

Appeal Decision

Site visit made on 26 April 2022

by A Caines BSc(Hons) MScTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

Appeal Ref: APP/R5510/D/22/3294317

15 Peel Way, Uxbridge UB8 3RL

- 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 & Mrs A Bedwell against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 24498/APP/2021/4480, dated 9 December 2021, was refused by notice dated 3 February 2022.
- The development proposed is single-storey side extension, including extension to porch.

Decision

1. The appeal is allowed and planning permission is granted for single-storey side extension, including extension to porch at 15 Peel Way, Uxbridge UB8 3RL in accordance with the terms of the application, Ref 24498/APP/2021/4480, dated 9 December 2021, 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: Location Plan; DWG No 01; DWG No 02; DWG No 03.
 - 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) No above ground construction works shall take place until a scheme of soft landscaping at the side of the dwelling has been submitted to and approved in writing by the local planning authority. All landscaping works shall be carried out in accordance with the approved details within the first planting season following the substantial completion of development. Any plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. Replacements shall be subject to the same.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey semi-detached house at the corner of Peel Way and Bradshawe Waye. Both streets are characterised by houses of similar size and design, which are set back from the road behind front gardens.

4. The proposal is for a single-storey extension that would wrap around the front and side of the house. There is no dispute that the width of the extension would exceed half the width of the original property, albeit very marginally, and that the return building line in Bradshawe Way would be exceeded. In these regards, there is conflict with requirements of criteria C of Policy DMHD1 of the Hillingdon Local Plan: Part 2 Development Management Policies 2020 (DMP).
5. Nonetheless, the proposal relates to a modest single-storey extension, which would be subordinate and proportionate to the main part of the house. It would not encroach beyond the main front wall of the house into the open front garden, and would be set in from the side boundary by around 1 metre. This would ensure that the extension would not appear cramped, or cause any meaningful loss of openness at this wide corner plot. There would be a loss of greenery from the side garden, but this could happen regardless. An appropriately worded condition could secure some retained or new planting.
6. Furthermore, although the houses in Bradshawe Way have a uniform front building line, this lies some distance beyond the rear garden of the appeal property, and is already interrupted by the appeal property's side elevation and tall garden fencing. As such, the appeal property does not form an important part of the defined building line of Bradshawe Way. In this specific site context, the extension would not harmfully prejudice any significant building line consideration.
7. In reaching my conclusion, I have also had regard to the presence of other similar side extensions which have been undertaken at corner plots along Peel Way. While I appreciate these may not have been permitted under the policies of the current development plan, they do help to reinforce my view that such development can be accommodated without causing any significant harm to the character or appearance of the area.
8. I therefore conclude that the development would not unacceptably harm the character or appearance of the area. Thus, despite conflict with some of the criteria of DMP Policy DMHD1 as stated, the proposal complies with the overarching design aims of this Policy, which among other things, require that there is no adverse cumulative impact on the character, appearance or quality of the existing street or wider area. The proposal also complies with DMP Policy DMHB11, and Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012), in so far as they require new development, including extensions, to be well designed and to harmonise with the local context.
9. The Council has also referenced DMP Policy DMHB12 (Streets and Public Realm) in the refusal reason, but I do not consider it to be relevant to the appeal scheme, and I find no conflict with it.

Conditions

10. The conditions suggested in the Council's appeal Questionnaire have been assessed against the guidance contained in the National Planning Policy Framework and Planning Practice Guidance. In particular, I have had regard to the Government's intention that planning conditions should be kept to a minimum, and I have imposed only those conditions which meet the relevant tests, making changes to the wording where necessary.

11. The standard commencement and approved plans conditions are imposed for certainty. A condition requiring the external materials to match the existing building would ensure a satisfactory appearance of the development.
12. I have not imposed requirements for a method statement and tree protection measures as this would be unduly onerous and unnecessary given the separation distance and small size of the tree to which the suggested condition would relate. However, I have imposed a condition for a soft landscaping scheme at the side of the property in the interests of visual amenity, but with less onerous requirements and removal of elements that are not directly related to the development.

Conclusion

13. For the reasons given, I conclude that the appeal should succeed.

A Caines

INSPECTOR