



Appeal Decision

Site visit made on 14 September 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/R5510/D/20/3251363

38 Sharps Lane, Ruislip HA4 7JQ

- 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 Ms M Tinloi against the decision the Council of the London Borough of Hillingdon.
 - The application Ref 74288/APP/2019/3480, dated 11 December 2019, was refused by notice dated 6 March 2020.
 - The development proposed is for single storey side and rear extensions, alterations and loft conversion with hip to gable roof extension, rear dormer, front rooflights, hardstanding and outbuilding.
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Decision

1. The appeal is dismissed insofar as it relates to the single storey side and rear extensions, alterations and loft conversion with hip to gable roof extension, rear dormer, front rooflights and hardstanding.
2. The appeal is allowed and planning permission is granted for an outbuilding at 38 Sharps Lane, Ruislip HA4 7JQ in accordance with the terms of the application ref 74288/APP/2019/3480, dated 11 December 2019, so far as relevant to the outbuilding, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with plan no 1207 SK 105D.

Appeal Procedure

3. 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.

Preliminary matter

4. The proposal comprises various elements, as identified in the description of development above. The elements found unacceptable by the Council are set out in the officer's report and decision notice. No objection was raised to the outbuilding. Whilst the appellant considers that the outbuilding may in itself be permitted development, it nevertheless forms part of the proposal before me. I have dealt with the appeal on that basis. The individual alterations to the building are not clearly severable, either physically or functionally, and I have therefore considered those together.
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Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host building and, linked to that, whether the proposal would preserve or enhance the character or appearance of the Ruislip Village Conservation Area.

Reasons for the Recommendation

6. The appeal site comprises a two-storey, semi-detached, hipped roofed dwelling, located on the northern side of Sharps Lane, within the Ruislip Village Conservation Area (RVCA). It is part of Character Area 3 of the RVCA, which is formed of residential areas that were originally developed in the "Garden Suburb" tradition and contain buildings of generally good architectural quality, set in large, mature gardens.
7. The character of the RVCA along Sharps Lane is largely defined by a mix of detached and semi-detached properties of various ages, design and scale. There is some consistency in dwellings in the immediate proximity of the appeal site, as the appeal dwelling and the adjoining properties have a degree of uniformity in terms of their form, design, scale and rhythm, that contributes positively to the character and appearance of the area.
8. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect, national policy on heritage assets, which includes conservation areas, is set out in the National Planning Policy Framework (the Framework). At paragraph 185, it sets out matters which should be taken into account, including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness.
9. The proposed alterations to the roof would convert the existing hipped roof to a gable end. The roof extension would not harmonise with the roof form of the host dwelling and the proposed design would also visually unbalance the appearance and the proportions of the pair of semi-detached properties Nos 36 and 38 Sharps Lane. Given the prominent position of the appeal site within the street scene, the incongruous appearance of the development would be clearly visible.
10. Given the separation distance between the appeal dwelling and No 40 Sharps Lane, the roof extension would not result in a terracing effect. Nevertheless, the development would disturb the rhythm and uniformity at the roof level as it is currently experienced; thus, it would be detrimental to the appearance of the existing dwelling and the street scene.
11. I have taken into consideration the roof extension of No 42, which is similar to the appeal proposal. The Council indicates that permission for that extension was granted prior to the inclusion of the site within the RVCA and as such the policy context and the statutory requirements of the Act, differed from the proposal before me. In addition, this form of development does not necessarily represent a good example of development to follow and I note that Policy DMHD 1 E ii) of the recently adopted Hillingdon Local Plan Part 2 –

Development Management Policies (2020) seeks to resist over-large roof extensions including proposals to convert an existing hipped roof to a gable.

