
Appeal Decision

Site visit made on 14 September 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2021

Appeal Ref: APP/R5510/D/21/3270762

13 Ayles Road, Hayes, UB4 9HG

- 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 Lobo against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 65269/APP/2020/3593, dated 3 November 2020, was refused by notice dated 23 December 2020.
 - The development proposed is the erection of a single-storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey side extension at 13 Ayles Road, Hayes, UB4 9HG in accordance with the terms of the application, Ref 65269/APP/2020/3593, dated 3 November 2020, 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 Location Plan, and Drg Nos 13AYLESROAD/PL03A and 13AYLESROAD/PL05B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. Since the date of the decision The London Plan 2021 (LP 2021) was published on 1 March 2021 and the National Planning Policy Framework (the Framework) was updated in July 2021. The Council's decision notice referred to Policy 7.8 of The London Plan 2016 which is now superseded, and the 2019 version of the Framework. The Council was invited to express their views on the LP 2021 and the revised Framework insofar as they both relate to the appeal. The appellant was invited to respond to their comments.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of 13 Ayles Road and the wider area, and upon the living conditions of occupiers of No 13 with regard to outlook and daylight within the extended part of the dwelling, and the implications thereof with regard to sustainability and energy efficiency objectives.

Reasons

Character and Appearance

4. The appeal property is two-storey and located at the end of a short terrace of four. The plot is wedge shaped, tapering towards the rear and has an angled side boundary that abuts the rear garden boundaries of Nos 2-12 (even) Morrison Road (not '*Morrison's Close*' as repeatedly stated within the Council's officer's report) which run perpendicular to the orientation of the appeal site. The wider area known as The Barnhill Estate is designated an Area of Special Local Character (ASLC) and comprises a variety of dwelling types and forms but with a homogenous character, including a mix of short terraces, semi-detached houses, and flats, all dating from a similar period of post WW2 construction.
5. The proposal is to extend the property to the side at single-storey, with an addition that would follow the line of the side boundary thereby with a footprint wider to the front compared to the rear. It would have a pitched, crown roof to the front part of the extension, with a flat roof projecting beyond. The extension would be flush with the front elevation of the property. The existing entrance door, which is currently on the side elevation, would be repositioned to the front.
6. The Council states that, because No 13 is an end of terrace, the development would be highly visible within the street scene. My own observations during my visit lead me to consider otherwise. No 2 Morrison Road occupies the corner plot at the junction with Ayles Road. Its two-storey side gable projects further forward towards Ayles Road compared with the forward building line of the appeal property and the terrace of which it forms part. Furthermore, the rear garden to No 2 is enclosed by an approximate 2m high brick wall which runs along the back edge of the pavement to Ayles Road and which extends up to the front boundary of the appeal site before turning through 90 degrees and returning along the rear garden boundary to No 2 and doubling as the side boundary to the appeal property. This built arrangement, coupled with the recessed position of No 13 means that, contrary to the Council's view, the proposed side extension would be largely screened from view when seen in the approach along Ayles Road from a south-westerly direction. Although it would be visible when seen head on and at an angle in the opposite approach, it would be no more conspicuous than any typical side addition, exemplified by that which I saw comfortably sitting to the side of 23 Ayles Road, just a short distance along from the appeal property.
7. Policy DMHD 1 of the Hillingdon Local Plan Part 2 (HLP Part 2) deals specifically with alterations and extensions to residential properties. With regard to side extensions, it states that they should not exceed half the width of the original property. The Council states that at 4m wide, the extension would be more

than half the width of No 13 but they do not provide any further measurements to demonstrate the magnitude of any breach. In my assessment, if there is any breach of the guideline, it would be minimal. The extension would not over-dominate the property or appear as an unduly wide or disproportionately horizontal addition. This is aided in my view by the total width of the terrace, which balances the proportions of the building overall, and the pitched roof over the extension that would be visible within the street scene. This I find would adequately complement the simple form of the original architecture and would appear neither squat, due to the additional height that it would add, nor out of place.

8. The specific requirement of Policy DMHD 1 for side extensions to be set back from the front elevation of a property relates just to conservation areas. Such a stipulation is included for ASLCs as just guidance within Appendix A of the HLP Part 2. Given the inconspicuous position of the extension that I have described above, I am not persuaded that a recess is required in this instance.
9. The repositioning of the entrance door to the front elevation would affect the existing symmetry of the terrace. However, the change would be merely cosmetic and not substantive. Whilst the buildings within the Barnhill Estate would originally have had a symmetrical appearance, I saw that many properties have been altered in a variety of ways, including replacement windows and doors, and front porch extensions of various sizes and designs. The symmetry of many buildings has been eroded such that it did not strike me as an important defining feature for the area. It is not a character trait that is specifically identified within the Council's published leaflet for the Barnhill Estate ASLC. Moreover, the short terrace that includes No 13 stands alone along this part of Ayles Road. It is not part of a uniform or regimented street scene with repeat house types. For these reasons I find the change that would be brought about by the appeal proposal could be readily assimilated without harm to the character or appearance of the area.
10. Overall, I am satisfied that the extension would display the quality of design that is required by both Policy BE1 of the Hillingdon Local Plan Part 1 (HLP Part 1) and Policy DMHB 11 of the HLP Part 2. For these same reasons and for those amplified in detail above, there would be no conflict with the criteria listed within parts A and C of Policy DMHD 1. These conclusions lead me to find that, as a minimum, the character and appearance of the ASLC would be preserved. In this regard there would be no conflict with HLP Part 1 Policy HE1, HLP Part 2 Policies DMHB 1 and DMHB 5, or Policy HC1 of the LP 2021, which has been drawn to my attention by the Council. I also find that the proposal would be compliant with the Framework's objectives for achieving well designed places and conserving and enhancing the historic environment. There would be no conflict with LP Part 2 Policy DMHB 12 which is specifically concerned with matters related to works to the public realm.

Living Conditions

11. The extension is proposed to be used in part as an additional bedroom space with a side facing window. Whilst the view out from within the room would not be expansive or necessarily interesting, the living space would be provided with some degree of outlook and means for natural ventilation. There is no substantive evidence from the Council to suggest that the room would not

benefit from sufficient amounts of daylight or sunlight. I am not persuaded that the living conditions at 13 Ayles Road would be substandard. Despite reference to sustainability and energy efficiency objectives within the second reason for the refusal, the officer's report does not address these matters. I am therefore unable to identify how the siting of the ground floor window would fail to satisfy any such objectives.

12. Overall, I am satisfied that the living conditions for any future occupiers of the extension would be acceptable. In this regard I find no conflict with HLP Part 2 Policies DMHB11 or DMHD1 insofar as they relate to the quality of design for new development or Policies D6 and GG6 of the LP 2021, which have also been drawn to my attention by the Council, insofar as the first relates to similar matters and the second relates to the efficient use of resources.

Conditions

13. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area, and to comply with Policy DMHD1 part A iv), a condition is required to ensure that the extension is finished with materials that would match the existing house.

Conclusions

14. For the reasons given, I conclude that there would be no harm to the character or appearance of the area, or to the living conditions for future users of the proposed extension. Accordingly, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR