
Appeal Decision

Site visit made on 4 July 2022

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/R5510/D/22/3292396

9 Garth Close, RUISLIP, HA4 9PT

- 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 Mrs and Mrs Gez Masnavi against the decision of London Borough of Hillingdon.
 - The application Ref 76840/APP/2021/4011, dated 28 October 2021, was refused by notice dated 25 January 2022.
 - The development proposed is a two storey side & rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a two storey side & rear extension at 9 Garth Close, RUISLIP, HA4 9PT in accordance with the terms of the application, Ref 76840/APP/2021/4011, dated 28 October 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 plan: Proposed Two Storey Side and Rear Extension – 4602/02.
 - 3) The materials to be used the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main Issues

2. The main issues for the appeal are:
 - The effects of the proposal on the character and appearance of the area, and
 - The effects of the proposal on the living conditions of adjoining residential occupiers at No 8 Garth Close.

Reasons

Character and Appearance

3. 9 Garth Close is a semi-detached dwelling in a cul-de-sac of similar properties. Although some have been altered to the rear or side these works have been carried out sympathetically, and the properties retain a very similar appearance, providing a regular, uncluttered street scene. Because of the circular positioning of the dwellings they are closer at the front to those

adjacent than at the back and only partial views of the side elevation of the dwellings are available from the road.

4. The appeal relates to an application for a rear and side extension, part of which would be two storeys. Because a large proportion of the extension would be located to the rear, only the portion of the extension that would project beyond the side elevation would be visible from the road. In these views, due to the position of the works, close to the rear of the building, and the angled positioning of the dwelling, the relatively narrow side projection would not be prominently visible.
5. The Council have raised concerns regarding the proposed roof-form. The plans indicate a flat-topped roof with sloping sides, referred to as a "crown roof". Whilst this is not a conventional treatment for buildings of this type, the flat top would not be evident in views into the site, with the sloping sides appearing as a conventional pitched roof. I therefore do not consider it to be incongruous in this context.
6. On the first matter I therefore conclude that the proposal would not cause harm to the appearance of the dwelling or the wider character of the area and would not conflict with Policy BE1 of the Hillingdon Local Plan Part One: Strategic Policies (2012) and Policies DMHD1 and DMHB 11 of the Hillingdon Local Plan Part Two: Development Management Policies (2020) which together seek development which maintain the quality of the built environment or with guidance in the National Planning Policy Framework (the Framework) which has similar aims.

Living Conditions

7. The properties at Nos 8 and 9 Garth Close both sit at an angle to the road with the front elevations forming the closest point between them. The side elevation of this property has a number of side windows and although most of these serve secondary rooms, one is the single window serving a bedroom. The proposed extension would sit around 4 metres from No 8 at its closest point and the 2 storey element would sit at around 7m from the bedroom window.
8. I have considered whether the close proximity of the extension would lead to harm to the living conditions of adjoining occupiers. The dwellings already sit relatively close and the proposed extension would reduce this further, by over 2 metres at the closest point. However, the angled juxtaposition of the buildings would allow penetration of light from the north. As such, I am satisfied that this would not cause a significant loss of light to the landing or bathroom windows, which are secondary rooms. Furthermore, in relation to the bedroom due to its location on the upper floor it would also be unlikely to suffer a significant reduction in available light.
9. In relation to outlook, whilst the room would lose much of its available view of the neighbouring garden and the outlook from the room would be diminished, due to the angled juxtaposition of the buildings, the room would retain some open aspect to the north. The reduction in outlook would therefore not occur to such a degree that it would be significantly overbearing, or such that it would significantly harm the living conditions of those using the room.

10. On the second matter I therefore conclude that the proposal would not cause significant harm to the living conditions of adjoining residential occupiers and would therefore not conflict with Policies DMHD1 and DMHB 11 of the Local Plan which together seek to protect the amenity of residential occupiers, or with guidance in the Framework, which has similar aims.

Other Matters

11. I note the concerns of the adjoining occupier in relation to access to the side of the adjoining property. However, the proposal would not extend beyond the existing boundary line of the property and as a result would not impede any existing access arrangements. I also note concerns regarding drainage but have no substantive evidence that the proposal would not be properly drained or have an impact on adjoining occupiers in this regard. This matter does not therefore add to my concerns.

Conditions and Conclusion

12. The proposal would accord with the development plan as a whole and for the reasons given above and having had regard to all other matters raised, the appeal is allowed.
13. In addition to the statutory commencement condition a condition requiring the development to be carried out in accordance with the approved plans is necessary in the interest of certainty. Furthermore, a condition requiring the materials to match the host dwelling is necessary in the interest of preserving the character and appearance of the dwelling and the street scene.

Anne Jordan

INSPECTOR