



## Appeal Decision

Site Visit made on 9 November 2020

**by A Parkin BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 November 2020**

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**Appeal Ref: APP/R5510/D/20/3256550**  
**40 Briarwood Drive, Northwood HA6 1PL**

- 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 N Devani against the decision of the London Borough of Hillingdon.
  - The application Ref 8612/APP/2020/859, dated 10 March 2020, was refused by notice dated 1 May 2020.
  - The development proposed is a two storey side and rear extension and single storey side extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. The appeal site is in a residential area characterised by traditional, garden fronted, detached and semi-detached dwellings of various designs and heights. The streets are broad, with footpaths on both sides of the carriageways. Most dwellings have driveways for off-street parking.
4. The appeal concerns a 2-storey, detached dwelling with a front gable feature, which occupies a corner plot on Briarwood Drive, which is T-shaped in this vicinity. Its front garden is bounded by a low brick wall with separate vehicular and pedestrian accesses and containing some low-level planting.
5. There is a single-storey outbuilding attached to the southwestern side elevation of the appeal dwelling, with a single-storey flat roofed brick extension on the opposite side, that forms part of the boundary of the property with the footpath. A solid timber fence to the rear of the extension completes this side boundary of the property.
6. A detached dwelling, No 73, on the opposite corner of Briarwood Drive, mirrors the design and plot position of No 40 to a great extent. It also contains a single-storey side extension, although unlike the extension at No 40, it has a low pitched roof and extends around to the rear of the dwelling. The side elevation of the extension is positioned close to the tall brick wall that forms the boundary of the property with the footpath. Whilst Nos 40 and 73 are not

- identical, their design, scale, position and massing are very similar and make a positive contribution to the spacious character of the streetscene.
7. The proposed development would entail substantial alterations to the appeal dwelling that would be readily visible from the public realm. A single storey extension on the southwestern elevation would replace the existing outbuilding, and despite projecting further forwards, its visual impact would be similar, and would not be harmful.
  8. This side extension would be joined to a predominantly 2-storey rear extension with a hipped roof, the ridgeline of which would be lower than the top of the existing retained roof, but higher than the ridgeline of the front gable feature. The rear extension would extend beyond the existing rear wall of the dwelling by some 4.0m and would span the rear elevation at ground floor level, stopping some 1.5m from the northeastern side boundary.
  9. This element of the proposal would represent a significant change to the appearance of the appeal dwelling. Whilst the design would be generally sympathetic to the host building, the greatly increased massing at first floor and roof level would make this a disproportionate and over-dominant addition that would be readily visible from the public realm.
  10. The existing single-storey, northeastern side extension would be demolished and a new 2-storey side extension with a largely hipped roof would be constructed above it, which would be set back from the side property boundary by some 1.5m. The small crown of the proposed roof would be lower than the existing ridgeline but similar to the rear 2-storey extension, higher than the ridgeline of the front gable feature. The northern corner would be single-storey with a flat roof and would be joined to the rear extension.
  11. This element of the proposal would also be a substantial change to the appearance of the host dwelling. As with the rear extension, the design would be generally sympathetic and the materials would also match the existing.
  12. However, despite these measures and the position some 1.5m from the side boundary of the site, the length, height and massing of the proposed 2-storey side extension would make it a visually prominent and incongruous addition to the host building. It would significantly reduce the sense of spaciousness to be found at this corner location, which is mirrored by the situation at No 73 on the opposite side of Briarwood Drive and is a characteristic feature of the area.
  13. I note that the appeal proposal has been developed from an earlier scheme that was refused planning permission by the Council in January 2020<sup>1</sup>. I am not fully familiar with the earlier refused scheme. From the limited evidence before me, the scale and massing of the appeal proposal have been reduced somewhat and its northeastern side elevation is set in a greater distance from the property boundary. However, these amendments are not sufficient to overcome the harm to the character and appearance of the area, as set out above.
  14. The Council and the appellant both make reference to an appeal decision at No 73. However, limited information concerning this appeal is in the evidence before me and the appeal reference number has not been provided. Consequently, I can have only very limited regard to this Decision.

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<sup>1</sup> LPA Ref. 8612/APP/2019/3563

15. I note the appellant considers the properties at No 40 and No 73 to be different and the side of No 73 to be 'largely free of development'. I do not recognise the appellant's description of the side of No 73. As set out above, Nos 40 and 73 both have single storey side extensions extending along all, or almost all, of their principal side elevations, by or very close to the highway.
16. For these reasons the proposed development would adversely affect the character and appearance of the area. It would, therefore, conflict with Policies BE1 (Built Environment) of the Hillingdon Local Plan: Part 1 – Strategic Policies November 2012 and with Policies DMHB11 (Design of New Development) and DMHD1 (Alterations and Extensions to Residential Dwellings) of the Hillingdon Local Plan Part 2 – Development Management Policies January 2020, and with the National Planning Policy Framework 2019 (the Framework) in this regard.

### **Other Matters**

17. In August 2013, the Council granted planning permission for a 2-storey side extension at No 40<sup>2</sup>. The appellant has provided details of this scheme, which predates the current development plan and the Framework, was not implemented and the permission for which has now lapsed.
18. In January 2020 the Council refused planning permission for what, in views from the front, would be a very similar scheme to that previously approved. As mentioned earlier, I am not fully familiar with this refused scheme. Furthermore, regardless of any changes in the Council's position between August 2013 and January 2020, I am only concerned with the current proposal, which I have considered on its individual merits and with appropriate regard to the development plan and material considerations, as set out above.
19. The appellant is seeking to provide additional living space within their property, although no substantive evidence has been provided of any pressing need for such accommodation, as is claimed. I note the reference to the recent changes to the Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO) that are intended to allow for the extension of dwellings in certain circumstances and subject to certain conditions<sup>3</sup>, without the need for a planning application to be made.
20. However, a number of these conditions would require a developer to apply to the local planning authority for the prior approval of certain matters, including the external appearance of the proposed dwellinghouse<sup>4</sup>. As a result, developments which would adversely affect the external appearance of a dwellinghouse, or which the Council has other relevant concerns with, may not benefit from such permitted development rights.
21. In any event, no such proposal is before me. I therefore give the recent changes to the GPDO very limited and non-determinative weight in this appeal.

### **Conclusion**

22. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is dismissed.

*Andrew Parkin*

INSPECTOR

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<sup>2</sup> LPA Ref. 8612/APP/2013/1641

<sup>3</sup> Schedule 2, Part 1, Class AA - enlargement of a dwellinghouse by construction of additional storeys

<sup>4</sup> Schedule 2, Part 1, Class AA, Condition AA.2.(3)(a)(i) of the GPDO