



Appeal Decision

Site visit made on 14 July 2021

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 10 August 2021

Appeal Ref: APP/R5510/D/21/3274848

49 Shepiston Lane, Hayes, UB3 1LL

- 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 Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 47681/APP/2021/541, dated 10 February 2021, was refused by notice dated 28 April 2021.
 - The development proposed is erection of ground floor side and part first side extension in tandem with 47 Shepiston Lane.
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Decision

1. The appeal is dismissed.

Background

2. A planning application for a similar proposal at number 47 Shepiston Lane (No 47), situated on the opposite side of the junction with Carlton Avenue, is also subject to appeal¹. I have determined each case on its own merits; however, I have had regard to the proposal at No 47 in my reasoning below.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling situated at the junction of Shepiston Lane and Carlton Avenue. It has been previously extended by way of a single-storey extension to the rear. There is an enclosed side/rear garden with an outbuilding situated to the rear.
5. Shepiston Lane is a wide road, with a parallel slip road at both sides separated by grass verges. The area is characterised by two-storey, semi-detached dwellings set back from the road with small front gardens behind low boundary walls or open driveways and modest back gardens. Gaps exist between pairs of semi-detached properties enabling glimpses of gardens to the rear. These factors combine to create an open and spacious character to this particular part of Shepiston Lane.
6. Both the appeal property and No 47 are set in significantly from the side boundary walls. The resultant gap provides an important visual break and allows views along Carlton Avenue and so contributes to the legibility of the urban form and the open, spacious character of the area.

¹ Appeal reference APP/R5510/D/21/3274846

7. It is proposed to erect a part two-storey, part single-storey side extension which would significantly exceed half the width of the original dwelling. The roof of the extension would be set down and the first floor set back from the front elevation of the host property. Nevertheless, due to the scale and mass of the extension combined with the very elongated front elevation and lack of set-back at ground floor level, the proposal would dominate the original dwelling.
8. The proposal would, therefore, fail to meet the requirements of criterion iii of Part A of Policy DMHD 1 of the Council's recently adopted Local Plan Part Two – Development Management Policies (LPP2 DMP) which requires new extensions to appear subordinate to the main dwelling and criterion i and v of Part C of the Policy which states that side extensions should not exceed half the width of the original property and that two storey side extensions to semi-detached properties should be set back a minimum of 1m behind the main front elevation. Consequently, I consider that the proposal would be an incongruous addition which would fail to appear subservient to the host property.
9. According to the appellant's submissions, the proposal would be set in from the side boundary by around 2.5 to 3m. It would, therefore, meet the requirement of criterion iv of Part C of Policy DMHD 1 which requires two-storey side extensions to be set in a minimum of 1m from the side boundary in order to maintain adequate visual separation and views between houses.
10. However, criterion ii of Part C of Policy DMHD 1 requires that extensions to corner plots should ensure that the openness of the area is maintained, and the return building line is not exceeded. The proposal would significantly exceed the predominant return building line on Carlton Road, which is situated in close proximity at the end of the garden of the appeal property. There would be a gap of around 2.5m to 3m which would retain a degree of visual separation between the flank wall and the boundary enabling some views along Carlton Avenue. Nevertheless, the full scale and mass of the proposal would be readily visible in the street scene and there would be an inevitable loss of openness on this prominent corner thus attracting conflict with Policy DMHD 1.
11. Overall, I consider that the proposal would represent an incongruous form of development which would fail to appear subservient to the host property and which would be at odds with the open and spacious character and appearance of the area.
12. Planning permission was granted for a more modest part two storey, part single storey side extension at the appeal property in 2016. However, this would be smaller than the appeal proposal and would, therefore, achieve a greater degree of subservience. Moreover, it would retain a larger gap to the side of the property and maintain the openness of the area.
13. For the reasons stated, the proposal would harm the character and appearance of the host property and the surrounding area. It would, therefore, conflict with 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 LPP2 – DMP which collectively seek to ensure a high standard of new development which harmonises with the local context.

Other matters

14. Attention is drawn to several examples which the appellant considers create a precedent for the proposal. Numbers 60 and 62 Roseville Road relate to two-storey side extensions granted on properties situated on opposing corner plots, which exceed the return building line. I have not been provided with the full circumstances of this case; however, there appeared to be several cases in the immediate area where the return building lines have been broken. Furthermore, the extensions in this case are set back from the front elevation of the properties in question and so achieve a greater degree of subservience.
15. The appellant suggests that this case demonstrates how two opposing corner properties can be extended closer to the side boundary and retain a symmetrical appearance given the concurrent appeal proposal at No 47. However, there is no certainty that both extensions would be built, and I must consider each proposal on its own merits. If both schemes came forward, there would be a degree of symmetry at the junction; however, the achievement of symmetry would not mitigate the harm which I have identified to the character and appearance of the host property and the effect on the openness of the area. The concurrent appeal proposal at No 47 would not, therefore, alter my conclusion.
16. 43 Bedwell Gardens relates to a two-storey dwelling at the end of an existing terrace on a corner plot, which was allowed at appeal. However, in this case the property on the opposite side of the junction has been extended. In the case of 131 Laburnum Road the gap between the flank wall of the first-floor side extension to the site boundary is greater at around 3.5m. Furthermore, there is no inter-visibility between these cases and the appeal proposal. Consequently, none of these cases are directly comparable to the appeal proposal.
17. No 60a Bedwell Gardens is situated at the opposite (east) end of Carlton Avenue to the appeal proposal where a two-storey end of terrace property has been built close to the junction. I acknowledge that this breaches the return building line of Carlton Avenue, is built very close to the site boundary and is visible in long range views from the appeal site. Nevertheless, the predominant building line is formed by the row of semi-detached properties. Whilst the return building line on one corner of Carlton Avenue has been breached, the building line remains otherwise intact and the gaps to the side of properties exist on the three remaining corners. Furthermore, no details of this case have been provided, so I cannot be certain that this case was determined within the same planning policy framework which limits the weight which I can attach to this case in my decision.
18. In any event, I have determined the appeal proposal on its own merits, taking account of the spacious and open character within the immediate surroundings of the appeal site. Whilst the proposal would have some benefits for the appellant in terms of providing additional living accommodation in an accessible location, this would not outweigh the significant harm which I have identified.

Conclusion

19. For the reasons stated and taking all other matters into consideration the appeal is dismissed.

Caroline Mulloy

Inspector