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# Appeal Decision

Site visit made on 28 March 2023

**by J Bowyer BSc(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18<sup>th</sup> April 2023**

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**Appeal Ref: APP/R5510/D/22/3310848**

**29 Cedars Drive, Uxbridge, Hillingdon UB10 0JU**

- 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 Roman Stets against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 62696/APP/2022/1875, dated 10 June 2022, was refused by notice dated 8 August 2022.
  - The development proposed is erection of a part single, part double side/rear extension and front extension.
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## Decision

1. The appeal is allowed and planning permission is granted for erection of a part single, part double side/rear extension and front extension at 29 Cedars Drive, Uxbridge, Hillingdon UB10 0JU in accordance with the terms of the application Ref 62696/APP/2022/1875 dated 10 June 2022 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, 2312\_02 Rev 0, 2312\_03 Rev A, 2312\_04 Rev A, 2312\_06 Rev A and 2312\_07 Rev A.
  - 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.

## Preliminary Matter

2. The description of development used by the Council on the decision notice more accurately sets out the development proposed than that on the planning application form, and I note that this description has been adopted by the appellant in their appeal evidence. Consequently, I have also used this description for the purposes of the appeal.

## Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and area.

## Reasons

4. The appeal site includes a detached two-storey dwelling on Cedars Drive. Dwellings nearby are generally positioned on relatively consistent building lines

with reasonable spacing between them, particularly at first-floor level, and most are on plots of broadly similar size. This provides for an overall rhythm and sense of coherence to the area. Nevertheless, the dwellings themselves are a mix of detached and semi-detached properties of several varying designs. While there are some small groups of adjacent buildings of like designs, many of the buildings differ from their immediate neighbours. There seemed to me to be little clear pattern to the overall placement of different designs along the street, and the result is a fairly diverse street scene.

5. Planning permission has previously been granted for alterations to the appeal dwelling including a part two-storey, part single-storey rear and side extension and front porch extension<sup>1</sup> ('the Previous Permission'). The Council has not raised objections to elements of the appeal development which are unchanged from the Previous Permission, and I can see no firm reason to find differently.
6. The side extension now proposed would be wider than the extension approved under the Previous Permission, and would not be set back from the front of the appeal dwelling at first-floor level. It would be contrary to requirements for side extensions within Policy DMHD 1 of the Local Plan Part 2 Development Management Policies 2020 ('the LPP2') setting out that they should not exceed half the width of the original property, and that two-storey side extensions should be set back a minimum of 1m behind the main front elevation.
7. However, the supporting text to Policy DMHD 1 indicates that the width requirement for side extensions is intended to avoid over-dominance of the original house, and that the set back of extensions from the main front wall is sought to provide definition between the original house and the extension. In this case, the side extension would have a lower roof that would provide for an appreciable point of differentiation from the host building. The set down of its roof would also give the extension a degree of subservience, and it would not in my judgement be an excessively bulky or dominant addition overall.
8. There would be a clear change to the scale and appearance of the appeal dwelling, and I find having regard to the overall width of the extension and the comparable front building line that it could not reasonably be described as subordinate to the host building. Nevertheless, the form and proportions of the resulting dwelling would not stand out against the mixed street scene which already includes buildings of varied form and design. In this context, I find that the development would not be unduly conspicuous or visually intrusive.
9. Moreover, I observed other dwellings nearby with development extending up to or very close to boundaries to the sides of buildings at ground-floor level. While spacing to the side of the ground floor of the development would be limited, its proximity would not be inconsistent with these examples. The extension would also be of lesser width at first-floor level, and I am satisfied that its greater set in from the boundary would be sufficient to provide an adequate visual gap to the neighbour at 27 Cedars Drive in keeping with other development nearby. Given these factors, I find that the development would not be unduly cramped, and the general spaciousness of the area would not be harmfully eroded.
10. For these reasons, I conclude that the proposal would not harm the character or appearance of the host dwelling or area. This is a material consideration which I find would outweigh the conflict arising with the specific provisions of

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<sup>1</sup> Application ref 62696/APP/2022/235

LPP2 Policy DMHD 1. Overall, I conclude that the development would accord with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies 2012 and Policies DMHB 11, DMHB 12 and DMHD 1 of the LPP2 insofar as they together broadly seek good design; development that is sympathetic to local context; and extensions that do not adversely affect the character, appearance or quality of the area.

### **Other Matters**

11. The extensions to the rear of the dwelling would be set in from the boundary with 31 Cedars Drive, and there would be a greater set in to the first-floor level. No 31 is also set in from the boundary, and I consider that there would be sufficient separation to ensure that the extension would not cause unacceptable loss of light or outlook for occupiers of this neighbour. In addition, any effects would be comparable to those of the Previous Permission which includes rear extensions of similar depth, height and proximity to No 31. The development would project closer to the boundary with No 27 than the Previous Permission, but this neighbour has a two-storey rear extension, and I am satisfied given the relationship that there would not be unacceptable harm to living conditions for the occupiers of this dwelling.
12. Concerns have been raised about potential use of the garage for repair of motor vehicles. However, the development before me does not include any commercial use of the site, and I have no substantive evidence to suggest that normal use of the garage as part of the dwelling would be likely to result in unacceptable noise or disruption to neighbouring occupiers, nor that it would detract from the street scene.

### **Conditions**

13. In addition to the standard time limit condition, I have specified the approved plans for the avoidance of doubt and in the interest of certainty, and a condition to control the external materials of the development is necessary in the interests of the character and appearance of the area.

### **Conclusion**

14. For the reasons given above, I conclude that the appeal should be allowed.

*J Bowyer*

INSPECTOR