



Appeal Decisions

Site visit made on 31 October 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2023

Appeal A Ref: APP/R5510/D/23/3324590

6 Lodore Green, Ickenham, Hillingdon, UB10 8BQ

- 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 Fereshta Nawid against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 28612/APP/2023/970, dated 30 March 2023, was refused by notice dated 26 May 2023.
 - The development proposed is described as 'Proposal for a front infill extension where previously the garage was. There is no obstruction as we have placed 45 degree privacy lines.'
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Appeal B Ref: APP/R5510/D/23/3324618

6 Lodore Green, Ickenham, Hillingdon, UB10 8BQ

- 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 Fereshta Nawid against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 28612/APP/2023/972, dated 30 March 2023, was refused by notice dated 26 May 2023.
 - The development proposed is described as 'a proposal for a first floor rear extension'.
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Appeal C Ref: APP/R5510/D/23/3324609

6 Lodore Green, Ickenham, Hillingdon, UB10 8BQ

- 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 Fereshta Nawid against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 28612/APP/2023/971, dated 30 March 2023, was refused by notice dated 26 May 2023.
 - The development proposed is described as 'Proposal for a first floor side infill extension, to create a flush and conform design. .
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Decisions

Appeal A Ref: APP/R5510/D/23/3324590

1. The appeal is dismissed.

Appeal B Ref: APP/R5510/D/23/3324618

2. The appeal is dismissed.

Appeal C Ref: APP/R5510/D/23/3324609

3. The appeal is dismissed.

Procedural Matter

4. As set out above, there are three appeals on the same site. I have considered each on its individual merits, but as they raise similar issues, I have combined these cases in a single decision letter.

Main Issues

5. The main issues are:

- The effect of the proposed development on the character and appearance of the host dwelling and surrounding area (Appeals A, B and C)
- The effect of the proposal on the living conditions of occupiers of neighbouring dwellings (Appeals A and B).

Reasons

Character and appearance

6. The appeal property is a large detached two storey dwelling. It has recently been extended by way of a first floor side extension, single storey side/rear extension and enlarged front porch. The garage has also been converted to a habitable room. The dwelling is located within a plot which benefits from a generous front garden but a smaller rear garden.

Appeal A

7. Appeal A concerns a single storey extension to the front. It would essentially infill the gap between the single storey side extension and the front porch and would measure approximately 2.8m by 2.6m. The extension would be of a flat roof design with a parapet along its side elevation and would reflect the appearance of the existing side extension and front porch.
8. The proposed extension would combine with the existing porch to form a significant front extension. Nonetheless, the extension would remain subordinate in scale to the host dwelling and would not alter the overall appearance of the house or dominate the character of the street. Furthermore, relatively large front porches and other forms of projecting canopies are already a feature of the street scene. Whilst some of these have pitched roofs, others are simple flat roof structures. The proposed front extension would match the appearance of the existing single storey extensions and would not be harmful to the character and appearance of the host dwelling. Furthermore, given the surrounding context I am satisfied that the extension would not result in visual harm to the character and appearance of the surrounding area.
9. Therefore, in respect of Appeal A, I conclude that the proposed front extension would not have a harmful effect on the character and appearance of the host dwelling or surrounding area. Thus, in this regard, it would comply with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November

2012) (LP1); Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two – Development Management Policies (January 2020) (LP2); and Policy D3 of the London Plan (2021) (LP). These policies, amongst other matters, seek to ensure developments are of a high quality design which respects the design of the original property and surrounding area. There would also be no conflict with design objectives set out in the National Planning Policy Framework (2023) (the Framework).

Appeal B

10. Appeal B concerns a proposed first floor extension to the rear of the property. The appeal property has an existing 4m deep single storey rear extension. The proposed first floor extension would have a depth of 3m and would extend across the width of the existing two storey rear elevation.
11. The proposed extension would combine with existing extensions to fully obscure the original rear elevation of the dwelling. The extension would reflect the existing roof profile by extending out the original rear gable of the dwelling and also extending out the hipped roof form of the first floor side extension. However, whilst not shown on the proposed roof plan, the elevations show that the extension would include a section of crown roof. The extension would not be subordinate to the host dwelling as required by Policy DMHD 1 of the LP2 and in my view would combine with previous extensions to overwhelm the original dwelling.
12. The proposed extension and associated roof alterations would represent a large and uncharacteristically bulky addition to the dwelling accentuated by the crown roof. The resultant wide shallow hipped roof with a section of crown roof along the north eastern side elevation would appear as a particularly incongruous feature which would be harmful to the architectural composition of the host dwelling and would be at odds with the character and appearance of the surrounding area.
13. Whilst it is clear from my site visit that other dwellings in Lodore Green have also been extended and display a variety of roof forms, I have not been provided with any specific examples of extensions with a similar design.
14. I therefore conclude that proposed rear extension would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Thus, it fails to comply with Policy BE1 of the LP1 and Policies DMHD 1 and DMHB 11 of LP2, Policy D3 of the LP and the Framework.

Appeal C

15. Appeal C concerns a first floor side extension above the existing single storey side extension. It would have a width of 1.5m would also extend to the rear of beyond the existing main two storey rear elevation of the dwelling by about 3m.
16. The proposed extension would extend out to the side boundary of the site at first floor level and would incorporate a rather awkward shallow hipped roof form. It would fail to comply with Policy DMHD 1 of the LP2 which states that two storey side extensions should be set in a minimum of 1m from the side boundary. Furthermore, when considered cumulatively with the existing first

floor side extension which it would adjoin, the extensions would exceed half the width of the original property which would not be supported by Policy DMHD 1.

