
Appeal Decision

Site visit made on 26 October 2016

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17th November 2016

Appeal Ref: APP/R5510/W/16/3150602

The Glebe House, Royal Lane, Hillingdon, Uxbridge, UB8 3QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Darbarasingh Choot against the Council of the London Borough of Hillingdon.
 - The application Ref: 71199/APP/2016/134, is dated 12 January 2016.
 - The development proposed is a single and two storey front, rear and side extension, rear dormer, installation of two roof lights to the front roof plane, and front porch.
-

Decision

1. The appeal is dismissed and planning permission for a single and two storey front, rear and side extension, rear dormer, installation of two roof lights to the front roof plane, and front porch is refused.

Procedural matter

2. Although this appeal is against the failure of the Council to give notice of its decision on the application within the prescribed period, I received as part of the Council's submissions a Statement of Case which sets out that had the Council been in a position to determine the application it would have refused planning permission on two grounds. Both of these relate to the design of the proposed development and the effect that it would have on the character and appearance of the Hillingdon Village Conservation Area. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the Hillingdon Village Conservation Area.

Reasons

4. Taken together, Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 (HLP) and Policies BE4, BE13, BE15 and BE19 from Part 2 of the HLP, which are Saved Policies from the earlier Hillingdon Unitary Development Plan 1998 (UDP), seek to ensure that new development is of a high standard of design that maintains the quality of the built environment; has regard to the existing street scene; complements and improves the character of the area; harmonises with the scale, form, architectural composition and proportions of the original building; and conserves or enhances heritage assets
-

such as conservation areas. More detailed advice on extensions to existing houses is provided in the Hillingdon Design and Accessibility Supplementary Planning Document: Residential Extensions 2008 (HDAS), which has to be read alongside these general design policies.

5. Whilst relatively extensive, the Hillingdon Village Conservation Area contains only a small number of buildings and is divided into two sections by Uxbridge Road, a busy dual carriageway. North of Uxbridge Road is a terrace of buildings with commercial premises at the ground floor and residential above, and adjacent to this, on the corner of Vine Lane, stands a large early twentieth century public house. On the opposite side of Vine Lane is a substantial red brick house with a range of associated outbuildings with a small modern housing development beyond.
6. South of Uxbridge Road, the conservation area has a different character with a small village green bounded by older buildings: St Johns church and its associated graveyard; a substantial house; and a range of buildings occupied by a second public house and a funeral directors. Beyond this latter range of buildings are two mid twentieth century houses at the junction with The Chantry, a modern housing development adjacent to, but outside of, the conservation area. The appeal building is part of a small group of buildings which adjoins The Chantry to the south and comprises a former church hall, now a nursery, which is a two storey late nineteenth or early twentieth century building with an attached dwelling, the appeal building, and a two storey, red brick, vicarage with a hipped roof.
7. A large part of the conservation area is taken up by the grounds of Bishopshalt School, which contain a substantial red brick main block with more recent buildings to the south, and which has extensive grounds and playing fields associated with it. Opposite the school site on the west side of Royal Lane are a small number of houses, one set in substantial grounds and the others in a wooded setting further south. Substantial trees and hedgerows bounding Royal Lane give the southern part of the conservation area a verdant character.
8. There is a range of building designs and ages within the conservation area. However, within the southern area in particular, common characteristics of the buildings are highly articulated facades with projecting and recessed elements and complex roof forms. These shared characteristics are a unifying factor which ties together the buildings of different ages.
9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in making decisions on planning applications and appeals within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of the area.
10. The existing house is of an unusual design with a staggered front façade and asymmetric roof. Whilst the design is atypical of the other buildings within the conservation area, it nonetheless has a distinctive appearance that clearly reflects the architectural thinking of the time when it was constructed but which also reflects, albeit in a more simplified manner, the complex built forms of the older buildings nearby. In addition, as a result of its age, it is also now part of the established character and appearance of the area. The house is set well back from the road, however, the front garden area is not enclosed and there is no screening between the house and road, resulting in it being clearly visible.

11. The proposed front and side extensions, by infilling the gap between the forward projecting elements of the ground floor, would result in the loss of the distinctive character of the house, subsuming it into a flat façade. The extension to the side gable, over half of the footprint of the existing garage, and the conversion of the garage to habitable space, whilst preventing the building from over-dominating the neighbouring vicarage, would result in an unbalanced façade with misaligned windows that lacks the architectural integrity of the original design. It is also proposed to add a ground floor extension which would infill the area at the side of the house behind the existing garage, and also extend the existing ground floor at the rear of the house by approximately 4 metres. The large extent of this would further erode the original architectural character and built form of the house.
12. Although it is set in from the edges of the roof, the proposed rear dormer, due to its overall height, would appear as a very large and dominant feature on the rear roof slope. Whilst it would not be visible from Royal Lane, it would be visible from the upper floor rear windows of a number of properties to the north in The Chantry. Additionally, the windows in the dormer would not align with, or relate to windows, in the floors below and, as a consequence, disrupt the architectural integrity of the original design.
13. Due to its design and the extent of the works, the proposed development would cause harm to the character and appearance of this part of the conservation Area but, given the size and nature of conservation Area, this harm would be less than substantial. The Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
14. The only benefits of the proposal that have been identified is that the proposed extensions and alterations would improve the internal layout and functionality of the house, and remove a number of windows which presently look out onto the adjoining vicarage. Whilst the extensions may improve facilities for the occupiers of the property, this is not a public benefit. Although there are windows in the house that presently overlook adjacent properties, this is a situation that has existed since the house was originally built, and it is not uncommon for there to be a degree of mutual overlooking between properties. The removal of small number of windows would represent a very small public benefit but would not, of itself, outweigh the harm to the character and appearance of the conservation area that I have previously found. No other public benefits have been identified by the appellant, and the harm to the character and appearance of the conservation area weighs heavily against the proposal.
15. I therefore find that the proposed development would cause harm to the character and appearance of the Hillingdon Village Conservation Area. It would be contrary to the relevant requirements of Policies BE1 and HE1 of the HLP; Saved UDP Policies BE4, BE13, BE15 and BE19 and the guidance in the HDAS which seek to ensure that new development preserves and enhances the character and appearance of conservation areas and is of a high standard of design that maintains the architectural composition of the original building.

Conclusion

16. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed and planning permission for a single and two storey front, rear and side extension, rear dormer, installation of two roof lights to the front roof plane and front porch should be refused.

John Dowsett

INSPECTOR