



Appeal Decision

Site visit made on 19 October 2021 by Thomas Courtney BA(Hons) MA

Decision by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/R5510/D/21/3274444

11 Treeside Close, West Drayton, UB7 7HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr M. Reeves against the decision of the London Borough of Hillingdon Council.
 - The application Ref 18875/APP/2020/3274, dated 26 September 2020, was refused by notice dated 4 December 2020.
 - The development proposed is the enlargement of a dwellinghouse consisting of the construction of one additional storey.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In the interest of accuracy, the site address and description of development used in the header above is taken from the decision notice.
4. The proposal was submitted as a prior approval application under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO). Although the Council have referred to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Local Plan: Part Two - Development Management Policies (2020), I am required to assess the proposal as a prior approval application as set out within the parameters of the GPDO. Regard can be given to development plan policies however they cannot form the basis for the planning judgement.

Main Issues

5. The decision notice states that insufficient information was submitted to establish whether the development would comply with Class AA.1.(h) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the floor to ceiling height of the additional storey. Class AA.1.(h) requires any additional storey, measured internally, does

- not exceed the lower of- (i) 3m; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwelling.
6. Drawing No. 20200803-02, submitted with the application, indicates that the floor to ceiling height of the additional storey would measure 2.225m and would not exceed the floor to ceiling height of the ground floor shown as 2.2420m. The appellant has submitted sufficient information to establish that the development would comply with the provisions set out in AA.1.(h).
 7. Therefore, the main issues in this appeal are the effect on:
 - the character and appearance of the host dwelling and surrounding area; and
 - the living conditions of the occupiers of Treeside, with regard to a loss of light.

Reasons for the Recommendation

Character and Appearance

8. No. 11 comprises a linked detached bungalow with a shallow pitched roof and a flat-roofed garage adjoining No.9 Treeside Close.
9. The grounds of assessment listed in Class AA.2 (3)(a)(ii) of the GDPO relate to the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation of the dwellinghouse, and any side elevation of the dwellinghouse that fronts a highway.
10. The height of the principal elevation of No. 11 would increase materially and feature two new windows. Whilst finishing materials and the pitch of the roof would be broadly similar to the current dwelling, the resultant front elevation would appear bland and incongruous. Moreover, the first-floor windows would fail to complement the ground floor window in terms of design. The ground floor window features interesting and attractive detailing, a lintel with vertical brickwork. The lack of similar architectural detailing would give the principal elevation a dull appearance lacking in symmetry. The stylistic contrast between the existing and proposed windows would give the principal elevation an incoherent look, which would adversely impact on the character of the host dwelling.
11. The significant additional height and resultant mass of the extension would visually dominate the adjoining property and would appear as an incongruous and disproportionate addition when seen from Treeside Close. The extension would appear excessively bulky and fail to harmonise with the surrounding pattern of development which is typified by low and consistent building heights.
12. The development would not be acceptable in terms of its external appearance and does not comply with Class AA.2 (3)(a)(ii) of the GDPO. It would also conflict with the National Planning Policy Framework (NPPF) which seeks to ensure proposals are well-designed and respect their context.

Living Conditions

13. The grounds of assessment listed within Class AA.2 (3)(a)(i) of the GDPO relate to impact on the amenity of adjoining premises including loss of light. Treeside

is a 1.5 storey semi-detached dwelling with a single storey rear extension and conservatory located to the rear of No.11.

14. Given the height of the extension and the considerable separation distance between No. 11 and Treeside and given its rear outlook is east facing, it would not experience a material reduction in daylight or sunlight.
15. On this issue, the extension would not adversely affect the living conditions of the occupants of Treeside and would comply with Class AA.2 (3)(a)(i) of the GDPO and the NPPF which seeks to ensure a high standard of amenity.

Other Matters

16. I have had regard to a successful appeal on a prior approval application for an additional storey No. 1 The Cedars, Buckhurst Hill (APP/J1535/D/21/3266264). I accept there are parallels between this scheme and No. 1 in so far as the Council in both cases erroneously placed too much importance on the policies contained within their respective Local Plans to assess the proposals. However, No. 1 is considerably different to the appeal property and their contexts also vary. For this reason, the two schemes are not comparable.

Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

George Baird

INSPECTOR