



Appeal Decision

Site visit made on 16 August 2022 by N Unwin BSc (hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2022

Appeal Ref: APP/R5510/D/22/3301290

8 Dorset Way, Uxbridge UB10 0JR

- 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 and Mrs R Saund against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 50367/APP/2022/952, dated 18 March 2022, was refused by notice dated 20 May 2022.
 - The development proposed is a part two storey, part first floor side/rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part two storey, part first floor side/rear extension at 8 Dorset Way, Uxbridge UB10 0JR in accordance with the terms of the application, ref: 50367/APP/2022/952, dated 18 March 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; and Proposed Layout ref: 3262-05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those specified within 'Proposed Layout ref: 3262-05'.
 - 4) No site preparation, demolition or construction shall commence until suitable fencing has been installed within the appeal site to protect the existing off-site oak trees identified within TPO No. 739 (located on third party land to the rear of the site) from damage as a result of carrying out the development hereby permitted. The fencing shall be erected in accordance with British Standard BS 5837: Trees in relation to design, demolition, and construction - Recommendations (or in an equivalent British Standard if replaced) before any equipment, machinery or materials are brought onto the site for the purposes of the development hereby permitted, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made.

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.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and wider area.

Reasons for the Recommendation

4. The area surrounding the appeal site is residential in character with the street scene formed mostly of semi-detached two-storey dwellings of varying detailing and materials. These pairs generally share a close spatial relationship with one another, intensified by various single storey side extensions. As a result, little can be seen of the side elevations from the public realm, with the principal elevations forming the street scene.
5. The appeal property is an extended two-storey semi-detached dwelling on a corner plot, set at a slight angle to 10 Dorset Way and on a wedge-shaped plot larger than many others nearby. From the front it appears similar to the other properties in the area, but has been extended to the side and rear. Other properties locally have also been extended in various ways.
6. The rear and side elevation of the proposed extensions would be largely screened from the public realm. The infill single storey extension would be visible, but due to its flat roof and minor scale, would remain subordinate to and in keeping with the character of the existing dwelling and surrounding area.
7. Part of the proposed two-storey rear extension would project well into the rear garden. Nevertheless, it would have a significantly lower ridge than the main dwelling and a complementary roof form, and would extend across only part of the rear elevation. Combined with the use of matching fenestration and materials, even when taken cumulatively with the previous extensions this part of the proposal would appear proportionate to the host dwelling. Consequently, although the extensions would be cumulatively relatively large, given the extensive size of the plot, they would still appear subordinate to the dwelling.
8. There are other sizable alterations to the rear elevations of nearby dwellings, therefore the proposal would harmonise with the local context taking into account the surrounding scale of development and the building plot size.
9. The proposal would exceed the maximum depth for single-storey rear extensions set out in Policy DMHD 1 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) (LPP2). However, the application site benefits from a recent approval (ref: 50367/APP/2021/4235) for an extension of this overall depth. The proposal would be 1.5 metres deeper at first floor level, however Policy DMHD1 does not contain any criteria on the depth of two-storey rear extensions. The proposal would comply with Policy DMHD1 vi) in respect of the 45-degree line of sight and relationship with adjacent dwellings.

10. Furthermore, for the reasons above, the proposal would not have an adverse cumulative impact on the host property, wider area or street scene and would respect the design of the original house. Consequently, the proposed development would comply with the overarching requirements for extensions contained in section A of Policy DMHD 1.
11. For these reasons, the proposal would not harm the character and appearance of the host property or wider area. It would comply with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policies DMHB 11 and DMHB 12 of the LPP2 which together require development to protect the character of the existing built environment and surrounding area.
12. There would be some conflict with LPP2 Policy DMHD1 section B in respect of the depth of the proposed rear extension. However, the proposal would comply with the requirements of the other parts of that Policy and would not harm character and appearance. In these circumstances, I give the conflict with the Policy modest weight. The appeal proposal would result in little additional visual impact compared to the previous permission, which allowed the ground floor element of the extension of the same depth, also exceeding that permitted by that Policy. Accordingly, in these particular circumstances, this material consideration outweighs the conflict with the development plan and justifies granting planning permission.

Conditions

13. In addition to the standard time limit condition, I recommend that a condition be imposed requiring that the development is carried out in accordance with the approved plans, in the interests of certainty and precision. A condition to secure appropriate materials is needed to safeguard the character and appearance of the property and area.
14. The two oak trees identified within TPO No. 739 on third party land at the rear of the appeal site make a positive contribution to the character of the area. Due to their position, there is a reasonable risk of damage to the trees during all stages of development, including through movement and storage of equipment, machinery, and materials. Appropriate protection measures are therefore necessary to safeguard the character of the area, and these need to be in place prior to the commencement of development.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the conditions above.

L McKay

INSPECTOR