



Appeal Decision

Site Visit made on 28 June 2021

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2021

Appeal Ref: APP/R5510/D/21/3270366

4 Almond Avenue, Ickenham, UXBRIDGE UB10 8NA

- 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 Ms Sian Sabharwal against the decision of London Borough of Hillingdon.
 - The application Ref 61421/APP/2020/3858, dated 23 November 2020, was refused by notice dated 10 February 2021.
 - The development proposed is a single storey side and two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and two storey rear extension at 4 Almond Avenue, Ickenham, UXBRIDGE UB10 8NA in accordance with the terms of the application, Ref 61421/APP/2020/3858, dated 23 November 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site plan – 4463/01 and proposed layout and elevations – 4463/02.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 4463/02 and the use of brick and tile shall closely match those of the existing dwelling.
 - 4) The extension hereby permitted shall not be occupied until the high level side window at ground floor (serving the kitchen/dining/living room) and looking towards No 3 and all side windows at first floor, looking towards No 5, have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

Preliminary Matters

2. The Council's first and second reasons for refusal refer to the Manor Way Conservation Area. However, the appeal site is instead within the Ickenham Village Conservation Area. I shall take this correction into account in my decision.

3. The Council has cited policy 7.8 of the London Plan (2016) in its first and second reasons for refusal. This policy has been transposed and renumbered as policy HC1 within The London Plan (2021) which has now been published. This policy is generally the same as the one it replaced. I shall take this into account in my decision.

Main Issues

4. The main issues are:
- whether the proposed development would preserve or enhance the character and appearance of the Ickenham Village Conservation Area (IVCA), and
 - the effect of the proposed rear extension on the living conditions of the occupiers of 3 Almond Avenue (No 3), with particular regard to outlook.

Reasons

Character and appearance

5. Almond Avenue is a residential street, with generous landscaping in many front gardens. The street includes wide pavements, with a grassed verge on one side including mature trees, creating a verdant streetscene. The residential area is a mature suburb with dwellings that are generally regular in scale and stand within similar sized plots. There are several styles of built form around the site, arranged in house type groups. The host dwelling of the appeal site shares many characteristics with its immediate neighbouring dwellings. As a result, the site follows the established pattern of local development and makes a positive contribution to the character and appearance of the area.
6. The site is within the IVCA. The statutory requirements¹ entail that special attention be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. Furthermore, paragraph 193 of the National Planning Policy Framework (the Framework) requires great weight to be given to an asset's conservation when considering the impact of a proposal on its significance.
7. The IVCA largely consists of detached and semi-detached housing within relatively regimented rows. They mostly include modest gaps between them and are located within plots of a generally consistent size and width. The appeal dwelling is within a short row of properties with a consistent style and form. The significance of the conservation area seems to derive from its regimented settlement pattern, open spaces and well-defined front building lines. This creates a general sense of spaciousness that is reinforced by the relatively consistent gaps evident between properties, especially at first floor.
8. The appeal site is within a group of detached dwellings that include hipped roofs, a two-storey front bay and porches with pitched roofs. A number of these dwellings have side extensions with hipped roofs, such as 3 and 5 Almond Avenue (No's 3 and 5). These properties also have large single storey rear extensions. The proposed side extension would align with the façade of the host dwelling. Policy DMBH 4 of the Hillingdon Local Plan – Part Two: Development Management Policies (2020)(LP2) includes supporting

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

commentary. This seeks side extensions to be set back from the original building line to prevent the terracing effect. The host dwelling includes a projecting bay and porch adding interest to the front elevation. The proposal would appear set-back from these projections. Accordingly, it would not result in the visual conjoining of the host dwelling to its neighbour or contribute to the creation of a terrace.

9. The proposed pitched roof of the side extension would complement the area in recognition of the variety of designs of local side extensions. Furthermore, this element of the proposal would include a window design and materials that would enable it to integrate with the front elevation. This would also maintain the gap at first floor and the rhythm of development along the street. Consequently, the proposed side extension would be successfully assimilated with the character of local built form.
10. The rear extension would project beyond the existing rear of the dwelling but maintain its width and height. Its roof design, window form and pebble-dash finish would ensure that this part of the proposal would complement the features of the existing house. It would therefore enable the proposed rear extension to integrate well with the form and design of the existing dwelling. Although it would be visible from adjacent rear gardens, the rear extension would not dominate such views. It would instead be read as a considered extension that responds well to its local context. Furthermore, the set-back for around half of the first-floor rear elevation would add interest and create an order of form. The proposed subservient element would reduce the scale of the proposal and diminish its overall visual impact.
11. Consequently, the proposed side and rear extensions would preserve the character and appearance of the IVCA. Accordingly, the proposal would comply with policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies (2012)(LP). These seek, among other matters, for development to achieve a high quality of design and conserve the district's heritage assets. The proposal would also satisfy policies DMHB1, DMHB4, DMHB11 and DMHB12 of the LP2 which seeks development to not result in the harm of a heritage asset and to harmonise with the scale and integrate with the local context. This would also satisfy policy HC1 of the London Plan (2021) which has similar objectives. These policies are broadly consistent with the Framework that requires development to be sympathetic to the local character.

Living conditions

12. The rear elevation of the host dwelling and the rear of No 3 generally align. The side passageways for both No's 4 and 3 result in a gap of around two metres between the dwellings. No 3 has a single storey rear extension of around three metres. The nearest first floor window on this rear elevation seems to serve a bathroom. The two-storey element of the proposed rear extension would be around three metres deep closest to No 3. The proposed first-floor element complies with the Council's 45-degree code as specified by paragraphs A1.24-26 and policy DMHD 1(B)(vi) of the LP2. Other rear facing windows of No 3 would not be affected due to their distance and location in relation to the proposal. As a result, due to its separation distance, the proposed rear extension would have no substantive impact on the outlook of occupiers of the neighbouring dwelling.

13. There is a patio area beyond the rear extension of No 3. From this vantage and looking back towards the appeal dwelling the proposed first floor element would be clearly visible, due to a lack of boundary plant screening. However, the nearest first-floor element of the proposal would be recessed and set away from the boundary. Consequently, the effect of the proposal on the use of the external space of No 3, would not be overbearing or dominant.
14. As such, the proposal would result in an acceptable relationship with no material harm caused to the living conditions of occupiers of No 3, with respect to the effect on outlook. Accordingly, the proposed extension would satisfy policies DMHD 1 and DMHB 11 of the LP2. These include the requirement for development to result in no unacceptable impact on neighbouring outlook and their open spaces. These policies are generally consistent with the Framework which requires development to create a high standard of amenity for existing and future users.

Other Matters

15. The Council has raised a concern that the proposal would set an undesirable precedent. However, as I have not found harm to the character and appearance of the area a negative precedent would not be established. Moreover, each case must be considered on its own merits, such as I have done in this case.

Conditions

16. I have considered the use of conditions in line with guidance set out in the Planning Practice Guidance (PPG). I have imposed the standard conditions advised by the PPG for clarity and certainty [conditions 1 and 2]. Conditions with respect to materials are required in the interests of the character and appearance of the area [3]. It is also necessary to require the ground floor side window (serving the living space) and the three first floor side windows to be obscurely glazed [4]. This is necessary to prevent overlooking into the neighbouring gardens and thus protect the occupier's living conditions with respect to privacy. This was also stated as being necessary within the Council's officer report. As such, its imposition would not prejudice the appellant.

Conclusion

17. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

B Plenty

INSPECTOR