



## Appeal Decision

Site visit made on 7 January 2025

by C Rafferty LLB(Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 13 January 2025

**Appeal Ref: APP/R5510/D/24/3347531**

**28 Dawley Avenue, Hillingdon, Uxbridge UB8 3BU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Surpal Singh against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 14440/APP/2024/428.
- The development proposed is rear extension with double storey side and part first storey extension and front porch.

### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The appeal site comprises a two storey dwelling on Dawley Avenue, at the junction with Chester Close. The surrounds are residential and, although dwellings are of mixed appearance, the appeal property sits in a group where the original, shared design remains apparent, despite alterations. Due to the street layouts, corner properties are common, and the main built form of such dwellings is largely set back from the side boundaries, providing a sense of openness. While the appeal property has a side projection towards Chester Close, its single storey nature retains an element of openness at this location.
4. The proposal seeks to erect a double storey side extension, single storey rear extension, and single storey front extension at the appeal property. It would be constructed from matching materials and would continue the existing roof form. However, it would significantly change the appearance of the dwelling, adding a large volume of bulk that would alter the current character and proportions of the property. Although an element of offset from the side boundary would remain, the proposal would nevertheless bring the two storey built form much closer to Chester Close, further beyond the return building line of dwellings on this street, thus reducing openness. Overall, the proposal would be a prominent addition to the streetscene, particularly notable due to its corner plot position.
5. In addition to stating that extensions to corner plots should ensure the openness of the area is retained, Policy DMHD1 of the Hillingdon Local Plan: Part Two - Development Management Policies January 2020 (the DMP); provides further

stipulations regarding side extensions. In particular, by exceeding half the width of the original dwelling and not being set back one metre behind the front elevation, the proposed side extension would fail to comply with the requirements of Policy DMHD1, further highlighting it as a visually harmful addition to the site.

6. The proposal seeks to replicate the built form of Nos. 27 and 27A Dawley Avenue opposite the site, which appear to have had a similar original design to the appeal property. However, evidence before me suggests that planning permission for this was granted prior to the adoption of Policy DMHD1, and I must make my decision on the current policy position. While a supplementary planning document may have been in existence at that time with similar content to Policy DMHD1, this would have been guidance rather than policy.
7. In any event, I observed Nos. 27 and 27A to read as visually jarring in the immediate vicinity due to the volume and proportions of built form. As such, their presence would not justify the proposal. While it may result in an element of balance to the streetscene, it would nevertheless result in this section of Dawley Avenue appearing overdeveloped and at odds with the character of the surrounds.
8. For the reasons given, the proposal would result in significant adverse harm to the character and appearance of the area. As such, it would fail to comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies November 2012; Policies DMHB11, DHMB12, and DMHD1 of the DMP, Policies D4 and D8 of the London Plan 2021, and the provisions of the National Planning Policy Framework insofar as they seek to ensure good design in the public realm that harmonises with the local context, including extensions and alterations that are subordinate and do not impact the character of the street or wider area.

## **Other Matters**

9. The appellant refers to a hypothetical fallback position that would comply with the requirements of Policy DMHD1 of the DMP. However, there is nothing before me to suggest that there is a greater than theoretical possibility of this fallback occurring, such that I give it limited weight.
10. The proposal, in providing additional living accommodation at the appeal property, would make effective use of land and optimise the use of the site. This is a benefit of the scheme. However, even taken together with the limited weight attached to the fallback position, this would not outweigh the harm I have identified.

## **Conclusion**

11. The proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. The appeal should therefore be dismissed.

*C Rafferty*

INSPECTOR