
Appeal Decision

Site visit made on 12 February 2018

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th March 2018

Appeal Ref: APP/R5510/D/17/3187851

14 Colbrook Close, Hayes, Middlesex, UB3 1TH

- 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 Mrs Shumalia Hussain against the decision of the London Borough of Hillingdon.
 - The application Ref 35144/APP/2017/94, dated 10 January 2017, was refused by notice dated 9 August 2017.
 - The development proposed is the conversion of roof space to habitable use to include a rear dormer and conversion of roof from hip to gable end and first floor side/rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Some elements of the appeal proposal have already been carried out. Consequently, I have determined this appeal in accordance with the provisions of Section 73A of the Town and Country Planning Act 1990.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and on the streetscene.

Reasons

4. The appeal property is a semi-detached dwelling, which is situated in a small residential cul-de-sac. With the exception of the appeal property and one other dwelling, at number 3 Colbrook Close, the other dwellings in the Close have largely retained their original scale and appearance, including their distinctive hipped roofs and spacious gaps between the sides of buildings. Any alterations to properties have generally been relatively small, in terms of their scale and visual impact. Accordingly, the character of the area remains very much as originally built.
5. My attention has been drawn to examples of other extensions that have been constructed locally. However, each proposal must be considered on its own merits, with particular regard to the specific location of the property and the immediate streetscene. Consequently, the existence of other extensions does not act as a precedent for this appeal.

6. The property has a rather complex and prolonged planning history in relation to extensions to the dwelling. This includes the service of an enforcement notice, together with associated planning and enforcement appeals and an application for a Lawful Development Certificate (Existing) for works to the roof. The Lawful Development Certificate was withdrawn by the applicant. The Planning appeal (APP/R5510/C/14/300291) was dismissed and the Enforcement appeal (APP/R5510/W/14/3001700) allowed insofar as it gave the appellant a longer period of time to carry out the remedial works. In addition, permission was granted by the Council for a single storey rear extension (under the Prior Approval process).
7. The Council has confirmed that despite the wording in its decision notice and the officer's report, the appeal proposal is for the construction of a first floor side/rear extension; a dormer roof on the rear of the property and the conversion of the roof from a hip to a gable. The proposal would effectively retain and modify existing extensions to the property. Although most of these works have already been carried out, the appeal development would involve the reconstruction of the first floor side extension to enable it to be set-back further from the front of the original dwelling, by some 4-5m (as shown on Drawing No. 3173-07/SP).
8. Policies BE1 and of the adopted Hillingdon Local Plan Part 1-2012 and Saved Policies BE13, BE15 and BE19 of the Hillingdon Local Plan Part 2-2012 are the most relevant to the appeal development. These policies generally seek (amongst other things) to secure high quality design; and to ensure that new development harmonises, complements and enhances the character of the area and the original building (in the case of an extension).
9. I have also taken into account the guidance contained in the Council's Supplementary Planning Guidance – Hillingdon Design and Accessibility Statement (HDAS). I note in particular that the HDAS seeks to retain a distance of between 1-1.5m between the side wall of first floor extensions and the side boundary of the property. In addition, the HDAS provides guidance on the size and positioning of dormer extensions and states that the conversion of hipped roofs to gables will normally be refused.
10. In my opinion, the above policies and guidance accord with the provisions of the National Planning Policy Framework (the Framework), which also seeks to ensure that planning secures high quality design (paragraph 17) and that new development adds to the overall quality of the area and reflects the identity of local surroundings (paragraph 58).
11. Notwithstanding the proposed set-back of the first floor side extension and the restricted public view of the rear of the property, I consider that the proposal, when taken as a whole and when combined with the existing single storey extension, would be disproportionate in its scale and proportion in comparison to the original dwelling. Furthermore, the large rear dormer and the conversion of the original hipped roof to a gable are bulky, discordant and incongruous additions, which are significantly harmful to the character of the original property and to the streetscene. Consequently, I find that the proposal would conflict with the relevant policies of the Development Plan; the HDAS; and with the Framework, as referred to above.
12. It is a statutory requirement that applications for planning permission must be determined in accordance with the Development Plan, unless material

considerations indicate otherwise. In reaching my decision, I have given full and careful consideration to the submitted evidence regarding the personal circumstances of the appellant and her family, with particular regard to cultural and health issues. I also sought the views of the Council on these matters. Whilst these are a material consideration, I am not persuaded that they outweigh the significant and unacceptable harm resulting from the proposal on the character and appearance of both the appeal property and the streetscene.

Conclusion

13. Although the proposal differs from those previously considered by the Council and by the Inspector at the earlier appeals, for the reasons given above, it is concluded that the appeal should be dismissed.

Ian McHugh

INSPECTOR