



Appeal Decision

Site visit made on 26 April 2004

by Penny Davies BSc(Hons) MA MRTPI = 6 MAY 2004

an Inspector appointed by the First Secretary of State

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Date

05 MAY 2004

Appeal Ref: APP/R5510/A/04/1137037

31 Burwood Avenue, Eastcote, Pinner, Middlesex HA5 2RY

- 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 Palwinder Hare against the decision of the Council of the London Borough of Hillingdon.
- The application (Ref. 22333/APP/2003/1521), dated 23 June 2003, was refused by notice dated 14 November 2003.
- The development proposed is the erection of a two-storey side extension with integral garage and single storey side and single storey rear extensions for residential use.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. The submitted plans have been amended during the course of the planning application process. For avoidance of doubt, my decision relates to drawing nos. 2904/1 and 2904/10 Rev B.
2. I consider that the description of the proposed development given in the preamble above more accurately describes the appeal proposal and I have considered it on that basis.

Main Issue

3. I consider the main issue to be the effect of the proposed development on the character and appearance of the surrounding area.

Planning Policy

4. The development plan includes the Hillingdon Unitary Development Plan adopted in 1998 (UDP). A number of policies have been drawn to my attention. The following are particularly relevant. Policies BE13 and BE15 are largely concerned with the design of new development. Amongst other things, they say that development will not be permitted if its appearance fails to harmonise with the existing street scene. Proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building. Policy BE19 relates to residential amenity and seeks to ensure that new development within residential areas complements or improves the amenity and character of the area.
5. The appeal site is located within the Eastcote Park Estate Area of Special Local Character (ASLC). UDP Policy B5 provides that in such areas, new development should harmonise with the materials, design features, architectural style and building heights predominant in

the area. Extensions to dwellings should respect the symmetry of the original buildings. The Council has produced supplementary planning guidelines relating to the ASLC. This says that in relation to two-storey, single storey and rear extensions, special attention will be paid to the views between buildings and views of mature trees.

6. I have also had regard to the Council's Design Guide 'Residential Extensions' (SPG).

Reasons

7. The appeal property is one of a pair of semi-detached houses that lie on the outside edge of a bend in Burwood Avenue, as it curves round to the east. In front of the appeal property is a half circle of grassed open space containing two trees. The character of the area is largely derived from the variety in the form, style and layout of the street, which contains mostly substantial semi-detached pairs of houses built in the earlier part of the 20th Century. The presence of mature landscaping and the set back of the houses from the road generates a spacious and leafy feel to the area. I observed that several houses have been extended in different ways. This adds to the diversity in the street scene and contributes to the informal character of the area.
8. The proposal is a two-storey side extension set down below the existing ridge height of the house. The first floor would continue the recessed part of the existing first floor behind a parapet and the ground floor would be flush with the front wall of the house. Attached to the side of this two-storey extension would be a stepped single storey extension. To the rear, a single storey extension is proposed. The Council does not object to this rear element of the scheme and as it would be small in scale and reflect the design of the existing dwelling, I consider that it would be acceptable and would conform to the SPG and the relevant development plan policies.
9. I turn now to the proposed side extensions. In terms of the two-storey element, the angle of the roof form, the windows, external materials and the continuation of the front parapet wall would reflect the architectural composition of the existing house. The proposal would not comply with the SPG insofar as it would not be set back from the front face of the house. The SPG has been subject to public consultation and is adopted by the Council. It can therefore be accorded significant weight. However, in this case, I find that there are extenuating factors that allow for a departure from it. The appearance of the existing house is dominated by the projection of the front wall that rises above the eaves level of the house and extends across much of its width. At first floor level, the proposed two-storey extension would be set back behind this. Combined with its set down in height and that it would not be unduly wide, I take the view that it would be subordinate. Because of its low height and set back, the impact of the single storey extension on the street scene would be negligible.
10. The Council considers that the proposal would destroy the symmetry of this pair of houses. I disagree. The appeal property and the adjoining house, No.33, which makes up the pair, have been visibly extended – the former with a prominent roof addition and the latter with a set back two-storey extension to the side. In my view, these developments have affected the symmetry of the pair. Given this and the subordination of the side extensions, together with the use of matching features and materials, I do not consider that the proposal would be harmful to the appearance of this semi-detached pair. At my site inspection, I saw other houses in the street that had been extended to the side in a similar way to the proposal before me. Whilst there are differences between those extensions and what is proposed,

they demonstrate to my satisfaction that it is possible to accommodate two-storey extensions in similar situations without harm to the appearance of the existing building or to the pair.

11. Owing to the orientation of the appeal property on a bend in the road, there is a large gap between it and No.29. This allows for views of mature trees that lie beyond. Such views are identified as being an important feature of the ASLC. At first floor level, the proposal would reduce the space between buildings and the extent of the view. That said, it would not be reduced significantly. Distances of approximately 4 metres extending to over 7 metres at the rear of the two-storey extension would remain. This would not be too dissimilar to the relationship between other houses in the street. Moreover, the proposed roof would slope away from the adjoining house allowing for a greater distance of separation at roof level. The proposed single storey side extension would be low in height and set in from the side boundary, replacing an existing garage and shed, which are closer the boundary. In my judgement, the proposed development would not have any significant adverse effects on the view between buildings or cause any demonstrable harm to the character and appearance of the area.
12. To conclude, I consider that whilst the proposed development would not be set back in accordance with the SPG, it would not, for the reasons given above, detract from the character and appearance of the surrounding area. Neither would it cause harm to any other interest of acknowledged importance. Accordingly, it complies with UDP policies BE13, BE15, BE19 and B5.

Other Considerations

13. I have had regard to the concern of residents in The Glen that the proposal would result in a loss of privacy. Notwithstanding the difference in ground levels, the proposed two-storey and single storey side extensions would not involve any further projection beyond the existing rear elevation of the house, which already contains windows. Given the distance involved and intervening vegetation on the boundary, I am satisfied that the proposal would not introduce any significant loss of privacy that would warrant dismissing the appeal for this reason. In terms of the provision of light to the neighbouring property, No.29, the side elevation of this property faces north. As such, it is unlikely to receive significant levels of light and the impact of the proposed development would therefore be minimal.
14. I note that the Council officer's report was initially favourable in its recommendation and I have had regard to the appeal decision (Ref: APP/R5510/A/02/1093042) that has been drawn to my attention. However, my decision has been reached on the basis of my own observations and my assessment of the evidence before me.

Conditions

15. In addition to the standard time limited condition, I intend to attach a condition requiring matching materials, in order to ensure that the proposal is in keeping with its surroundings. I also consider that a condition restricting the insertion of windows on the side flank elevation of the extensions is necessary to safeguard the privacy of the adjoining resident. I find no other conditions to be necessary in this case.

Conclusions

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Formal Decision

17. I allow the appeal and grant planning permission for a two-storey side extension with integral garage and single storey side and single storey rear extensions for residential use at 31 Burwood Avenue, Eastcote, Pinner, Middlesex HA5 2RY in accordance with the terms of the application Ref. 22333/APP/2003/1521 dated 23 June 2003, and the amended plans submitted therewith, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other opening, other than those expressly authorised by this permission, shall be constructed on the southern side elevations facing 29 Burwood Avenue.

Information

18. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.
19. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.



INSPECTOR