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# Appeal Decision

Site visit made on 9 May 2023

**by John Gunn DipTP, DipDBE, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 01 June 2023**

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**Appeal Ref: APP/R5510/W/22/3307472**

**41 Wieland Road, Northwood HA6 3QX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
  - The appeal is made by Mr & Mrs K Thakrar against the London Borough of Hillingdon.
  - The application Ref 140/APP/2021/4635, is dated 24 December 2021.
  - The development proposed is a two storey side/front extension and single storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a two storey side/front extension and single storey rear extension at 41 Wieland Road, Northwood HA6 3QX in accordance with the terms of the application, Ref 140/APP/2021/4635, dated 24 December 2021, subject to the conditions set out in the attached schedule.

## Preliminary Matters

2. This appeal was submitted to the Inspectorate on 22 September 2022, and confirmation of a valid appeal sent to the main parties on 27 September 2022. That said, an undated delegated report was produced by the Council, and a decision notice refusing the application was issued on 13 October 2022, which was after the appeal was accepted by the Inspectorate. This is not a formal 'decision,' as jurisdiction transfers from the Council once the Inspectorate has accepted the appeal.
3. The Council has indicated that had it been able to make a decision, it would have refused the application for the following reason:

*'The proposed two storey side and front extension and single storey rear extension, by reason of its combined siting, design, height, width, depth, bulk and massing, would result in a dominant, overbearing, visually intrusive, incongruous and excessive form of development, failing to harmonise with the architectural composition of the original dwelling, and would be detrimental to the character, appearance of the Gate Hill Farm Estate Area of Special Local Character and visual amenities of the street scene. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHD 1, DMHB 1, DMHB 5, DMHB 6, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (2021).'*

## **Main Issue**

4. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

## **Reasons**

5. The appeal site is in a low density residential area made up of individually designed dwellings of varying size and scale that utilise a mixed palette of materials. Properties within the immediate vicinity of the site sit at varying distance from the road and have well established landscaped front gardens. These factors, combined with the variable topography of the estate, lack of footpaths and the mix of roof styles, make a positive contribution to the appearance of the area.
6. It was clear to me on my site visit that the influence of the Arts and Crafts movement had been exerted on dwellings that formed the earlier phases of the Gatehill Farm Estate. However, I also noted that the locality, which is recognised for its 'special local character,' had a wide variety of house styles, including infill developments, originating from the mid to late 20<sup>th</sup> century. The host property is an example of one of the later additions and has a simple design typical of the era in which it was built.
7. The appeal property comprises a detached house set back a modest distance from the Road. It sits within a large plot with landscaped gardens to the rear, which contain mature trees and shrubs. Its immediate neighbour at No 39 sits on marginally higher ground, with No 43 being at a lower level.
8. The two storey front extension would replace an existing flat roofed garage and result in the front wall of the property being brought forward by several metres. That said, the resultant property would not project beyond the main front wall of No 39, which would provide a backdrop to the extension when viewed from the lower parts of the road. Whilst the front extension would sit forward of No 43 by a short distance, it would not project forward to a degree that would result in the proposal appearing overly prominent within the street scene.
9. I have taken into account the Council's concern that the extensions would increase the depth of the property and add to the bulk and massing of the building. I accept that proposal would significantly increase the volume of the building from what currently exists, however the proposed rear extension would not be readily visible from the road and therefore would not contribute significantly to the visual mass of the property. Furthermore, whilst the front extension would be clearly apparent from the road, its mass and scale would be similar to that of other nearby properties, and consequently it would not appear out of keeping with its immediate surroundings.
10. I note that the scheme incorporates 2 forward facing gables, a central arched window, quoin detailing and a symmetrical appearance. Whilst this would represent a significant change to the design of the host property its individual identity would nonetheless remain. More particularly, it would appear as an evolution of the estate, where there are numerous examples of dwellings that incorporate both traditional and contemporary design elements.
11. I am mindful that Policy DMHD 1 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies (2020) (LP2) does not support the incorporation of large crown roofs on detached houses. Whilst the

proposal incorporates a crown roof, I do not consider it to be excessively large. Moreover, it would not be readily visible from the street. The Council accept that crown roofs are a feature of the locality. Consequently, I find in this regard, that the proposal would not significantly harm the visual appearance of the host property, or the area in which it is located.

12. For the above reasons, I conclude, that the proposal would not cause harm to the character and appearance of the host property and the surrounding area. Accordingly, it would not conflict with Policies BE1 and HE1 of the Hillingdon - A Vision for 2026 Local Plan: Part One - Strategic Policies (2014) or Policies DMHD 1, DMHB 1, DMHB 5, DMHB 6, DMHD 11 and DMHB 12 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies (2020), and paragraph 130 of the National Planning Policy Framework. These policies jointly, amongst other matters, seek high quality design which enhances the local distinctiveness of the area, and avoids harm to locally recognised historic features, including areas of special local character.

### **Other Matters**

13. The Council conclude that the proposal would not cause undue harm to the living conditions of neighbouring occupiers. That said, I note their comment with regards to the proposed new windows on the first floor side elevation and the need for obscure glazing and non-opening windows. From the evidence before me, and what I saw during my site visit, I have no reason to disagree with their conclusions. This matter can be addressed by a suitably worded condition.
14. I have also taken into account the presence of protected trees at the end of the back garden of the host property and the neighbouring property. The trees are located approximately 25m from the nearest part of the proposed development. In the event that the appeal is allowed, the appellants propose to erect a barrier within the garden to ensure the long term health and amenity value of the tree. This could be secured by a pre-commencement condition, which the appellant is agreeable to.
15. I also note the Council's comment relating to the alterations to the hardstanding and front garden that would arise as a consequence of the proposed development. I agree that given the scope of the works it would be appropriate to impose a condition to ensure that the front garden is re-landscaped following building operations.

### **Conditions**

16. I have imposed a condition to specify the relevant drawing numbers as this provides certainty.
17. A condition relating to materials is necessary to ensure a high quality design that is sensitive to the host property and surrounding context.
18. Details of the type of obscured glazing to be installed in the first floor en suite windows are necessary to ensure privacy of the occupiers of neighbouring properties.
19. A condition is necessary to ensure the continued health of the nearby protected trees.

20. A condition is necessary to ensure the reinstatement of the front garden in a manner appropriate to the area.

**Conclusion**

21. There are no relevant considerations, of sufficient weight, to indicate the application should be determined other than in accordance with the development plan when considered as a whole. For the reasons given above, I therefore conclude that the appeal should be allowed subject to the conditions set out below.

*John Gunn*

INSPECTOR

### SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not 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: PA-01 and PA-02.
- 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) The extensions hereby permitted shall not be occupied until the first floor windows serving en suite rooms have been fitted with obscured glazing, and no part of those windows that is less than 1.8 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 5) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 6) The extensions hereby permitted shall not be occupied until a scheme of landscaping for the front garden has been submitted to and approved in writing by the local planning authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the extensions or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

END OF SCHEDULE