

Appeal Decisions

Site Visit made on 23 March 2021 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2021

Appeal A, APP/R5510/D/20/3262991

134 Long Lane, Hillingdon, Uxbridge UB10 0EH

- 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 Sarabdeep Lotay against the decision of the Council of London Borough of Hillingdon.
 - The application Ref 74860/APP/2020/2461, dated 6 August 2020, was refused by notice dated 29 October 2020.
 - The development proposed is a part two storey, part single storey side and rear extension and porch to front.
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Appeal B, APP/R5510/D/21/3267545

134 Long Lane, Hillingdon, Uxbridge UB10 0EH

- 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 Sarabdeep Lotay against the decision of the Council of London Borough of Hillingdon.
 - The application Ref 74860/APP/2020/3919, dated 25 November 2020, was refused by notice dated 11 January 2021.
 - The development proposed is a part two storey, part single storey side and rear extension and porch to front.
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Decision

1. Both appeals are dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. As set out above, there are two appeals on this site. From the plans provided, they primarily differ in the following ways:
 - in Appeal A the ground floor element of the proposed side extension would sit on the boundary with 136 Long Lane with the first floor element set back by 1 metre. For Appeal B the front part of both stories of the proposed side extension would sit on the boundary with the rear part of the extension set back from the boundary by 1 metre,
 - the proposal in Appeal A would be set back from the front elevation at first floor level only whereas the entire side extension in Appeal B is set back from the front elevation, and

- the rear two-storey element of the proposal has a greater width in Appeal B than in Appeal A.

I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated

Main Issues

4. The main issues in the appeals are:

- the effect of the proposed developments on the living conditions of the occupiers of 136 Long Lane, in relation to outlook,
- the effect of the proposed developments on the character and appearance of the surrounding area.

Reasons for the Recommendation

Living Conditions

5. The appeal property is a two-storey semi-detached dwelling located in a residential area. The dwelling is modestly proportioned with no previous extensions and forms part of a row of semi-detached properties set back from the main road and an adjacent row of terraced properties. Both proposals in Appeal A and Appeal B would introduce part two-storey and part single storey extensions to the side and rear of the existing dwelling to create additional living accommodation.
6. For Appeal A, the ground floor element of the side extension would adjoin the boundary with No.136 for its entire depth. It is noted that the rear part of this side extension would have a reduced eaves height of 2 metres to limit the impact on the neighbouring occupiers. However its ridge height, although slightly further from the boundary, would be greater than this. Furthermore, a large part of the side extension would have a greater height, of around 3 metres, which would be above the current fence height. Therefore, due to its height and significant overall depth beyond the rear elevation of the dwelling at No.136 which would create an expansive brick wall on the boundary, the proposal would result in a sense of enclosure for the neighbouring occupiers from both their rear facing ground floor windows, including the kitchen, and the part of the garden closest to the dwelling.
7. For Appeal B, the two-storey side extension would sit on the boundary with No.136 and the two-storey rear extension would be located only 1 metre from this boundary. Due to the significant height of these two-storey elements, their close proximity to the boundary and the cumulative depth of the proposal, this would also result in a sense of enclosure for the occupiers of this neighbouring dwelling, which would not be offset by the large size of the neighbour's garden. Although plans show that the two-storey side extension would respect the 45 degree rule, it does not take into account the two-storey rear extension which would be close to the boundary and would protrude a significant depth from the rear of the dwelling at No.136.
8. Consequently, the proposed developments in both Appeal A and Appeal B would be harmful to the living conditions of the neighbouring occupiers and would therefore be contrary to Policies DMHD1 and DMHB11 of the LPP2. These

policies require that development proposals do not adversely impact on the amenity of adjacent properties and that a satisfactory relationship is achieved.

Character and Appearance

9. For Appeal A, the proposed side extension would adjoin the side boundary at ground floor level and would be set back by 1 metre from the boundary at first floor level. This set back would retain a gap at first floor level between the appeal property and the neighbouring dwelling at No.136 Long Lane, which contributes to the spacious nature of the site and has a positive impact on the character and appearance of the area. Although the existing gap between these two dwellings would be lost at ground floor level, single storey side extensions are a common feature in the surrounding area and therefore this would not appear out of keeping. The first floor element would also be set back from the front elevation to ensure that it is not a dominant addition within the streetscene.
10. For Appeal B, the proposal would not be setback from the side boundary at either ground floor or first floor level resulting in the loss of the gap between the appeal site and No.136. The dwelling at No.136 is positioned forward of the appeal site and has a single storey element along the side boundary so the dwellings would not adjoin fully, however the partial closure of the existing gap would still be significant. The proposed side extension would therefore appear cramped in its surroundings which would be contrary to the existing pattern of development in the area, to the detriment of the character and appearance of the streetscene.
11. Both proposals would also introduce large two-storey and single storey additions to the rear of the host dwelling. However, as these would not be visible in the public realm, this element of both proposals would not result in significant harm to the character and appearance of the area.
12. Nevertheless, as concluded above, the proposed side extension in Appeal B would result in harm to the character and appearance of the area, contrary to Policies DMHD1, DMHB11 and DMHB12 of the Local Plan Part 2: Development Management Policies (LPP2) 2020 and policy BE1 of the Local Plan Part 1: Strategic Policies (2012). These policies collectively require new development to be designed to the highest standard which is well integrated with the surrounding area, with side extensions maintaining adequate visual separation and views between houses.
13. As the proposed development in Appeal A would not be harmful to the character and appearance of the host dwelling or surrounding area, it would not conflict with these same policies.

Other Matters

14. It is noted that planning permission has previously been granted for similar side and rear extensions at the appeal property¹. However the proposals for the current appeals are larger, with parts of the extensions in both Appeals being closer to the neighbouring property at ground and first floor levels. References to permitted development rights for outbuildings or extensions have little bearing on either proposal as, due to their scale and particularly their two-storey nature, they far exceed what could be built as permitted development.

¹ 74860/APP/2020/2165

15. The appellant has highlighted other properties within Long Lane that have two-storey side extensions which are similar to the development proposed in both appeals. However, no specific details have been provided and it is not clear when these were constructed or granted planning permission and hence the policies which were in force at the time. They are also some distance from the appeal site and therefore are not directly comparable to the location of the appeals before me. An extension at 29 Barnhill Lane has also been brought to my attention. However, as this is a single storey extension in a different setting to the appeal property, again, this is not directly comparable.

Conclusion and Recommendation

16. Although Appeal A would not be harmful to the character and appearance of the area, it has been found that the proposal would result in harm to the living conditions of the occupiers of the neighbouring dwelling. Appeal B would be harmful to both the character and appearance of the area and the living conditions of neighbouring occupiers. Overall, both proposals would conflict with the development plan taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.
17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeals are dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeals are dismissed.

Andrew Owen

INSPECTOR