17. I note that there are other examples of dwellings in Lodore Green that have benefitted from large side extensions, some of which extend close to the side boundaries. Spatial separation distances therefore vary considerably throughout the cul-de-sac. However, the Council's officer's report highlights that more recently consented two storey and first floor extensions have retained a gap of around 1m to the side boundaries, as required by Policy MDHD 1 of the LP2, adopted in 2020.
18. In extending out to the side boundary at first floor level, the proposed extension would further reduce the small gap that exists above the existing single storey extension between the appeal property and 5 Lodore Green. Whilst the flank wall of No 5 is set slightly in from the boundary, its overhanging eaves would further serve to reduce any meaningful gap between the dwellings. The proposal would therefore give rise to a cramped form of development that would be materially harmful to the character and appearance of the host dwelling and the surrounding area.
19. Furthermore, I consider that the proposed 3m deep projection to the rear of the existing two storey rear elevation with its shallow width and uncharacteristic roof form would not appear well integrated with the remainder of the host dwelling and would be incongruous and harmful to its character and appearance.
20. I therefore conclude on this issue that the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Thus, it would conflict with Policy BE1 of the LP1 and Policies DMHD 1 and DMHB 11 of LP2, Policy D3 of the LP and the Framework.

Living conditions (Appeals A and B)

Appeal A

21. The proposed front extension would be sited on the side boundary with 7 Lodore Green. Due to the staggered siting of Nos 6 and 7, the existing side extension to the appeal property already projects forward of the front elevation of No 7. The proposed extension would add a further projection of about 2.6m and would measure about 3m to the top of the parapet.
22. There is a ground floor bay window on the front elevation of 7 Lodore Green which is close to the boundary with the appeal site. There are several shrubs along the side boundary within the front garden of No 7. The proposed front extension would result in an overall projection forward of the front elevation of No 7 of about 4.4m.
23. Whilst the existing planting would lightly screen the proposed development, the 3m high flank wall would be highly visible when viewed from the bay window on the front of No 7. Given the close proximity of the extension to this window and the overall depth and height of the forward projection, in my view the proposed front extension would be particularly overbearing and harmful to the outlook from the adjacent window. This would result in material harm to the living conditions of the adjoining occupiers.

24. The plans indicate that the proposed extension would not infringe on a 45 degree line drawn from the centre of the adjacent window. Having regard to the height of the proposed extension and its orientation on the south western side of No 7, it is likely that some additional loss of light to the front window would occur. However, I do not consider that the amount of light lost would be so serious as to be materially harmful to the living conditions of the occupants of No 7.
25. The appellant has provided photographs to show that there was previously a projecting car port in a similar location to the proposed extension. However, from the information provided, this appeared to be lower than the proposed extension and also had slats along its side elevation. Overall, based on the information before me, the car port appeared to be a far lighter structure that, in my view, would have been less imposing on the adjoining occupiers.
26. I therefore conclude that in respect of Appeal A, the proposal would have a harmful effect on the living conditions of the occupiers of 7 Lodore Green with particular reference to outlook. Thus, it would be contrary to Policies DMHD 1 and DMHB 11 of the LP2 insofar as these policies seek to protect the living conditions of neighbouring occupiers.

Appeal B

27. In respect of Appeal B, the Council allege harm to the living conditions of the occupiers of 5 Lodore Green.
28. The closest part of No 5 to the appeal property is a flat roof garage, with a conservatory type structure to the rear. I am aware from third party representations and the appellant's statement that planning permission has been granted for extensions to No 5. However, I have not been provided with any further precise details. As this development has not commenced, I have assessed the proposal in relation to the existing dwelling.
29. The existing gap to the side boundary of the site would be retained. The main two storey rear elevation of the appeal property is already staggered beyond the main rear elevation of 5 Lodore Green. The proposed extension would therefore project a further 3m at first floor level beyond the rear elevation of No 5. Given its close proximity to the side boundary of the site, the proposed two storey flank wall would be very apparent when viewed from the adjacent conservatory and the rear garden of No 5. The rear garden of No 5 is very shallow and in my view, the proposed flank wall of the extension would be over dominant and overbearing and as such, would be harmful to the living conditions of the occupiers of No 5.
30. Whilst the Council also refer the effect of the proposal on a first floor window on the rear elevation of No 5, I observed that the first floor windows are some distance away from the boundary with the appeal site and the outlook from those windows would be less affected by the proposal.
31. I acknowledge that the extension would be to the north-east of No 5. Whilst the proposal development would have some effect on levels of natural light, its effect on the amount of sunlight reaching the garden of No 5 would be unlikely to be significant due to the natural path of the sun. However, this does not

lessen my concerns with regard to the overbearing effect of the proposal, identified above.

32. I therefore conclude that in respect of Appeal B, the proposal would have a harmful effect on the living conditions of the occupiers of 5 Lodore Green. It would be contrary to Policies DMHD 1 and DMHB 11 of the LP2 insofar as these policies seek to protect the living conditions of neighbouring occupiers.

Conclusion

33. For the above reasons, and having regard to all other matters raised, I therefore conclude that Appeal A, Appeal B and Appeal C should be dismissed.

J Davis

INSPECTOR