The Planning Inspectorate

Appeal Decision

Site visit made on 12 October 2020

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2020

Appeal Ref: APP/R5510/W/20/3244835
93 and 91 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 against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 74557/APP/2019/2621, dated 19 July 2019, was refused by notice dated 30 October 2019.
- The development proposed is described as 'Proposed work for 93 Hunters Grove includes: Two storey front/side/rear extensions involving demolition of the existing side/rear extensions + internal alterations. Proposed work for 91 Hunters Grove includes: Two storey front/side/rear extensions involving demolition of the existing side extension + internal alterations.'

Decision

1. The appeal is dismissed.

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Saved Policies (November 2012) and the Council's Supplementary Planning Document HDAS: Residential Extensions have been withdrawn with the adoption of the London Borough of Hillingdon Local Plan Part 2, Development Management Policies, Adopted Version 16 January 2020 (LP2).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 Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the host building and surrounding 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

4. The appeal site is located within the residential street of Hunters Grove. The housing is generally characterised by two-storey semi-detached dwellings with

flat frontages and hipped roofs. A number of modest alterations and extensions exist, including at the appeal site, but 91 and 93 Hunters Grove retain a high level of symmetry. Additionally, they are set further back than the neighbouring properties. They positively contribute to the homogeneity of the built form and the sense of openness. This spaciousness is generated by the housing being set back from the road and regularly spaced.

5. The evidence details that Nos 91 and 93 are in separate ownership and no means of securing the development of each property concurrently, such as a legal agreement, has been suggested. Unless this is properly secured it would be possible that any approval could be part implemented indefinitely, for example with one owner carrying out works whilst the other does not. This scenario would substantially unbalance the symmetry of the pair and would represent poor design in the street scene. However, even if a suitable means of securing concurrent works to each property were secured, the proposed extensions would still fail to take the opportunities available for improving the character and quality of the area. This is despite the scheme evolving from that recently dismissed at appeal[1].

6. Policy DMHD 1 of LP2 requires that alterations and extensions of dwellings appear subordinate to the main dwelling. Whilst the proposal would be set in from the boundary by the required minimum and utilise matching materials; the front extensions would not be minor and would dominate the overall appearance of the house. The proposal would not respect the simplicity of the existing flat front wall and roof, harmful to the homogeneity of the street scene. The proposed side extension would be sited flush with the existing frontage and only appear subservient because of the proposed large and dominant front extension. Whilst the proposal would be set back from the neighbouring built form, and further back than the previous scheme, the front and side extensions would cumulatively erode the area's sense of spaciousness.

7. Therefore, in conclusion on the first main issue the proposal would be harmful to the character and appearance of the host building and the surrounding area. As such, the proposal in this regard would be contrary to Policy BE1 of LP1, and Policies DMHB 11, DMHB 12 and DMHD 1 of LP2. These policies seek, amongst other aims, to ensure high quality design that harmonises with the local context, and in the case of extensions, appears subordinate to the main dwelling.

Living conditions

8. Policy DMHD 1 of LP2 requires that a 45-degree outlook is maintained from habitable room windows of neighbouring properties, and that two-storey extensions are set in from the side boundary by a minimum of a metre. The proposal achieves these minimum requirements for both Nos 89 and 95. Furthermore, I am cognisant of the findings of the Inspector on the recent appeal at the site.

9. Whilst the two-storey mass and form would project some way beyond the first-floor rear elevation of No 95, the proposal has a staggered return elevation. Furthermore, the neighbour has a large side and rear extension and no habitable room windows facing the appeal site. As such, the proposal would not lead to any significant impact on light and outlook at No 95. Similarly, to the

[1] PINS ref: APP/R5510/W/19/3238759

rear of No 89 the staggered return of the proposal ensures a reasonable outlook would be maintained. Given this and the relative orientation of the neighbouring property to the proposal there would be no loss of light at the rear of No 89 either.

10. No 89 is set in from the side boundary. To the side, at ground floor level it has an obscure glazed window, a glazed door and a partially glazed main entrance. At first floor it has a further window. No 89 currently experiences a sense of enclosure to the side, particularly at ground floor level. The proposal, although greater in height, sets the footprint of the built form further away from the boundary than existing. Compared to the previous scheme the proposal reduces the forward extension which would improve both the light and outlook at the side of No 89 compared to the previous scheme. Whilst some residual impact would remain this would not of itself represent a significant effect to the neighbour's living conditions over and above the existing.

11. Therefore, in conclusion on this main issue the proposal would not harm the living conditions of the occupiers of 89 and 95 Hunters Grove in respect of outlook and light. As such, in this regard the proposal would not conflict with Policies DMHB 11, and DMHD 1 of LP2. These policies, amongst other aims, seek to ensure a satisfactory relationship with adjacent dwellings is achieved having regard to light and outlook.

Other matters

12. The appellant has highlighted that the proposal would help to address existing issues with the two houses, including issues of energy efficiency, damp, narrow corridors and steep stairs. The proposal may help to address these issues and result in some planning benefits. However, I have little evidence that the proposal is necessary to achieve these benefits and that there is no alternative way to do this with less, or no harm. As such, these considerations have limited weight.

Conclusion

13. Whilst I have found no significant harm in regard to the living conditions of the occupants of neighbouring properties, and found some potential planning benefits from improving the existing accommodation, this does not outweigh the harm to the character and appearance of the host building and surrounding area. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR