



Appeal Decision

Site visit made on 12 October 2020

by Conor Rafferty LLB (Hons), AIEMA, Solicitor

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/R5510/D/19/3243486

162 Long Drive, Ruislip HA4 0HR

- 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 Malav Shelat against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 67843/APP/2019/3059, dated 16 September 2019 was refused by notice dated 18 November 2019.
 - The development proposed is described as the retention of a rear dormer window and front roof lights.
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Decision

1. The appeal is dismissed.

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.

Preliminary Matters

3. The development has already been constructed. I have considered the appeal on the basis that planning permission is sought for the development that has already been carried out.
4. The Hillingdon Local Plan: Part Two - Development Management Policies Development Plan Document (DMP) was adopted on 16 January 2020. Policies BE13, BE15, BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, November 2012 and the London Borough of Hillingdon Design and Accessibility Statement Supplementary Planning Document Residential Extensions, December 2008 mentioned in the Council's reasons for refusal have now been superseded. DMP Policies DMHD 1, DMHB 11 and DMHB 18 referred to in the Council's reasons for refusal therefore have full weight in the determination of this appeal.

Main Issue

5. The main issues are (i) the effect of the development on the character and appearance of the host dwelling and the surrounding area; and (ii) the living conditions of the current and future occupiers of the host dwelling, with particular regard to the provision of outdoor amenity space.

Reasons for the Recommendation

Character and appearance

6. The appeal site is located in a residential area on the northern side of Long Drive, close to the corner with Queens Walk. It comprises a two storey mid terrace dwelling with rear garden space. From Queens Walk the variety in the design and form of the rear elevations of the properties is visible. This includes examples of other dormer windows, and in particular that present at No. 156, however overall dormer windows are not prevalent enough from this viewpoint to become a defining characteristic of the immediate locality. For the most part, the original hipped roofs of the paired semi-detached dwellings remain intact and the roof profile is one of the characteristic features of the wider estate of housing.
7. The development comprises a dormer extension to the rear of the property that has already been constructed. The dormer window does not cover the full width of the property, however the set in is minimal, such that it appears as a cumbersome and prominent addition, dominating the rear roofscape. It does not appear as a subordinate feature adequately contained within the roof profile and introduces substantial additional bulk that alters the character of the property. Very little of the original roof profile remains visible and the box-like proportions are completely at odds with the design of the host dwelling.
8. With regards to the impact of the development on the surrounding area, the front roof lights are visible from Long Drive, but are experienced in the context of similar front roof lights on the street and as such do not appear out of place. It is acknowledged that views of the dormer from Long Drive are limited, with the side elevation partly visible. Nonetheless, it is clearly visible from Queens Walk and the rear gardens of both the appeal property and surrounding dwellings where it appears as a dominant addition to the immediate area. Its proximity to the public highway along Queens Walk makes it a more prominent feature in the locality than nearby dormers of similar dimensions such as that at No. 156, where it appears at odds with the largely unaltered roofscapes visible. In this context, the discordant nature of the dormer at the appeal site is further highlighted, appearing as an incongruous addition to the area.
9. Reference has been made to other examples of similar dormer development in the surrounding area. However, these developments appear to be the subject of certificates of lawful proposed development whereas the proposal does not benefit from permitted development rights and a planning judgment must be made against the adopted policies in the local development plan. Moreover, whilst there may be numerous dormers in the wider area, the rear of this particular stretch of Long Drive is relatively free of large roof additions of the type proposed. The dormer to the rear of No. 156 is the clear exception but limited information is before me as to whether that dormer had planning permission or benefitted from permitted development rights. In any event, its scale and profile are similar to the current proposal and it appears incongruous in the largely unaltered roof scape. The example of other harmful development elsewhere should not be used as a precedent to cause further harm. This appeal therefore is decided on its own site-specific circumstances and reference to other development nearby does not outweigh the harm identified above.
10. For all of those reasons I find that the rear dormer has a significantly adverse visual effect on the character and appearance of the host building and the surrounding area. Accordingly, it would fail to comply with Policies BE1 of the

London Borough of Hillingdon Local Plan: Part One – Strategic Policies, November 2012; and Policies DMHB11 and DMHD1 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies, January 2020, which together seek to ensure that new development respects the character, appearance and quality of the wider area.

Living Conditions

11. The appeal property benefits from a somewhat long and narrow garden to the rear with a modest area of decking. The Council states that the usable rear garden area at the property is approximately 61.48 square metres, which the appellant has not disputed.
12. While the location of the dormer does not remove any of the useable garden space currently present at the property, it has increased the potential number of occupiers. Nonetheless, the current garden would remain suitable for a four bedroomed dwelling. The area provides good functionality and space for family needs such as storage, recreation and hanging washing, and such functionality has not been reduced by the introduction of the dormer which serves a fourth bedroom.
13. Whilst there would be a degree of conflict with the standards set out in DMP Policy DMHB18, based on the circumstances of the site I consider the development would not have a significant adverse effect on the living conditions of the current and future occupiers of the appeal property with particular regard to the provision of outdoor space. It would also accord with DMP Policy DMHD 1 which requires that adequate garden space is retained. On balance, I consider that this aspect of the proposal would accord with the development plan, read as a whole.

Other matters

14. The benefits of the proposal are acknowledged, such that it would provide additional living space at the property. However, these benefits are limited and would not be sufficient to outweigh the harm identified above.

Conclusion and Recommendation

15. The proposal would not have a significantly adverse visual effect on the living conditions of the current and future occupiers of the host dwelling, with particular regard to the provision of outdoor amenity space. However, this would not outweigh the significant adverse effect on the character and appearance of the host building and the surrounding area and conflict with the development plan policies in this regard. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR