



Appeal Decision

Site visit made on 18 January 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2022

Appeal Ref: APP/R5510/D/21/3283314

30 Hartland Drive, Ruislip HA4 0TQ

- 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 & Mrs Tomasz Krol against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 9982/APP/2021/1846, dated 6 May 2021, was refused by notice dated 6 July 2021.
 - The development proposed is described on the application form as 'double storey side extension, single storey rear extension as approved (Ref: 9982/APP/2021/1058), rear dormer extension with Juliet balcony and 3 x front facing rooflights'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Permission was granted for a 4m deep single-storey rear extension at the site in 2021 under Prior Approval Ref 9982/APP/2021/1058. This extension has not been implemented.
3. The Council does not object to the single-storey rear extension proposed as part of this appeal, which would match that approved under the above prior approval. Similarly, the Council does not object to the single-storey front extension, which would infill the existing canopy, or the rooflights proposed to the front roofslope. I agree that these elements of the proposal would assimilate to an acceptable standard with the surrounding area, where single-storey front and rear extensions of varying types, as well as rooflights, are a characteristic feature. These matters have informed my consideration of the main issues.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the proposed development would provide a sufficient private garden space in the interests of the living conditions of existing occupiers.

Reasons

Character and appearance

5. The appeal site is formed of an end of terrace property in a suburban street of similarly sized properties (formed of short terraces). There is some historic variation in the design of each individual terrace and as a result of alterations and extensions that have taken place to a number of properties over the years.
6. Between rows of terraced houses along the street, and in some surrounding streets, a gap typically exists providing a sense of separation between each end of terrace property. Through these gaps can typically be seen open sky or mature trees in gardens beyond. This historic layout breaks up the otherwise relentless urban and hard landscaped nature of the streets in this part of the Borough. As such, it contributes positively to the character and appearance of the area.
7. I note from my site visit, and from addresses referenced by the appellant in their appeal statement, that a number of end-of-terrace properties, within both Hartland Drive and neighbouring streets, already have existing two-storey side extensions within the gaps between rows of terraces. These extensions vary significantly, with some featuring flat roofs, some setback from the front elevation of the original property, some set back from the side boundary and others with hipped roofs with lowered ridge levels relative to the main roof. I also noted (from those properties that I was able to identify on site) that many of these extensions appeared to be historic. In all likelihood, these varying designs, including for example the use of flat roofs, were an attempt by the developers, or request of the Council at the time, to minimise the impact of extensions on the established gaps between properties and ensure a sense of subservience to the original dwelling (although I have no evidence before me to confirm that fact, nor of the procedure by which these developments were granted).
8. Irrespective of the reasons behind the varying styles and scales of extensions that do exist, many go some way to maintain the sense of separation between properties and a sense of subservience to the host dwelling, as reasoned above. In some examples identified, adjoining properties have extended at the side, but the historic building lines are setback or forward significantly from their neighbour which goes some way to break up the groups of buildings. To this end, I acknowledge that many properties have benefitted from similar extensions in the past. However, the character of the wider area is not defined wholly by these extensions and the many gaps and breaks that do still exist are very apparent.
9. The proposal at No 30 would fill the existing break between the property and the shared boundary with adjoining No 28 (noting that a very small gap would exist, pulling the extension away marginally from the party boundary). The front elevation of the two-storey side extension would be flush with the original property. Similarly, the existing hipped roof would be extended over the full extent of the extension, with matching ridge level and materials.
10. I appreciate the appellant's argument that it may not be desirable, or perhaps feasible, that the first floor extension should be setback by "1 metre from the

boundary” (as suggested by the Council¹) given the footprint of the existing building. However, in this respect the extension as proposed would appear as part of the original property as opposed to a later, subservient extension.

11. The example that the appellant provides of No 40 Hartland Drive (benefitting from an existing side extension) not being of the same appearance as No 30 does illustrate how other properties in the surrounding area have balanced the need to extend the property whilst respecting the break between ends of terraces. Consequently, I find the proposed two-storey side extension would fail to respect the established streetscape rhythm (gaps between terraces) and would fail to appear as a subservient addition to the original dwelling, resulting in a detrimental impact on the street scene.
12. The Council’s third reason for refusal relates to the proposed dormer roof extension. I accept that the proposed extension would be fairly substantial in size. However, notwithstanding the harm I have identified above in relation to the side extension (above which part of the dormer extension would exist), this would largely be confined to the rear of the existing property, generally out of site from public vantage points. From that perspective, it would have little appreciable effect on the street scene. I acknowledge that views of the rear of the property would be obtained from some private vantage points. However, the proposed development would be consistent visually with other dormer roof extensions and would not appear incongruous.
13. Consequently, I conclude that the proposed development, with particular regard to the two-storey side extension, would have a detrimental impact on the character and appearance of the host property, wider terrace and street scene, contrary to the provisions of policies DMHB11, DMHB12 and DMHBD1 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020), which in summary seek to ensure development, including extensions, harmonise with the local context and take into account building lines and setbacks, rooflines and streetscape rhythm (including gaps between structures).

Living conditions

14. In respect of the Council’s fourth reason for refusal, it is stated that insufficient evidence has been submitted to demonstrate that the proposed development would maintain an adequate provision of amenity space, as required by Table 5.3 of the adopted Local Plan.
15. The dwelling would become a four-bedroom unit as a result of the development proposed, in which case Table 5.3 requires 100sqm of amenity space be provided. However, there is no mention within this policy of existing areas of amenity space needing to meet these standards as part of proposals to extend an existing property. Rather, this policy would be applicable to new dwellings. Nevertheless, the appellant has confirmed that 97 sqm would remain in terms of amenity space and I am satisfied that this would provide a reasonable area of private amenity space for the occupiers of No 30. Nevertheless, the fact that I have found this element of the proposal acceptable does not outweigh the harm that I have identified above.

¹ As set out on pages 4 and 5 of the officer’s report with reference to policy DMHD 1.

16. As such, I find that, in regard to this main issue, the proposed development would comply with policies DMHB18 and DMHD1 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020), which in summary seek to ensure that all new developments provide good quality and useable private outdoor amenity space.

Other Matters

17. The appellant makes reference to the London Plan Policy H2, which relates to the development of small sites, and suggests that the development proposed accords with the provisions of this policy. However, this policy is in reference to the development of new dwellings across London, not extensions to existing dwellings and I therefore give this little weight.
18. The appellant raises the point that the proposed development would have an acceptable impact on the living conditions of the neighbouring property. I agree with this statement, and note that no objections have been received, however this would be a lack of harm which, by definition, cannot be used to weigh against it.
19. An appeal decision is referred to (Ref APP/Q5300/D/13/2209053). I have not been provided with full details of this and so I am unable to make any meaningful comparisons. In any case, this does not change the fact that harm has been identified in this individual appeal, as reasoned above.

Conclusion

20. I have found in the appellant's favour in regard to the second main issue. That said, a lack of harm and compliance with some parts of the development plan would not be sufficient against the harm and conflict I have found in regard to the effect of the proposed development on the character and appearance of the area. It is for this reason, having regard to all other relevant material considerations, that the appeal should be dismissed.

A Price

INSPECTOR