
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/21/3271134

50 Rodney Gardens, Eastcote HA5 2RP

- 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 Zinat Nourouz against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 45146/APP/2020/3755, dated 16 November 2020, was refused by notice dated 1 February 2021.
 - The development proposed is described as the erection of a front porch extension, new glass box conservatory extension at rear, extension of an existing outdoor canopy at rear and alterations to fenestration from diamond lead to Georgian lead glazing. Conversion of an existing garage into a pottery studio with the insertion of rooflights in the roof slope.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a front porch extension, new glass box conservatory extension at rear and the extension of an existing outdoor canopy at rear. The appeal is allowed insofar as it relates to the conversion of an existing garage into a pottery studio with the insertion of rooflights in the roof slope and planning permission is granted for the conversion of existing garage into a pottery studio with insertion of rooflights in the roof slope at 50 Rodney Gardens, Eastcote HA5 2RP in accordance with the terms of the application, Ref 45146/APP/2020/3755, dated 16 November 2020, 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 the following approved plans: S01; S02 Rev A; S03; C01 Rev A; C02; C04 and C05.
 3. The pottery studio hereby permitted shall not be used for any purposes except for a pottery studio ancillary to the residential use of 50 Rodney Gardens.

Procedural Matter

2. Since the appeal application was determined the new London Plan has been adopted and previous Policy 7.8 has been replaced by Policy HC1. A copy of the updated policy has been provided by the Council but it does not raise new matters in the determination of this appeal.
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Main Issue

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

Reasons

4. The appeal property is an altered bungalow situated at the junction of Rodney Gardens and Dovecot Close. The prominent appearance of the property at this junction and its rear garden are accentuated by the elevation of the property's ground level above Dovecot Close.
5. Within the rear garden of the property there is an existing garage which is proposed to be used as ancillary accommodation, specifically a pottery studio. Subject to a condition restricting the use of this garage as referred to on the Planning Officer's report, the Council has not objected to the proposed use and the erection of rooflights. A condition would be necessary to limit the use of the garage to a pottery studio ancillary to the residential use of the property to protect the living conditions of the occupiers of neighbouring dwellings.
6. The appellant has referred to the potential to issue a split decision and the proposals for the garage and the proposed alterations to the property are clearly severable and both elements are physically and functionally independent. Accordingly, there exists the potential to issue a split decision in this case.
7. The property is located within the Eastcote Park Estate Conservation Area where there is a statutory duty to preserve or enhance the character or appearance of the area. This statutory duty is echoed in Policy HE 1 of the Hillingdon Local Plan: Part 1 Strategic Policies, Policies DMHB 1 and DMHB 4 of the Hillingdon Local Plan: Part 2 Development Management Policies (both documents are referred to as HLP) and Policy HC1 of the London Plan (LP).
8. From what was observed, the Conservation Area has a spacious and verdant character with grass verges, street trees and with dwellings set back from footways to the rear of landscaped gardens which are also used for parking. Where rear gardens are visible from the roads they positively contribute to this character and, because of its siting at the junction and elevation above Dovecot Close, this applies to the rear garden of the property.
9. There is a mix of detached and semi-detached houses and bungalows within the Conservation Area. A number of dwellings, including the cluster of bungalows within which the property is situated, have bay windows and modest sized porches. These bay windows remain the dominant features of the front elevations of these dwellings with their porches appearing as subservient additions.
10. The proposed development includes the erection of a front porch which would, by reason of scale and siting, visually and physically compete with the property's bay window. The proposed porch would project forward of the existing bay window and because of its size and forward projection it would have the appearance of an incongruous and visually dominant addition to the property. This unacceptable harm would be accentuated by the prominence of the property at the junction and the disruption caused to the cohesive design of

the cluster of bungalows. The proposed porch would detract from the positive contribution the property makes to the character and appearance of the streetscene and wider Conservation Area.

11. Alterations have already been made to the rear of the property, including single storey extensions and the erection of a canopy to create an outdoor covered space. The proposed development includes a glass walled infill extension which would be sited adjacent to the property's boundary with Dovecot Close. By reason of the height of the boundary fence and the difference in ground levels the upper part of this proposed extension would clearly be visible from the road.
12. By reason of size and siting, the proposed extension would be subordinate in scale to the property and would not materially alter the appearance of the rear garden, including its contribution to the spacious and verdant character and appearance of the Conservation Area. However, rather than be of a high quality of design, the box like form and choice of materials would represent an incongruous addition to what remains a traditionally designed bungalow with rendered walls and tiled roof. Further, and as claimed by the Council, the use of the proposed extension as part of a bedroom would also require some form of screening to be erected for privacy reasons. The erection of such screening would diminish the lightweight appearance of the extension when viewed from the road.
13. An existing canopy projects from a previous rear addition to the property. The Council claim that the canopy has been erected without consent albeit limited evidence about its status has been provided. I have determined the appeal on the basis that the proposed development includes an extension to the existing structure.
14. By reason of its siting, size, design and materials, the canopy does not make a positive contribution to the appearance of the property. The proposed increase in the size of the canopy would accentuate this existing harm to the character and appearance of the traditionally designed bungalow. Although the verdant and spacious character and appearance of the rear garden would not be diminished, the enlarged canopy would be a visually dominant addition to the rear of the property and it would be seen from Dovecot Close.
15. The appellant has identified that the property's windows could be altered without the need for planning permission. However, this matter does not outweigh the unacceptable harm caused to the property by the proposed porch, rear extension and extended canopy.
16. The proposed extension and canopy would have a neutral effect on the character and appearance of the Conservation Area. However, the erection of the proposed porch would fail to preserve the character and appearance of the Conservation Area. Although the harm to the heritage significance of the Conservation Area would be less than substantial, other than creating additional accommodation no other public benefits have been identified which would outweigh the great weight which should be given to the conservation of a designated heritage asset.
17. For the reasons given, it is concluded that the proposed front porch extension, the new glass box conservatory extension at rear and the extension of an existing outdoor canopy at the rear 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 LP Policy HC1 and HLP Policies BE 1, HE 1, DMHB 1, DMHB 4 and DMHB 11. In addition to heritage matters, these policies require alterations to buildings to be of the highest standards, incorporate good design and harmonise with local context. HLP Policy DMHB 12 specifically concerns matters related to the public realm rather than alterations to dwellings.

18. Conversely, it is concluded that the conversion of an existing garage into a pottery studio with the insertion of rooflights in the roof slope would not cause unacceptable harm to the character and appearance of the surrounding area and the host property and, as such, there would not be a conflict with LP Policy HC1 and HLP Policies BE 1, HE 1, DMHB 1, DMHB 4 and DMHB 11.

Conditions

19. 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 Practice Guidance. Conditions are necessary to ensure that the alterations to the garage would be undertaken in accordance with the approved drawings and, as already identified, there should be a condition limiting the use of the pottery studio.

Conclusion

20. For the reasons given, it is concluded that the appeal should be dismissed insofar as it relates to the erection of a front porch extension, new glass box conservatory extension at rear and the extension of existing outdoor canopy but should be allowed insofar as it relates to the conversion of an existing garage into a pottery studio with the insertion of rooflights in the roof slope.

D J Barnes

INSPECTOR