



Appeal Decision

Site visit made on 14 September 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2020

Appeal Ref: APP/R5510/W/20/3252083

13 Northolt Avenue, Ruislip HA4 6SS

- 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 Michael Rysiak against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 2962/APP/2020/103, dated 13 January 2020, was refused by notice dated 9 April 2020.
 - The development proposed is described as "double storey side extension, 3.5m rear extension part double part single storey and splitting into two units houses".
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, part two storey, part single storey rear extension and conversion of dwelling into 1 x 2 bed and 1 x 4 bed dwelling houses with vehicular crossover and associated parking and amenity space at 13 Northolt Avenue, Ruislip HA4 6SS in accordance with the terms of application Ref 2962/APP/2020/103, dated 13 January 2020, and subject to the conditions outlined in the schedule at the end of this decision.

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.

Preliminary matter

3. I have used the description of the development from the Council's decision notice in my formal decision as opposed to that stated on the application form as I consider this to be more precise.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host dwelling, the pair of semi-detached dwellings of which it forms part, and the surrounding area.

Reasons for the Recommendation

5. The appeal site relates to a two-storey, semi-detached dwelling located within a residential area, which comprises a mix of detached, semi-detached, and terraced properties that vary in terms of scale and design. The recent alterations to the appeal dwelling include the conversion of the original hipped
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- roof to a gable end, the insertion of roof lights into the front roof slope, and a rear dormer which occupies a significant proportion of the roof.
6. The proposal includes a two storey extension to the side/rear, which would be set-in from the side boundary, would project along the full depth of the host dwelling and extend beyond the original rear elevation by approximately 3.5m. It would have a hipped roof and would follow the ridge line of the original pair of semi-detached dwellings Nos 13 and 15. The two-storey extension would replicate the existing bay windows feature with a gable element to the front, and there would be a lower pitched roof to the rear. The proposal also includes a single storey, flat-roofed rear extension and the conversion of the dwelling into 1x2 bed and 1x4 bed dwellings.
 7. Policy DMHD 1: Alterations and Extensions to Residential Dwellings and Appendix A of the Hillingdon Local Plan Part 2 – Development Management Policies (LP Part 2), sets out detailed guidance used to assess proposals for householder development in order to achieve the highest quality design taking into account the building, its setting, and the wider townscape. Although the proposal is not for a domestic extension, I have nevertheless had regard to the general principles.
 8. The proposed alterations would increase the massing of the original dwelling, particularly at the first floor level to the side and rear, and in terms of its width would be more than half the width of the original dwelling. Whilst the increase would be substantial, the extension would not appear incongruous, as it would be seen in the context of the pair of dwellings Nos 13 and 15. No 15 has also been extended to the side, albeit not to the extent of the proposal, and it has a hipped roof that follows the ridge line of the original dwelling.
 9. The lack of a set back from the front elevation and set down from the main ridge is acceptable in this instance, as the overall form and design of the two-storey element would improve the appearance of the pair of dwellings, which was significantly affected by the conversion of the roof from hip to gable. The detailing of the front elevation, including the fenestration, would reflect the style of the pair. Therefore, whilst the development would not appear subordinate to the existing dwelling, the proposal would respect the character and appearance of the host dwelling and that of No 15. I acknowledge that the proposal would, in effect, make the pair of semi-detached properties into a terrace of three. However, the variety of properties within the street scene allows for such flexibility, thus the development would not be out of keeping with the street scene.
 10. At the rear, the lower pitched roof would be sufficiently well proportioned as to not have a significant detrimental impact on the character and appearance of the host dwelling. The alterations proposed to the rear would not be visible within the street scene; thus, they would have a neutral impact on the character and appearance of the surrounding area.
 11. In light of the above, I conclude that the appeal development would not adversely affect the character and appearance of the host dwelling, the pair of dwellings of which it forms part, and the surrounding area. The two-storey element would not comply with all the requirements of Policy DMHD 1 of the LP Part 2. However, the development would be in accordance with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies, Policies DMHB 11, DMHB 12 and DMHD 1 of the LP Part 2, and Policies 3.5 and 7.4 of the London Plan,

which collectively require, amongst other things, that developments respect the design of the original house and have no adverse impact on the character, appearance or quality of the existing street or wider area. Accordingly, I conclude that the proposal complies with the development plan when considered as a whole.

Conditions and Recommendation

12. I have had regard to the Council's suggested conditions, in the event of the appeal being allowed, and I have considered them against the six tests, as outlined within the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG). I have also taken into account the requirement that planning conditions should be kept to a minimum.
13. In the interest of proper planning and to provide certainty I have recommended the standard time limit condition and specified that the development should be carried out in accordance with the approved plans. In order to protect the character and appearance of the area a condition that specifies that matching materials are used in the development is necessary.
14. In the interests of highway safety, a condition is necessary to ensure that the access for the proposed car parking has adequate visibility, and that the car parking spaces to be provided are kept available for parking.
15. I have required all these matters by condition, revising the Council's suggested conditions where necessary to better reflect the requirements of PPG.
16. Details of the materials, landscaping, boundary treatments, refuse storage, cycle storage and car parking layout are indicated on the drawings. Therefore, conditions requiring the submission of these details are not necessary.
17. Whilst the Council's suggested conditions regarding buildings regulations, and the provision of step free access, would be beneficial to the development, the footnote to policy 3.8 of the London Plan sets out that Part M of the Building Regulations generally does not apply to dwellings resulting from a conversion. In this case, whilst there is a substantial element of new build, part of the proposal relates to a conversion. Given that the proposed dwellings are not entirely physically severable, and on the basis of the evidence before me, I am unconvinced that Part M is achievable. On that basis, such conditions would be unreasonable.
18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR

Schedule of 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: location plan, original layout 3160-01, existing layout 3160-03, proposed layout 3160-04, dropped kerb and visibility splay 3160-05 Rev A, Landscape drawing 3160-06.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) Before the occupation of the dwellings hereby approved, the access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway. The area shown on the approved plans as reserved for parking of vehicles shall be provided in accordance with the approved details. Thereafter the area shall be used for those purposes only and maintained free from any impediment to its designated use.
- 5) Before the occupation of the dwellings hereby approved, the development shall be carried out and maintained in full accordance with the approved scheme: Landscape drawing 3160-06.

END OF SCHEDULE