more accurately describes the proposal, the appeal has also been determined using that description of development.

4. The appeal property has previously been extended through the incorporation of a loft conversion (including a hip-to-gable extension), a rear dormer, and front rooflights. Subsequently, the property was further extended, but not in accordance with the approved plans, and this has resulted in the appeal now before me.

Main Issue

5. It is clear from the Council's decision that it has no objection to the part two storey, part single storey side and rear extension, and the outbuilding to the rear for use as storage. I consider that this element of the proposal is acceptable in size and scale and would not result in any adverse effects on the character and appearance of the area, or conflict with the development plan. This element is also clearly severable from the proposed extension. Therefore, the consideration of this appeal focuses on the matter in dispute.
6. The main issue is therefore the effect of the front canopy and the conversion of the roof space to habitable use, including a rear dormer and 2 front rooflights, on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

7. The appeal site is located in a predominantly residential area at the corner of Kingshill Avenue and Dale Drive. There are a number of retail and food outlets opposite. The appeal property is a two-storey semi-detached house located at the end of a row of similarly-designed houses.
8. I observed a large number of fairly modestly-sized porches present at properties on both Kingshill Avenue and Dale Drive. The porch at the appeal property is similar in scale and design to those porches, apart from the presence of the front canopy, which is connected to it. The canopy has been built using materials which match the porch and accordingly integrates seamlessly with it. The colours used for the canopy blend well with the windows and the brickwork of the host property. Its limited scale means that, in my view, it does not dominate the host property. In longer-range views, I observed that the canopy was not a noticeable feature in the street scene, and harmonised with the surrounding properties, due to its limited scale and size and appropriate use of materials.
9. Although the size of the rear dormer conflicts with criterion E) i) of Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (adopted January 2020) ('DMP') in relation to roof extensions not exceeding more than two thirds of the average width of the original roof, and dilutes the symmetry of the semi-detached pair of which it forms part, it is viewed amidst a number of other large rear dormers which are present on properties along Kingshill Avenue. As such, when viewed from Dale Drive, the dormer at the appeal property does not appear incongruous in the street scene. Further, the two storey element of the existing side and rear extension serves to successfully screen much of it from view, from several angles. When

viewed in the context of the existing property as a whole, which has been significantly extended, it appears congruent in scale and design.

10. I therefore conclude that the front canopy and the conversion of the roof space to habitable use, including a rear dormer and 2 front rooflights, respects the character and appearance of the host property and the surrounding area. The proposal as a whole complies with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (adopted November 2012) and Policy DMHB 11 of the DMP which collectively require that all new developments should achieve a high quality of design which enhances the local distinctiveness of the area. The material considerations in this particular case indicate that criterion E) i) of Policy DMHD 1 of the DMP should not be followed.

Conditions

11. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. I have considered the conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance. As the development has been carried out I have omitted the standard time limit and materials conditions, as these are no longer necessary. A condition is necessary specifying the approved plans, to provide certainty. In their Officer's Report, the Council suggested a condition to ensure that the outbuilding remains in incidental use, and I concur that this is necessary, to safeguard the character of the area.

Conclusion and Recommendation

12. Based on the above, and having regard to all matters raised, I recommend that the appeal should be allowed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR