



Appeal Decision

Site visit made on 26 July 2022

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 August 2022

Appeal Ref: APP/R5510/D/22/3300727

70 Mansfield Drive, Hayes UB4 8EB

- 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 Amarjit Khora against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 50253/APP/2021/3295, dated 30 August 2021, was refused by notice dated 18 May 2022.
 - The development proposed is two storey side and part single part two storey rear extension to dwellinghouse.
-

Decision

1. The appeal is allowed and planning permission is granted for a two storey side and part single part two storey rear extension to dwellinghouse at 70 Mansfield Drive, Hayes UB4 8EB in accordance with the terms of the application Ref 50253/APP/2021/3295 dated 30 August 2021 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) Unless otherwise amended under the conditions below, the development hereby permitted shall be carried out in accordance with the following approved plans: 01/10, 02/10 and 03/10.
 - 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.
 - 4) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until vehicle parking within the site has been laid out in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority, and that area shall thereafter be kept available at all times for the parking of vehicles by the occupants of the dwelling and their visitors and for no other purpose.
 - 5) The windows facing 68 Mansfield Drive shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.7 metres taken from internal finished floor level for so long as the development remains in existence.
 - 6) Access to the flat roof over the rear extension hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and area.

Reasons

3. Mansfield Drive is predominantly characterised by semi-detached dwellings of similar designs and external finishes which are arranged on strong building lines fronting the street. This contributes a distinctive rhythm and overall sense of coherence to the street scene.
4. The appeal proposes extensions to the side and rear of the semi-detached dwelling on the site. The Council has not suggested that the development would conflict with specific guidelines within Policy DMHD 1 of the Hillingdon Local Plan: Part 2 – Development Management Policies ('LPP2') concerning rear extensions, and I note that the rear part of the extension would be of broadly similar form and scale to development that was previously granted permission in August 2021¹ ('the previous permission').
5. The extension to the side of the dwelling would however be of different form and increased maximum width in comparison to the previous permission development, and would be contrary to the stipulation in Policy DMHD 1 that extensions should not exceed half the width of the original property. However, the supporting text to the policy indicates that the width requirement is intended to avoid over-dominance of the original house. In this case, the proposed extension would be set back appreciably from the main front elevation of the dwelling. It would also be of lesser height relative to the host building, with a much lower roof to the widest part of the extension. Moreover, it would only be the front part of the extension that would exceed this width provision, with the rear section having a width of less than half that of the original property. In combination, I find that these factors would ensure that the extension would appear clearly subordinate to the host dwelling overall, and I do not find that it would be disproportionate or excessive even when taken together with the rear extension.
6. I am also satisfied that the separation that would be provided to the boundary would be sufficient to maintain adequate visual separation to the neighbour at 68 Mansfield Drive and views through towards the rear of the site in keeping with the general spaciousness of the area.
7. The position of the appeal dwelling to the inside of a bend on Mansfield Road and spacing to No 68 means that there would be clear views of the development from the street scene. In these views, I appreciate that the 'L-shape' form of the side extension and its reduced height relative to the host dwelling with a step down to the widest part of the development would be apparent. However, the angles of the roofslopes would respect those of the host dwelling, and I do not consider that the resulting roof form would be unduly complex or discordant so as to detract from the integrity, character or appearance of the building. In addition, I saw that the attached neighbour at 72 Mansfield Drive also has a varied roof form with stepped heights as a consequence of a set-down side/rear extension and a dormer which sits slightly above the height of the main roof. No 68 further has a two-storey rear

¹ Application ref 50253/APP/2021/2453

extension with a flat-roof visible from the street. In this context, and given other varied alterations that I observed have altered roof forms along Mansfield Drive, I do not consider that the development would appear striking or incongruous in its surroundings.

8. For these reasons, I find that the extension would be a subordinate addition, and I conclude that the proposal would not harm the character or appearance of the host dwelling or area. This is a material consideration which I find would outweigh the conflict arising with one of the requirements of LPP2 Policy DMHD 1 on account of the width of part of the extension. Overall, I conclude that the development would accord with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies 2012 and Policies DMHB 11, DMHB 12 and DMHD 1 of the LPP2 insofar as they together broadly seek good design; development that is sympathetic to local context; and subordinate extensions that do not adversely affect the character, appearance or quality of the area.

Conditions

9. In addition to the standard time limit condition, I have specified the approved plans for the avoidance of doubt and in the interest of certainty, and a condition to control the external materials of the development is necessary in the interests of the character and appearance of the area. I have also imposed conditions which reflect those attached to the previous permission requiring use of obscure glazing and to prevent use of the flat roof as a balcony, terrace or similar which I consider would be necessary to prevent harm to the living conditions of neighbouring occupiers.
10. Because the submitted plans suggest a parking layout that would require vehicles to cross the footway in front of the existing dwelling where there is no dropped kerb, I also agree with the Council's highways consultee that further details of parking layout within the site are necessary to ensure suitable parking provision and access in the interests of highway and pedestrian safety. However, I have amended the suggested condition for the sake of brevity and to avoid unnecessary prescription given that details will be subject to approval by the local planning authority.
11. The Council's officer report also refers to a flood risk assessment and mitigation measures being required by way of condition. However, the Council has not put forward a suggested condition in the event that the appeal were to be allowed. In addition, the previous permission was not subject to a condition requiring these measures. While the appeal proposal would increase the maximum width of the extension, the increase in the total footprint and overall floor area of the building would be small, and I am not persuaded from the evidence before me that it would result in significantly different impacts from the previous permission such that it would in this case be reasonable to impose such a condition.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

J Bowyer

INSPECTOR