
Appeal Decision

Site visit made on 6 April 2022

by **F Cullen BA(Hons) MSc DipTP MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 25 April 2022

Appeal Ref: APP/R5510/D/22/3294610

62 Fairacres, Ruislip HA4 8AW

- 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 V Santos against the decision of the London Borough of Hillingdon.
 - The application Ref: 24895/APP/2021/3803, dated 11 October 2021, was refused by notice dated 21 December 2021.
 - The development proposed is alterations to games room to form home office/gym and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to games room to form home office/gym and single storey rear extension, at 62 Fairacres, Ruislip HA4 8AW, in accordance with the terms of the application, Ref: 24895/APP/2021/3803, dated 11 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three 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; Block Plan; Dwg 01 Existing and Proposed; Dwg 02 Existing Elevations; and Dwg 03 Rev B Proposed Elevations.
 - 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) The home office/gym hereby permitted shall not be occupied until the windows within the gym/shower (facing the garden of No 65 Evelyn Avenue) have been fitted with obscured glazing and no part of those windows that is less than 1.7 metres above the floor of the room in which they are installed shall be capable of being opened. Those windows shall be bottom hinged and only able to open inward. Once installed, the obscured glazing along with the bottom hinged and inward opening form of the windows shall be retained thereafter.

Preliminary Matters

2. The Council raised no concerns regarding the proposed single storey rear extension. From the submitted evidence and my observations on site, I have no reason to disagree. I have therefore focused my considerations of the

appeal on the proposed alterations to the existing games room to form a home office/gym.

Main Issues

3. The main issues are the effect of the proposed development on: i) the character and appearance of No 62 Fairacres and the area; and ii) the living conditions of occupants of No 65 Evelyn Avenue, with regard to privacy.

Reasons

Character and appearance

4. No 62 Fairacres (No 62) is a fairly modest, detached, chalet bungalow with dormer windows at the front and rear. It sits within a plot which, at the front, is wider than other similarly sized dwellings nearby. A large single storey games room is attached at the side, having been converted from the property's garage. When entering Fairacres, the games room is largely screened from view by the side boundary fence and garage/car port that serves No 63 Evelyn Avenue (No 63).
5. Development along Fairacres is predominantly characterised by dwellings of a style similar to the appeal property, along with an additional type of chalet bungalow with a front gable feature. The properties, which are generally constructed of brick with tiled roofs, are regularly spaced and set back from the highway, possessing unenclosed front gardens and/or driveways. These elements combine to provide a degree of uniformity to the buildings and the street scene as well as a spacious quality to the area.
6. The proposed development involves alterations to the front of the single storey games room, including the replacement of the existing garage door with a bay window and additional door with a brick surround.
7. The proposal would alter the appearance of the property, perceptibly enlarging the area of habitable accommodation. Nevertheless, I observed on my site visit that a number of other properties on Fairacres and in the wider area have converted garage spaces into habitable accommodation and introduced fenestration into these parts of the dwellings. The complementary form and design of the proposed additional fenestration and door to No 62, along with the use of matching materials, would assist the proposal's assimilation with the main part of the property and its integration within the street scene.
8. I am aware that additional front doors are not evident on any other property on Fairacres. However, they are present on buildings nearby on Evelyn Avenue, being part of schemes that are visible from public routes and which were granted approval by the Council¹. Moreover, the positioning of the proposed additional door to No 62 would provide sufficient separation from the main front door and porch to the property to ensure that it would be read as a secondary entrance.
9. In coming to my decision, I am also mindful that the prominence of the proposed changes to the building in the street scene, when viewed from the junction of Fairacres with Evelyn Avenue, would be considerably moderated by the side boundary fence and garage/car port serving No 63.

¹ Application Ref: 897/APP/2020/1440, 71 Evelyn Avenue; and Application Ref: 14867/APP/2018/1422 84 Evelyn Avenue.

10. For all of these reasons, I am not persuaded that the proposed development would appear as an incongruous separate unit on the building or be unduly discordant within the street scene. Instead, it would satisfactorily harmonise with No 62 and maintain the prevailing development characteristics of the area.
11. Accordingly, I conclude that the proposed development would not have a harmful effect on the character and appearance of No 62 Fairacres and the area. As such, it would not be contrary to Policy BE1 of the London Borough of Hillingdon Local Plan: Part 1 - Strategic Policies, 2012; Policies DMHB 11 and DMHB 12 of the London Borough of Hillingdon Local Plan: Part 2- Development Management Policies, 2020 (the HLP-P2); and Policy D6 of the London Plan 2021. Amongst other things, these policies require new development to improve and maintain the quality of the built environment; be of a high standard and quality of design and incorporate principles of good design; and be well integrated with the surrounding area. It would also be in line with the provisions of the National Planning Policy Framework (the Framework) which seek to achieve well-designed places.

Living conditions

12. At the rear of the 'games room' are fixed and obscured glass blocks that face directly into the garden of No 65 Evelyn Avenue (No 65), and which are currently partly screened by an adjacent shed. The proposed alterations to form a home office/gym include the replacement of the glass blocks with opening, obscurely glazed, windows which would serve the gym and shower.
13. Given that the shed could be removed from its current position at any time, the location and opening nature of the proposed windows would have the potential to result in real and perceived overlooking into the private amenity space of No 65. This would lead to a loss of privacy by the property's occupants which would harm their living conditions.
14. Nevertheless, I am satisfied that this issue could be adequately addressed by the imposition of an appropriately worded condition that would control the obscure glazing as well as the height of opening and form of opening of the proposed windows. This would satisfactorily mitigate the potential for any overlooking into the private amenity space of No 65, ensuring that there would be no loss of privacy by the property's occupants.
15. Accordingly, subject to the imposition of an appropriately worded condition, the proposed development would not have a harmful effect on the living conditions of occupants of No 65 Evelyn Avenue, with regard to privacy. On this basis, it would not conflict with Policies DMHB 11 and DMHD 1 of the HLP-P2 in so far as they require that development proposals should not adversely impact on the amenity of adjacent properties; and that alterations and extensions of residential dwellings should achieve a satisfactory relationship with adjacent dwellings.

Other Matters

16. I have had regard to the representations made by the occupants of No 65 which raise concerns about loss of privacy. However, as stated in my reasoning, I am satisfied that an appropriately worded condition would ensure that their living conditions would not be materially harmed as a result of the proposed development.

Conditions

17. I note the conditions suggested by the Council and the appellant. I have considered them in light of the advice set out in both the Framework and the Planning Practice Guidance.
18. Planning permission is granted subject to the standard three year time limit condition. The relevant drawings are specified as this provides certainty. In the interests of the character and appearance of No 62 and the area, a condition relating to external materials is necessary. In the interests of the living conditions of occupants of No 65, a condition relating to the obscure glazing, height of opening and form of opening of the windows in the gym/shower is necessary.

Conclusion

19. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given, I therefore conclude that, subject to conditions, the appeal should be allowed.

F Cullen

INSPECTOR