The Planning Inspectorate

Appeal Decision

Site Visit made on 13 October 2020

by Rachel Walmsley MSc, MA, BSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2020

Appeal Ref: APP/R5510/D/20/3252384
40 Rectory Way, Ickenham, UB10 8BS

- 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 & Mrs Vishal Thakrar against the decision of London Borough of Hillingdon.
- The application Ref 26870/APP/2019/4064, dated 26 February 2020, was refused by notice dated 22 April 2020.
- The development proposed is the demolition of attached existing garage and carport. New single storey rear extension 4m deep x 9.06m wide. New two storey side extension 3.020m wide x 8.594 deep.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of attached existing garage and carport. New single storey rear extension 4m deep x 9.06m wide. New two storey side extension 3.020m wide x 8.594 deep at 40 Rectory Way, Ickenham, UB10 8BS in accordance with the terms of the application, Ref 26870/APP/2019/4064 dated 26 February 2020, subject to the following conditions:

   (i) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   (ii) The development hereby permitted shall be carried out in accordance with the approved plans, Existing Elevations, Proposed Elevations 5950-20-101 Rev A; and Ground Floor Plans, 5950-20-100 Rev B.

Procedural matter

2. The appeal site is also subject to appeal ref APP/R5510/D/20/3251752.

Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

Reasons

4. Houses in Rectory Way are modest in size. Extensions and alterations are mostly ancillary in form and scale to the main dwelling. Car ports and parking areas to the side of houses add visual interest and maintain space between properties. In all, Rectory Way exhibits a pleasing residential character.

5. The set down of the ridge line from that of the host property, the set back of the development from the existing front elevation at ground and first floor level, and the modest distance of the development from the side boundary combine to create a two storey side extension that would be subservient in form and scale to the host property. Whilst part of the existing car port would be enclosed, there would be a sufficient set back of the development at ground floor level to maintain the visual interest that car ports at street level provide.

6. The single storey rear extension would extend within the confines of the existing dwelling and would complement the architectural style of the existing house. As such, the rear extension would be subservient in form and scale to the host property.

7. By extending closer to the boundary with No 40 Rectory Way, the development would reduce the levels of light to the landing in this neighbouring property. However, the landing is not a habitable space and so any loss of light would not create darkened living areas that could be considered harmful to the neighbouring occupiers' enjoyment of their property.

8. The ground between and alongside No 38 and No 40 Rectory Way is currently overshadowed, not least because No 40 sits within the sun's path as it travels from east to west. Any subsequent overshadowing of this space as a result of the development would not, therefore, be discernible. As such, the concern for algae growth carries little weight.

9. Each planning application must be determined on the basis of the circumstances pertaining to that case. I have found that the form and scale of the development proposed would not be harmful. Should a similar form of development be proposed in the street, it would need to be considered in a similar manner, that is, according the facts and circumstances pertaining to that case. Allowing the appeal, therefore, does not set a presumption in favour of subsequent developments.

10. All in all, I find that the development would not be harmful to the character and appearance of the area and therefore would not be contrary to policy BE1 of the Hillingdon Local Plan Part 1 and policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan Part 2 which seek development that, amongst other matters, has no adverse impact on local character and the appearance of the street.

Conditions

11. I have had regard to the conditions suggested by the Council. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development.

12. The Council suggests a condition to safeguard a protected tree within the rear garden of the appeal property. The tree is a reasonable distance from the proposed development to be unaffected. A condition to this effect, therefore, is unnecessary.

Conclusion

13. For the reasons given above, I conclude that the development would not be

contrary to the development plan and therefore the appeal is allowed.

R Walmsley

INSPECTOR