



Appeal Decision

Site visit made on 5 July 2021

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th July 2021

Appeal Ref: APP/R5510/D/21/3272895

47 Rushdene Road, Eastcote HA5 1SW

- 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 Parin Avari against the Council of the London Borough of Hillingdon.
 - The application Ref 16433/APP/2020/4228, is dated 16 December 2020.
 - The development proposed is rear conservatory with roof lantern that does not exceed 3.4m in height.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal property is a two-storey dwelling situated to the east of Rushdene Road with a small garden to the front and an enclosed garden to the rear. The property has been previously extended by way of roof extensions including two side dormers and a single storey rear extension.
4. The proposed single storey conservatory would be attached to the previous rear extension and would measure around 3.5m in length resulting in a cumulative depth of approximately 7m. This would result in a very elongated and contrived built form at ground floor level which would appear disproportionate in scale to the original dwelling.
5. Although the proposed conservatory would be single storey and set in from one side it would, nevertheless, occupy a substantial proportion of the existing full width extension. Overall, I consider that the cumulative scale and bulk of the existing and proposed extensions would fail to appear subservient and harm the character and appearance of the host property.
6. In this regard, the proposal would be contrary to parts A and B of Policy DMHD 1 of the Council's recently adopted Local Plan Part 2 – Development Management Policies (LPP2 – DMP) which, amongst other things, requires new extensions to appear subordinate to the main dwelling in their floor area, width, depth and height.

7. The Council has considered the proposal against criterion i) of Part B of Policy DMHD 1 which states that single storey rear extensions on terraced or semi-detached houses with a plot width of 5m or less should not exceed 3.3m in depth of 3.6m where the plot width is 5 metres or more.
8. Criterion ii) of Part B of the policy requires that single storey rear extensions to detached houses with a plot width of 5m or more should not exceed 4m in depth and should appear subordinate to the main dwelling in their floor area, width, depth and height.
9. There is a degree of attachment at ground floor level with numbers 45 and 49 Rushdene Road (Nos 45 and 49) due to previous extensions, although gaps remain at both sides at a first-floor level. However, due to the cumulative depth of the existing and proposed extensions, the proposal would in any event exceed the parameters set out at both criterion i) and ii) of part B of Policy DMHD 1. Furthermore, paragraph A1.7 of Appendix A of the LPP2 - DMP is clear that the addition of conservatories or other extensions to buildings that have already been extended will not be permitted.
10. I acknowledge that the proposed conservatory would not be readily visible in the street scene. However, there is a degree of intervisibility between neighbouring properties to the rear and whilst there are fences and landscaping on the boundaries these may be removed at some point and so cannot be relied upon for mitigation. Furthermore, the proposal would also be visible from upper floor windows of neighbouring properties. Consequently, there would be harm, albeit limited, to the character and appearance of the surrounding area resulting in conflict with criterion i), Part A of Policy DMHD 1 of the LPP2 - DMP.
11. A rear extension was being constructed at the adjacent property, No 49 at the time of my site visit. Whilst no details of this case have been provided; the proposed extension for the appeal property would protrude beyond the extension at No 49.
12. The proposal would have some benefits in terms of the provision of additional living space for the existing occupiers; however, these benefits would not outweigh the harm which I have identified.
13. For the reasons stated, the proposal would harm the character and appearance of the host property and the surrounding area. The proposal is, therefore, contrary to Policies DMHD 1 and DMHB 11 of the Council's recently adopted LPP2 - DMP which together seek to ensure a high standard of new development which harmonises with the local context.

Conclusion

14. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector