
Appeal Decision

Site visit made on 28 September 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2020

Appeal Ref: APP/R5510/D/20/3248492
72 Laburnum Road, Hayes UB3 4JZ

- 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 Mangal Mahi against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 20360/APP/2019/3423, dated 18 October 2019, was refused by notice dated 13 December 2019.
 - The development proposed is described as 'proposed extension to existing garage'.
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'proposed extension to existing garage' at 72 Laburnum Road, Hayes UB3 4JZ in accordance with the terms of the application, Ref 20360/APP/2019/3423, dated 18 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LP72/01, M/584/01 and M/584/02.

Procedural matter

2. Since the Council issued its Decision Notice, the Hillingdon Local Plan: Part 2 – Unitary Development Plan Saved Policies (November 2012) and the Council's Supplementary Planning Document HDAS: Residential Extensions have been withdrawn with the adoption of the London Borough of Hillingdon Local Plan Part 2, Development Management Policies, Adopted Version 16 January 2020 (LP2). The Council have updated their position and the appellant has had opportunity to comment in light of this material change in circumstances. I have proceeded to determine the appeal on the basis of the relevant policies of the development plan, including LP2 and the Hillingdon Local Plan: Part 1 - Strategic Policies (Adopted November 2012) (LP1).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is occupied by an end of terrace two-storey dwelling within a residential area. To the side of the property is a gated private access road serving the rear of housing along part of Laburnum Road. This provides access to a number of outbuildings located to the rear of the properties, including a flat roofed double garage at the appeal site.
5. Whilst the proposed extended outbuilding would have a large footprint compared to the host building, it would remain single-storey and subservient to the two-storey scale of the host building. Additionally, the proposal would not reduce the elongated private outside garden space of the host dwelling and would be proportionate to the garden. Furthermore, the appellant indicates that the building would be used for garaging and storage ancillary to 72 Laburnum Road.
6. The outbuildings to the rear of Laburnum Road range in size, form and materials. The proposal's size, scale, bulk and height would be consistent with other similar structures in the vicinity of the site. Additionally, the use of matching brickwork and a pitched roof form would ensure that the proposal would be in keeping with the built form along this private access road. The proposal would be little more than glimpsed from public vantage points along Laburnum Road and assimilate into its context.
7. Therefore, in conclusion on the main issue the proposal would not harm the character and appearance of the area. As such, the proposal would not conflict with Policy BE1 of LP1, Policies DMHB 11 and DMHD 2 of LP2 and the National Planning Policy Framework. These policies seek, amongst other aims, to ensure a high-quality of design in development that protects the character and appearance of the area, and resists outbuildings capable of independent occupation.
8. The Council have suggested the standard implementation and approved plans conditions. I have imposed these in order to define the terms of the permission. Additionally, the Council have suggested a condition to require that occupation of the proposal remains ancillary to No 72. However, I find that such a condition is not necessary as the proposal is a householder development and I have proceeded to determine it on that basis.
9. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR