



Appeal Decision

Site visit made on 22 September 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/R5510/S/20/3252522 32 Park Way, Ruislip, HA4 8NU

- 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 Shailin Shah against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 3149/APP/2019/3993, dated 9 December 2019, was refused by notice dated 20 February 2020.
 - The development proposed is a double storey rear extension, garage conversion, new porch, loft conversion including removing chimneys and new parking arrangements.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the host building and area;
 - The living conditions of the occupants of 30 Park Way, with particular regard to over-dominance, overshadowing, visual intrusion, loss of light and loss of outlook.

Reasons

Character and appearance of the area

3. The appeal site is one of a series of similar, substantial detached dwellings facing the park, interspersed with more modern, smaller scale development. The building has a 2-storey gable ended bay window to the front, and a semi-circular two-storey bay feature on the corner of the building. Several properties, including the host house, have retained a distinctive angled entrance. The house has been previously extended with a series of additions along the rear wall of the house and a large, flat roofed garage, part of which supports second storey.
4. It is proposed to add a substantial, 2-storey structure to the rear of the house, incorporating the single-storey section of the garage. Policy DMHD 1 of the London Borough of Hillingdon Local Plan: Part 2 - Development Management Policies (2020)(the 'LP - Part 2') requires that extensions appear subordinate to the main dwelling with reference to floor area, width, depth and height. The substantial extension to the rear would cause the footprint of the ground floor

to be approximately a third bigger, the first floor would nearly double in size and the attic space at least this. The width of the building would not change, but at its greatest, the depth would be increased by 6 m from the rear of the existing house, which appeared at the site visit to have already been extended. The roof would be substantially increased in height above the existing garage and would constitute a bulky addition to the property. For these reasons, I do not consider that the rear 2-storey extension would be subservient, and the proposal is therefore in conflict with Policy DMHD 1.

5. To the front, a large 2-storey gable ended bay structure would be built to replace the front of the garage. Policy DMHD 1 requires that alterations to the front of a house must be minor and not alter the overall appearance of the house, which the proposal therefore does not fulfil. However, given that the main changes would be to a structure that appeared at the site visit to be an earlier addition, I do not consider that the replacement of this with a gable, which to some extent better reflects the character of the original house, to be harmful in principle. However, although set back from the main elevation, the scale of the front extension, exacerbated by the introduction of a significantly higher roof, would not appear subservient, and is therefore in conflict with Policy DMHD 1.
6. Policy DMHD 1 also requires that roof extensions should be located on the rear elevation only. The bulk of the extension to the roof would be towards the rear half of the building, but the large roof extension above the garage and central part of the house would be visible from the public domain. Although slightly set back from the main elevation, this would read from the street as a substantial roof extension to the front of the house, which would be in conflict with this policy. Policy DMHD 1 also states that large crown roofs on detached houses will not be supported, and the proposal therefore also conflicts with this requirement.
7. The angled porch would be replaced with a utilitarian square structure. As the angled porch is a notable feature of the original building and characteristic of similar buildings in the area, I consider that loss of this would be harmful and in conflict with Policy DMHD 1, which requires that new porches respect the character and features of the original building.
8. Many of the alterations would not be visible from the street. However, although partly screened by trees, I consider that the substantial change to the front of the building, including changes to the porch, would be visible from the public domain and for the reasons above would have a harmful effect on the character and appearance of the area.
9. I accept that the proposed roofs would be pitched rather than flat, and that this would be beneficial to the appearance of the house. However, this does not outweigh the harm to character and appearance of the host house identified above.
10. The proposal therefore conflicts with the requirements of local policies DMHD 1, DMHB 11 of the LP (Part 2) and BE1 of the London Borough of Hillingdon Local Plan: Part One - Strategic Policies (2012)('LP – Part 1'), which together require that development improves and maintains the quality of the built environment and harmonises with local context.

Living conditions of the occupants of No 30 Park Way

11. The rear garden at No 30 is modest in size and I observed at the site visit that this area comprises the occupants' main amenity space. The proposed rear and side extension would cover the same footprint as the current garage, which runs along approximately half the garden boundary with No 30, at 1 metre distance at the closest point. The garage has a flat roof and is one-storey high at this location and, when viewed from the garden of No 30, is largely screened behind a high, close boarded timber fence. The proposal is to add another storey to this existing structure in addition to a substantial roof extension. Given the bulk, height and proximity of the proposal, it would dominate the main garden space of No 30 to an overbearing degree, and I consider that the corresponding loss of outlook would be harmful.
12. I have noted the debate between parties regarding whether the extension would fail the 45-degree 'rule of thumb' when measured from the nearest first floor window of No 30. Diagrams provided by the appellant suggest that, although the margin is narrow, the proposal would meet this requirement. However, this would not overcome the harm to living conditions from loss of outlook.
13. Neither party has provided any detailed analysis of overshadowing or loss of light to the garden. However, as the appeal site is to the approximate west of No 30 and the proposal is to introduce a structure of about 8 metres height at 1 metre distance, I consider it highly possible that overshadowing or loss of light could be caused to the garden. Even if this were not the case, it would not overcome the harm to living conditions identified above.
14. The proposal is therefore in conflict with Policy DMHD 1 which states that there should be no unacceptable loss of outlook to neighbouring occupiers, and Policy DMHB 11 of the LP (Part 2), which requires that proposals do not adversely harm the amenity of adjacent properties.

Other matters

15. I have noted suggestions from the appellant regarding potential amendments to the scheme, but an appeal cannot be used to amend a proposal and I have therefore based my decision on the plans submitted.

Conclusions

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

B Davies

INSPECTOR