12. The flat roofed rear dormer would have a box-like form and would project along most of the width of the original roof of the dwelling and that of the proposed roof extension. Notwithstanding the set down from the main ridge, set in from the adjoining dwelling, and set up from the eaves level, the dormer would cover a significant proportion of the rear slope and would form a top heavy, dominant feature that would not reflect the style or form of the original roof.
13. The dormer would not appear out of context when viewed in relation to the rear dormers of the neighbouring properties, particularly that of No 42. Given its secluded position to the rear, the impact on the character and appearance of the street scene, and therefore on the RVCA would be neutral. Nevertheless, this does not negate the harmful impact that the dormer would have on the character and appearance of the host dwelling. The existing two-storey flat roofed rear extension, which I acknowledge does not reflect the proportions and roof form of the original dwelling, does not justify the proposed dormer.
14. My attention has been drawn to a scheme¹ that has been allowed at appeal at another site. That scheme was for the construction of a rear dormer, installation of roof light to front roof slope and conversion of enlarged roof space into habitable accommodation. The Inspector in that case found the rear dormer acceptable, when considering its form in the context of the unusual roof form of that dwelling. Moreover, in that case, the dormer's projection was within the roof slope of the dwelling. Given my findings above, the proposal is not directly comparable with that development.
15. Likewise, the proposal is not directly comparable with the approved scheme² at No 19 Sharps Lane, as the dormer in that case was contained within the roof slope of the host dwelling and the original roof style of the dwelling was retained. In any event, I have considered the development based on its own merits and site-specific circumstances.
16. I note that the proposal would match the materials of the host dwelling, however this would not be sufficient to make it acceptable.
17. The Council has raised no specific objections to the proposed hardstanding at the front of the property. Although there are limited details of this element of the proposal before me it appears that the parking area would in effect be an enlargement of the existing parking space created by the removal of existing planting. The surface details and details of any replacement planting are unclear from the plans before me. On that basis I cannot be certain that the that the proposal, in this respect, would preserve the character or appearance of the area.
18. For the above reasons these elements of the proposal would be detrimental to the character and appearance of the host dwelling and would fail to preserve or enhance the character or appearance of the Ruislip Village Conservation Area. Although the harm to the significance of the conservation area would be less than substantial, I consider that it would still be material. Less than substantial harm needs to be weighed against the public benefits of the proposal, in

¹ Appeal ref: APP/R5510/D/13/2199445

² Application ref: 30003/APP/2017/3808

accordance with paragraph 196 of the Framework. The benefits of the scheme would appear to be solely private and hence do not outweigh the harm that I have found.

19. Accordingly, the extensions to the dwelling, roof alterations and hardstanding would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies, Policies DMHD 1, DMHB 4 and DMHB 11 of the Hillingdon Local Plan Part 2 – Development Management Policies, and Policy 7.8 of the London Plan, which collectively require, amongst other things, that developments respect the design of the original house, and preserve or enhance the character or appearance of the conservation area, and make a positive contribution to local character and distinctiveness. In addition, for the same reasons, the proposal would fail to comply with the weighty statutory requirements of the Act.
20. The proposed outbuilding, which would be a modest detached structure sited within the rear garden, is clearly capable of being constructed separately from the extensions to the house. No objections have been raised to this element of the proposal and it seems to me that it would be proportionate in terms of its scale and design to the host dwelling and would clearly be perceived as an ancillary building. Its modest height would prevent it from causing significant harm to the living conditions of the neighbouring residents.
21. Accordingly, this aspect of the proposal, the construction of the outbuilding, would preserve the character of the Conservation Area and would be consistent with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies, Policies DMHD 1, DMHB 4 and DMHB 11 of the Hillingdon Local Plan Part 2 – Development Management Policies, and Policy 7.8 of the London Plan, as set out above.
22. I recommend the standard time limit condition and have specified the relevant plan number to provide certainty. Given that the materials are indicated on the approved plan there is no need for a condition in that regard.

Recommendation

23. For the reasons given above and having had regard to all other matters raised, I recommend that a split decision is made such that the appeal is dismissed in relation to the extensions, roof alterations and hardstanding and allowed in relation to the outbuilding.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

24. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed in relation to the extensions and roof alterations and allowed in relation to the outbuilding.

Susan Ashworth

INSPECTOR