
Appeal Decision

Site visit made on 10 January 2018

By Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 January 2018

Appeal Ref: APP/R5510/D/17/3185957
17 Corwell Lane, Uxbridge, UB8 3DD.

- 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 Ravi Puni against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 29857/APP/2017/2164, dated 14 June 2017, was refused by notice dated 14 August 2017.
 - The development proposed is for a single storey 6m rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposed scheme on the character and appearance of the host dwelling and the surrounding area. The second main issue is the effect of the proposed scheme on the living conditions of the occupiers of the adjoining properties at 15a and 17a Corwell Lane (Nos.15a & 17a), with particular regard to visual impact and loss of daylight/sunlight.

Reasons

Character and appearance

3. Corwell Lane and the surrounding area is primarily characterised by post war detached, semi-detached and terraced family dwellings from a limited range of styles. The dwellings have consistent front and rear building lines and typically occupy similar generous sized plots. These factors result in a strong sense of rhythm, uniformity and spaciousness, both within the street scene and the rear garden environment.
4. The Appeal dwelling is located within a row of four modern uniformly designed detached two storey family houses. These dwellings back onto Trinity Lane, from where their rear elevations and the space created by their rear gardens are visible from the street scene.
5. Collectively, policy BE1 of the London Borough of Hillingdon Local Plan: Part 1 Strategic Policies 2012 (LP: Part 1) and policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 - London Borough of Hillingdon Unitary Development Plan Saved Policies 2007 (November 2012) (Saved UDP Policies)

seek to ensure that new development maintains and improves the quality of the built environment. Extensions should achieve a high quality of design; enhance the local distinctiveness of the area and harmonise with the original building and the street scene. The National Planning Policy Framework (NPPF) similarly states that new development should respond to local character, reflect the identity of local surroundings and add to the overall quality of the area.

6. The Hillingdon Design and Accessibility Statement Supplementary Planning Document – Residential Extensions 2008 (SPD) advises that careful thought should be given to the size, depth, location, height and overall appearance of extensions. This is to help ensure that extensions respect the character and appearance of the host dwelling, do not dominate the existing building and do not harm the living conditions of the occupants of neighbouring properties. To help achieve this, the SPD sets out various size and siting guidelines, which the proposed extension does not fully comply with.
7. The proposed conservatory extension would be slightly narrower than the existing single storey rear projection to which it would be attached. The pitch of the conservatory's fully hipped roof would be less than that of the roof of the projection and their eaves heights would be slightly different. In addition, the roofs of the proposed conservatory and existing rear projection would be hipped away from each other. As a result of these factors the relationship between the existing rear projection and the proposed conservatory would be visually awkward and unbalanced.
8. The proposed extension would project in excess of seven metres into the rear garden, which it would totally dominate due to its size, siting and materials. For these same reasons it would dominate the rear elevation of the host dwelling and its rear garden and the uniform appearance of the row of dwellings when viewed from Trinity Drive and the rear gardens of the adjacent dwellings. Its awkward relationship with the existing rear projection would simply add to its prominence and visual harm.
9. Overall, the proposed conservatory would unacceptably harm the character and appearance of the host building and its surroundings. It would fail to respect or harmonise with the host building, the rear garden environment and the street scene. This harm would outweigh the benefits for the Appellant and their family that would result from the proposed additional living space.
10. In their Design, Access and Planning Support Statement the Appellant states that the property is subject to an Article 4 direction which removes permitted development rights relating to extensions and alterations. Conversely in their Appeal statement they refer to the availability of permitted development rights. As no reference is made in the Council's statement to any Article 4 Directions it is assumed that none exists.
11. Irrespective of this, because the proposed extension requires planning permission it needs to be assessed on its individual merits and in light of the prevailing planning policies. Not only would the extension materially harm the host dwelling and its surroundings, the depth of the extension is a major contributor to that harm and is a factor that falls outside the permitted development tolerances. Accordingly, the availability of permitted development rights carries little weight in this instance.

12. I conclude on the first main issue that the proposed extension would unacceptably harm the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with policy BE1 of the LP: Part 1, policies BE13, BE15 and BE19 of the Saved UDP Policies, the SPD and the NPPF.

Living conditions

13. Due to its combined depth, height and appearance the proposed extension and its awkward junction with the existing rear projection would be visually unbalanced and prominent in the outlook from the adjacent gardens and first floor rear facing windows of Nos.15a & 17a. As a result, the proposed extension would have a visually overbearing impact on the outlook from those properties. The impact would be heightened for the occupiers of No.15a due to the close proximity of the proposed extension to their rear facing kitchen window and patio area.
14. In view of the comparatively modest height and glazed nature of the extension, it would not result in an unacceptable loss of sunlight or daylight for the occupiers of No.15a, notwithstanding its position due south of that property.
15. I conclude on the second main issue that the proposed extension would have a significant adverse impact on the living conditions of the occupiers of Nos.15a and 17a, due to its overbearing visual impact. Accordingly, the scheme would conflict with policies BE19, BE20 and BE21 of the Saved UDP Policies. Collectively these policies seek to ensure that new developments do not have a significant adverse impact on the living conditions of existing residents due to loss of light or their siting, bulk and proximity.

Conclusion

16. The conclusions on both main issues represent compelling reasons for dismissing this Appeal, which the imposition of conditions would not satisfactorily address.

Elizabeth Lawrence

INSPECTOR