



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: 8th June 2023

Appeal Ref: APP/R5510/D/22/3308315

33 The Avenue, Cowley, Hillingdon, Uxbridge, UB8 3AD

- 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 Nooroodeen Suffee against the decision of London Borough of Hillingdon.
 - The application Ref 15727/APP/2022/2030, dated 27 June 2022, was refused by notice dated 22 August 2022.
 - The development proposed is described on the application form as 'Planning approval is requested for the proposal for a first-floor rear extension.'
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Decision

1. The appeal is allowed and planning permission is granted for Planning approval is requested for the proposal for the erection of a first floor side/rear extension at 33 The Avenue, Hillingdon, UB8 3AD in accordance with the terms of the application, Ref 15727/APP/2022/2030, dated 27 June 2022, subject to the following 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: PL01, PL04, PL05 and PL06.
 - 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.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises the erection of a first floor side/rear extension. The main parties have provided their written agreement to this revised description.
3. The Council's decision notice sets out 4 reasons for refusal. However, each of the 4 reasons replicate one another. Given what is stated in the Council's delegated officer report I have interpreted this as an administrative error.

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 predominantly residential area with student accommodation, in the form of 5 storey high flats and laid out on a campus format, lie to the west. The dwellings in the immediate vicinity of the appeal site comprise primarily of semi-detached houses, detached houses and bungalows of varying size, scale, design and roof styles. They utilise a limited palette of materials.
6. The Avenue, a private road, provides shared vehicular/pedestrian access to the appeal property and its neighbours. The appeal property is set a short distance back from the road on a well-defined building line and its front garden provides facilities for off street parking. Narrow gaps within the street frontage provide pedestrian access to the rear gardens.
7. Whilst the addition of a first floor side extension, with a hipped roof to match the existing building, would inevitably increase the mass and bulk of the host property, I find that it would not be out of scale with other properties in the immediate vicinity. Moreover, the set back of the proposed extension, from the front elevation, and lower ridge line, would mean that the proposed development would be a subservient addition to the host property.
8. I also find that the individual elements of the proposal, including the roof design, and the position of the proposed windows, would be compatible with, and in keeping, with the existing property. Consequently, I do not accept that the proposed development would fail to harmonise with the original dwelling.
9. Notwithstanding the above, I am mindful that proposal would result in the introduction of a crown roof, a feature not supported by the Council on detached houses. However, the appeal property is linked to No 35 at ground floor level and is therefore not a detached property. Moreover, whilst acknowledging that crown roofs are not a common feature in the locality, I find that in this instance it would not be a prominent feature or be readily visible from the street. As a result, it would not cause significant harm to the visual appearance of the host property, or the area in which it is located.
10. I have also taken into account the reduction in the gap between the host property and No 35 at first floor level. It was apparent from my site visit that there is a wide variation in the separation between neighbouring properties in the locality with no clear pattern being evident. Even with the proposed development there would still be a reasonable gap at first floor level between the host property and No 35. Furthermore, I have no substantive evidence before me to indicate that future proposals might lead to a terrace which would be harmful to the character and appearance of the respective properties or the area. This would be a matter that would have to be considered on its own merits should the situation arise.
11. 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 of the Hillingdon - A Vision for 2026 Local Plan: Part One - Strategic Policies (2014) or Policies DMHD 11, DMHB 12 and DMHD 1 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies (2020). These policies jointly, amongst other matters, seek high quality design which enhances the local distinctiveness of the area.

Other Matters

12. I have taken into account reference to protected trees within the rear garden of the host property and the neighbouring property at No 35. I saw no evidence of the protected Box Elder that is shown to lie within the garden of the host property. I have no substantive evidence before me to indicate that the root zone of the trees within the rear garden of No 35 would be affected to a greater degree than currently exists. Moreover, they would be protected from any future development by existing boundary fences. Consequently, I do not feel that a condition requiring additional protection is justified in this instance.
13. The Council are satisfied that the proposal would not result in an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space. Furthermore, they are content that the proposal would provide adequate outlook and natural light for the occupiers of the host property. From what I have seen and read I agree with their conclusions on these matters.

Conditions

14. I have imposed a condition to specify the relevant drawing numbers as this provides certainty.
15. A condition relating to materials is necessary to ensure a high quality design that is sensitive to the host property and surrounding context.

Conclusion

16. 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 above.

John Gunn

INSPECTOR