

Appeal Decision

Site visit made on 28 September 2020 by Ben Phillips BSc MSc

Decision by R C Kirby BA (Hons) DipTP MRTPI

An appointed by the Secretary of State

Decision date: 3 November 2020

Appeal Ref: APP/R5510/D/20/3254495 103 Lime Grove, Ruislip HA4 8RW

- 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 Mitchell Comer against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75001/APP/2020/257, dated 27 January 2020, was refused by notice dated 26 March 2020.
 - The development proposed is described as two storey side extension, part conversion of garage and conversion of roofspace to habitable use to include a rear dormer (resubmission).
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension, part conversion of garage and conversion of roofspace to habitable use to include a rear dormer (resubmission) at 103 Lime Grove, Ruislip HA4 8RW in accordance with the terms of the application Ref 75001/APP/2020/257, dated 27 January 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 101, 103 Rev A, 104 Rev A, 105 Rev A, 106 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. Amended plans have been submitted with the appeal which the appellant has requested that I consider. I have considered the amended drawings under the principles established by the Courts in *Wheatcroft*¹ and in this instance I consider that they change the development to such a degree that to consider them would deprive the Council and those who should have been consulted on the change, the opportunity of such consultation.

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

4. As such I have considered the appeal on the basis of the plans which were considered by the Council when it took its decision. It is clearly open to the appellant to submit the amended scheme to the Council should he wish to do so.
5. Finally, the Council point out that the submitted site location plan includes a shared pathway to the side of the property. The appellant accepts that this is an error and I have considered the proposal on this basis.

Main Issue

6. The main issue in this case is the effect of the proposal on the character and appearance of the host property, terrace of which it forms part and the surrounding area.

Reasons for Recommendation

7. The appeal site is an end dwelling of a terrace of three, traditional two storey properties, located on Lime Grove, which is of a very mixed character, with detached bungalows and two storey dwellings and semi-detached properties evident, of differing scale and appearance. There is also no distinct pattern in terms of separation gaps or rhythm between properties evident.
8. The proposed two storey side extension would extend the massing of the roof in a similar way to the extended roof at the other side terrace property, No 99. The side extension would be limited in width and would extend no further than the existing single storey projection, save for a minor single storey element towards the rear. Although the extension would not be set back significantly from the existing frontage, this would mirror the extension to No 99 and would thus not result in harm to the symmetry of the terrace. Whilst there would be a slight change in the angle of the roof pitch, this would not be visually obvious, and would be to the degree that would result in harm to the host property, or the terrace of which it forms part.
9. Although it is submitted that the distance between the side boundary and the side extension would be less than the 1 metre desired by Policy DMHD 1, Part C (iv) of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies (2020)(DM), there would remain a visual gap between the extended host property and the single storey dwelling at No 105. The extension would not result in a cramped form of development upon the site. In this regard there would be no conflict with the purpose of this part of DM Policy DMHD 1 which seeks to maintain adequate visual separation and views between houses.
10. Whilst wider than 'two thirds the average width of the original roof' as set out in part E (i) of Policy DMHD 1 of the DM, the rear dormer would sit comfortably within the extended roof plane and would not appear dominant nor incongruous. The dormer would appear similarly sized to that of the adjoining neighbour, No 101, and would not appear out of keeping with the existing dwelling or wider terrace.
11. In light of the foregoing, I conclude that the proposal would respect the character and appearance of the host property, the terrace of which it forms part. The contribution that they make the character and appearance of the area would not be eroded by the proposal, accordingly harm would not be caused to the character and appearance of the area. The proposal accords with Policy BE1

of the Local Plan Part 1 Strategic Policies (2012) and DM Policies DMHD 1 and DMHB 11 which collectively seek, amongst other things, to ensure that development proposals are of a high quality design which harmonises with the local context.

Conditions

12. The Council has suggested the imposition of a condition relating to the start date of development, and in addition to requiring compliance with the application plans. I consider these to be necessary in the interest of clarity. In addition, I agree that a condition requiring materials to match the existing original property is also necessary in the interest of the character and appearance of the area.

Conclusion

13. For the above reasons and having regard to all other matters raised, I recommend that the appeal should be allowed with the suggested conditions.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the conditions set out above.

RC Kirby

INSPECTOR