

Appeal Decision

Site visit made on 17 June 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 30 June 2021

Appeal Ref: APP/R5510/D/21/3272176

183 Torcross Road, Ruislip HA4 0TG

- 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 Aref Khalegi against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75777/APP/2021/212, dated 13 January 2021, was refused by notice dated 24 March 2021.
 - The development proposed is the erection of a part two storey part single storey side/rear extension, porch to front and installation of Juliette balcony with alterations to fenestration.
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Decision

1. The appeal is dismissed insofar as it relates to the part two storey part single storey side/rear extension. The appeal is allowed insofar as it relates to the erection of the porch and planning permission is granted for the erection of the porch at 183 Torcross Road, Ruislip HA4 0TG in accordance with the terms of the application, Ref 75777/APP/2021/212, dated 13 January 2021, subject to the following conditions:
 1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
 2. The development of the porch hereby permitted shall be carried out in accordance with the following approved plans: 1805/1; 1805/2; 1805/3; 1805/4 and 1805/6.
 3. The materials to be used in the construction of the external surfaces of the porch hereby permitted shall match those used in the existing building.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area and the host property.

Reasons

3. The appeal property is a 2-storey semi-detached dwelling located at the junction of Torcross Road and Queens Walk which is within a predominantly residential area. To the north and east of the property are areas of open space. The property has already been altered by a change from a hip to gable
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roof form and the erection of a rear roof extension. The gable roof is symmetrical with the other semi-detached dwelling.

4. By reason of siting and its wider context, the property is in an isolated and prominent location and, together with its rear garden, makes a positive contribution to the open and spacious character and appearance of the streetscene, especially the area around the junction. There are clear views of the side and rear of the property, and its roof extension, from the open space and Queens Walk.
5. The proposed development includes the erection of a porch, a side extension and a rear extension. Alterations are proposed to the existing roof extension. Policy DMHD 1 of the Hillingdon Local Plan: Part 2 Development Management Policies (HLP) provides criteria for the assessment of alterations and extensions to dwellings.
6. When viewed from Torcross Road, the proposed 2-storey side elevation and porch would appear subservient to the host property. The isolated siting of the property does mean that there is not a clear building line along Queens Walk to the north of the property which needs to be respected. However, when viewed from Queens Walk and the open space, the scale and bulk of the proposed 2-storey side extension, which would extend into the garden beyond the existing rear elevation, would be a visually and physically dominant addition to this prominently sited property.
7. Although the gap between the property's flank wall and the boundary with Queens Walk does not make a significant contribution to the open and spacious character of the streetscene, because of its bulk, siting, length and height the proposed 2-storey side elevation would itself be a visually prominent feature. Although modest, the scale and design of the proposed side elevation would increase the property's prominence and reduce the contribution made by the resulting property to the open and spacious character. It would not make a positive contribution to the appearance of the streetscene.
8. The siting and scale of the proposed side and rear extensions would result in neither the over development of the property's curtilage nor a cramped form of development. However, cumulatively with the roof extension, the 2-storey side and single storey rear extensions would visually and physically dominate the host property rather than be subservient additions.
9. There would be a difference between the hipped roof form of the proposed side extension and the now gable roof of the property. The difference in roof form would not successfully physically or visually integrate the proposed side extension with the original property.
10. Reference has been made by the appellant to a number of other dwellings where side extensions have been erected. However, the detailed planning circumstances of these dwellings have not been provided and, for this reason, limited weight has been given to these other schemes in the determination of this appeal.
11. The appellant has referred to the potential for a split decision to be issued if some elements of the appeal scheme are assessed not to cause unacceptable harm, specifically the proposed porch, alterations to the fenestration of the roof

extension and the erection of a rooflight. The proposed porch does appear to exceed the parameters of what could be erected as permitted development. However, it is unclear to me whether this appeal is capable of amending the fenestration of the current roof extension erected pursuant to a Certificate of Lawful Development because this change may be permitted development. The Council did not address this procedural matter when assessing the application and in the absence of further evidence it is not a matter I am able to determine as part of this appeal. On this basis, the only clearly severable element is the proposed porch which is both physically and functionally independent from the other alterations. Accordingly, there exists the potential to issue a split decision for the porch.

12. The proposed porch would be a relatively modest and subordinate addition to the front elevation of the property which would not detract from the character and appearance of its front elevation. The open and spacious character and appearance of the junction and streetscene would be maintained. A suitable condition could be imposed to require the porch to be erected in external materials to match the host property.
13. For the reasons given, it is concluded that the proposed porch would not cause unacceptable harm to the character and appearance of the surrounding area and the host property and, as such, it would not conflict with Policy BE 1 of the Hillingdon Local Plan: Part 1 Strategic Policies (also HLP) and HLP Policies DMHB 11 and DMHD 1. Conversely, it is concluded that the proposed part two storey part single storey side/rear extension would cause unacceptable harm to the character and appearance of the surrounding area and the host property and, as such, there would be a conflict with HLP Policies BE 1, DMHB 11 and DMHD 1. In addition to criteria for extensions, these policies also require alterations to buildings to be of the highest standards, incorporate good design, appear subordinate to the main dwelling and harmonise with local context. HLP Policy DMHB 12 specifically concerns matters related to works to the public realm rather than extensions to dwellings.

Conditions

14. The Council has suggested several conditions in the event this appeal succeeds which have been assessed against the tests in the National Planning Policy Framework and the Planning Practice Guidance. Conditions are necessary to ensure that the proposed porch is erected in accordance with the approved drawings and, as already identified, matching external materials are used.
15. Accordingly, it is concluded that the appeal should be dismissed for the erection of the part two storey part single storey side/rear extension but allowed for the erection of the porch.

D J Barnes

INSPECTOR