



Appeal Decision

Site visit made on 5 July 2021

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 July 2021

Appeal Ref: APP/R5510/D/21/3268652

44 Park Avenue, Ruislip HA4 7UH

- 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 and Mrs Cunningham against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 10137/APP/2020/4034, dated 4 December 2020, was refused by notice dated 29 January 2021.
 - The development proposed is alterations to main roof for loft conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the host property and the surrounding area; and
 - The effect of the proposal on the living conditions of existing occupiers at 42 and 46 Park Avenue with specific reference to outlook and amenity space.

Reasons

Character and appearance

3. The appeal property is a two-storey, detached dwelling with an internal garage, hipped roof and front projection also with a hipped roof. A two-storey rear extension, granted planning permission in 2018, was under construction up to eaves level at the time of my site visit. The hipped roof of the approved two-storey extension when fully constructed would be around 1.5m higher than the roof of the original dwelling to the front and so would be visible in the street scene.
4. I acknowledge that there are a variety of architectural styles in the area and the presence of hipped and gabled roofs to both the front and rear of dwellings. However, the proposal to convert the hipped roof of the approved extension to a gable end would create significant additional mass and bulk which would dominate the side and rear elevations and result in the rear extension appearing disproportionate in scale to the original dwelling.
5. The proposed side Velux dormers would be of a substantial size and contain a significant amount of glazing protruding from the roof at angles. Consequently,

- the dormers would be readily visible in the street scene where I note that side dormers are not a characteristic feature.
6. The greater depth of the roof combined with its elevated nature would increase the prominence of the extension in the skyline. Due to the gaps between properties, the side profile of the extension and the dormer windows would be visible from the street. Furthermore, the mass and bulk of the proposal would be visible to occupiers of neighbouring properties from their rear gardens. Overall, I consider that the proposal would appear as an incongruous addition which would fail to appear subservient to the host property and be at odds with the character and appearance of the surrounding area.
 7. I acknowledge that the approved rear extension would raise the ridge of the roof above that of the host dwelling; however, the hipped roof would serve to minimise the mass and bulk of the extension. The approved extension would, therefore, have less visual impact and achieve a greater degree of subservience than the appeal proposal.
 8. Attention is drawn to a number of cases in the area which the appellant considers creates a precedent for the appeal proposal. A proposal at No 51 Park Avenue for a front hip to gable end conversion has been allowed at appeal. However, this involved the conversion of the existing hipped roof of the front projection to a gable end and not the conversion of a hip to gable on a full-width rear extension. In the case of No 47 Park Avenue, the hip to gable conversion only related to a front projection; the main part of the roof remained hipped.
 9. I acknowledge that No 46 Park Avenue has been substantially extended and altered; however, no details of this case have been provided and in any event the alterations and extensions in this case appear different in their nature to the appeal proposal. None of these cases are, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.
 10. For the reasons stated, the proposal would harm the character and appearance of the host property and the surrounding area. It would, therefore, be contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2019) (LPP1 – SP) and Policies DMHD 1, DMHB 11 and DMHB 12 of the Council’s recently adopted Local Plan Part 2 – Development Management Policies (LPP2 – DMP) which together seek to ensure a high standard of new development which harmonises with the local context.
 11. Conflict also arises with paragraph 130 of the National Planning Policy Framework (the Framework) (2021) which states that planning decisions should ensure that developments are visually attractive and sympathetic to local character and history, including the surrounding built development.

Living conditions

12. Neighbouring properties numbers 42 and 46 Park Avenue (Nos 42 and 46) lie adjacent to the west and east respectively. The Council consider that the proposal would result in a loss of outlook and have an overbearing effect on the occupiers of Nos 42 and 46 and their amenity space. However, the proposal would not breach the 45-degree line taken from the nearest first floor windows as set out in paragraph A1.24 of the LPP2 DMP. Whilst I acknowledge that this

is only a rule of thumb; I consider that occupiers would retain sufficient outlook towards their garden and retain oblique views of the garden of the appeal property from their first-floor windows.

13. As the side dormers would be obscured and non-opening up to 1.8m the Council acknowledges that there would not be an unacceptable loss of privacy and it also accepts that any loss of light would not be materially harmful. Furthermore, whilst the proposal would be visible to occupiers of neighbouring properties due to the depth of their gardens, I do not consider that it would have a harmful effect on the occupiers' enjoyment of their amenity space.
14. For the reasons stated, the proposal would not have a harmful effect on the living conditions of adjacent occupiers with specific reference to outlook and amenity space. It would not, therefore, be contrary to Policies BE1 of the LPP1 – SP, and policies DMHD 1 and DMHB 11 of the LPP2 – DMP in so far as they collectively seek to protect the amenity of surrounding land and buildings and ensure that development proposals do not adversely impact on the amenity of neighbouring occupiers. Neither does conflict arise with paragraph 130 of the Framework which states that planning decisions should ensure that developments promote a high standard of amenity for existing and future users.

Conclusion

15. The proposal would have some benefits for the existing occupiers in terms of extended living accommodation. I have found that the proposal would not harm the living conditions of neighbouring occupiers. However, these matters do not outweigh the significant harm which I have identified to the character and appearance of the host property and surrounding area.
16. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector