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## Appeal Decision

Site visit made on 23 August 2024

**by Gary Deane BSc (Hons) DipTP MRTPI**

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

**Decision date: 30 August 2024**

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**Appeal Ref: APP/R5510/W/24/3340843**

**5A Barnard Gardens, Hayes UB4 9ER**

- 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 Gary Eaton against the decision of the Council of the London Borough of Hillingdon.
  - The application reference is 78396/APP/2023/3233.
  - The development proposed is extending into loft area of the property to create two bedrooms and an ensuite.
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### Decision

1. The appeal is dismissed.

### Procedural matter

2. While appellant has described the proposal as in the above heading, the Council has referred to it as the conversion of the roof space to habitable use to include a rear dormer, 3 front roof lights and conversion from a hip to a gable end. From my inspection of the plans, I consider that the Council's description more fully reflects the development sought. I have assessed the proposal on that basis.

### Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

### Reasons

4. The appeal property is the first floor flat within a 2-storey semi-detached building in a street of properties that are similar in type, age and character. I saw that some properties along Barnard Gardens and nearby streets have been extended and altered at roof level and at the rear including those to which the appellant has referred. Consequently, there is some variety to the existing built form within the local area to which No 5A belongs.
5. The sidewall and roof of No 5A are proposed to be altered from a hip to a gable end. This arrangement would add scale and bulk to the main roof of the host building. The extended ridgeline of the appeal dwelling, which would run parallel to the road, would visually accentuate the size of the new roof when viewed in the local street scene. From in front of the site, the new roof would draw the eye because its size and shape would sharply contrast with those of the dwellings on either side of the site, and others along Barnard Gardens that

mostly retain their original hipped ends. As such, this element of the appeal scheme would be obtrusive and a discordant feature in the local street scene.

6. A new dormer with a Juliette style balcony is also to be placed onto the extended rear roof slope. It would have a flat roof and cover a significant part of the host roof. In doing so, the new dormer would visually dominate the appearance of the rear façade and relate poorly to the modest proportions of the host building even with a sizeable ground floor rear projection in place. While this part of the development would not be readily visible from the road, it would be evident from the rear windows and gardens of nearby dwellings. From these vantage points, the proposed dormer, due to its scale and bulk, would give the completed building an awkward top-heavy appearance.
7. Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (DMP) deals with roof extensions. It requires such proposals to be located on the rear elevation only; be subservient to the scale of the existing roof; and to not exceed more than two thirds the average width of the original roof. Given the scale and position of the proposal, it would fail to comply with these important policy requirements.
8. In reaching these findings, I note that the materials would match those of the existing building. I also acknowledge that properties with gable ends and/or rear dormers are evident in the local area. Reference is also made to the Council's recent decisions to approve roof level extensions and alterations at 8 and 11 Chatsworth Road, with some background details provided. However, Nos 8 and 11 are some distance from the site and so their visual context differs to that of No 5A. According to the Council, sizeable roof level changes could take place at Nos 8 and 11 in any event through the exercise of permitted development (PD) rights. As the host building is in use as flats, PD rights do not apply in this instance. Therefore, I attach no more than limited weight to these planning decisions because their circumstances are not directly comparable with those of the proposal. In any event, each development should be assessed on its own merits, as I have done.
9. On the main issue, I conclude that the proposed development would materially harm the character and appearance of the host building and the local area. Accordingly, the proposal conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, DMP Policies DMHB 11, DMHB 12 and DMHD 1, and Policies D1, D3 and D4 of The London Plan. These policies promote high quality design and aim to ensure that new development harmonises with the local context. It also conflicts with the policies of the National Planning Policy Framework (the Framework), which state that development should be sympathetic to local character and add to the overall quality of the area.

#### *Other matters*

10. Once complete, the proposal would provide additional living accommodation for the appellant's family and make efficient use of the space available at roof level. However, these considerations do not outweigh the significant harm that I have identified.
11. An interested party raises additional concern with regard to privacy and the potential for noise and general disturbance. These are important matters, and I have considered all the submitted evidence. However, given my findings on the main issue, these matters have not been critical to my decision.

## **Conclusion**

12. The proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

*Gary Deane*

INSPECTOR