

Appeal Decision

Site visit made on 15 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/21/3273244

25 Oak Avenue, Ickenham, UB10 8LP

- 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 Gordon Summerfield against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 24261/APP/2020/4003, dated 24 November 2020, was refused by notice dated 27 January 2021.
 - The development proposed was described as '*extension to the c2005 lawful development outbuilding, (for continued use ancillary to the existing family home)*'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an extension to existing outbuilding at 25 Oak Avenue, Ickenham, UB10 8LP in accordance with the terms of the application, Ref 24261/APP/2020/4003, dated 24 November 2020, subject to the following condition:
 - 1) Within 6 months of the date of this decision the development shall be completed in accordance with the following approved plan: Drg No 0291-PLA-52A.

Procedural Matters

2. The application was made retrospectively after work on the construction of the extension had started. At the time of my visit the development was substantially complete externally.
3. The description of the development given in my formal decision reflects a simplified version of the description that was given by the Council on their decision notice. This better and more succinctly reflects the nature of the development compared with the description that was given on the application form and which I have used in the banner heading above.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a fairly large, detached, two-storey dwelling within a residential area of similar size and type of properties. The appeal relates to an extension that has been erected to the side of an originally existing single-storey outbuilding at the foot of a generous sized rear garden. The new extension has filled a void to the side of the outbuilding between its original gable-end and the side boundary with 27 Oak Avenue. The result is an outbuilding that spans virtually the entire width of the plot, measuring just less than 13m wide. The plans which accompanied the original planning application show that the extension would be a simple projection sideways of the existing building with the exception of a small, flat roof projection to the rear. The extension as built appears as a mostly sympathetic addition, finished with timber cladding and roof tiles to match. A modification to a temporary roof structure to the rear in order to reflect the modest form of extension shown on the plans could be secured by condition.
6. Policy DMHD 2 of the Hillingdon Local Plan Part 2 (HLP Part 2) deals specifically with residential outbuildings and gives four criteria for the assessment of such development. The extension has been constructed to a reasonably high standard of design. Its timber clad finish is typical of many garden outbuildings and matches the original building. The extension, as shown on the proposed plans, would merely reflect the original building in terms of height and form when seen from immediately adjoining gardens. Whilst it has projected the building up to the boundary with No 27, I was unable to detect any harmful impact upon the amenity of any adjoining occupiers in terms of overshadowing or overbearing impact. The extension has unquestionably enlarged the original into a building of considerable size and width, noticeably larger than the 30sqm stated as guidance at paragraph A1.34 of the supporting text to Policy DMHD 2. However, it sits at the foot of a fairly deep garden which, according to the Council, retains over 350sqm of open space. Despite its overall size, and proximity to the side boundaries of the plot, it appeared to me as a fairly typical domestic outbuilding, albeit larger than some, and not at all cramped or out of keeping in its setting. Its single-storey height and fairly shallow depth means that its scale is appropriately subordinate to the dwelling. The use is for purposes ancillary to the main house with no primary living facilities proposed. In my judgement the extended outbuilding adequately satisfies the criteria within Policy DMHD 2.
7. Contrary to the views of the Council and a nearby third party, I find the building resulting from the extension to be neither over dominant nor visually obtrusive. Subject to its current form being modified to reflect the elevations shown on the application drawings, I am satisfied that there will be no adverse effect on the character or appearance of No 25 or the wider locality. As such, I find that the proposal displays the quality of design that is required by both Policy BE1 of the Hillingdon Local Plan Part 1 and Policy DMHB 11 of the HLP Part 2. For these same reasons I am satisfied that there is no conflict with the National Planning Policy Framework's objectives for achieving well-designed places. As the development is not an extension to a dwelling, HLP Part 2 Policy DMHD 1 is not relevant.

Other Matters

8. My attention has been drawn to a planning permission that was granted for an outbuilding at 31A Oak Avenue. I am told that an original proposal for a larger building was denied in the first instance. Be that as it may, I have considered this appeal on its own merits. I do not agree with a suggestion that allowing the appeal would set a precedent for any inappropriate outbuildings in other nearby gardens as each and every other future proposal would also fall to be considered on its own merits.

Conditions

9. There is no need to impose the standard time limit condition given that the development has been undertaken. However, it is necessary to ensure that the development is completed in accordance with the elevations on the submitted proposed plans as this provides certainty. This is also required in the interests of maintaining the character and appearance of the area. To that effect I have modified the wording of the Council's suggested condition to include a timeframe for the modification of the building as it currently exists. The extension has been finished in materials to match the existing building so no specific condition in this regard is necessary. The Council's officer's report suggests that a condition could be used to ensure that the outbuilding is not used for purposes other than being incidental to the enjoyment of the dwellinghouse. However, the appeal relates to the extension only, and regardless, such a change of use would require a specific planning permission.

Conclusion

10. For the reasons given, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR