



Appeal Decision

Site Visit made on 19 October 2021

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 1 November 2021

Appeal Ref: APP/R5510/D/21/3281126

Perspolis House, Robinwood Grove, Uxbridge UB8 3TW

- 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 Shahriyar Ebrahimpour Ardabili against the decision of London Borough of Hillingdon.
- The application Ref: 72647/APP/2021/1927, dated 12 May 2021, was refused by notice dated 19 July 2021.
- The development proposed is described as 'changing the existing roof and the loft floor.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development set out above is taken from the application form. This was amended by the Council to 'raising of the ridge height of the roof, creation of a first floor and conversion of roof space to habitable use to include three rear dormer, three front dormers and conversion of both sides of the roof from hip to gable end.' The appellant asserts that the Council's assessment that the proposal creates a first floor is misleading. Nevertheless, the amended description is used in the appeal form and the grounds of appeal. I consider the amended description to be a more accurate representation of the appeal proposal and I have therefore determined the appeal on that basis.
3. The appeal property is located within the Hillingdon Village Conservation Area (the HVCA). Mindful of my statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), in determining the appeal I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the host building and the area, having particular regard to its location within the HVCA; and

- If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposed development.

Reasons

5. The appeal site occupies a prominent position at the junction of Robinwood Grove and Royal Lane. The appeal building is a modest, detached, three-bedroom dormer bungalow, with a hipped roof and single dormer window at the rear. It is slightly set-back from the highway and is enclosed at the front by a low boundary wall and railings and at the sides and rear by a combination of a brick wall and a close-boarded timber fence.

Whether inappropriate development in the Green Belt

6. The Framework confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, subject to a number of exceptions, including c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
7. Policy EM2 of the London Borough of Hillingdon Local Plan: Part One - Strategic Policies, 2012 (HLP-P1) confirms that any proposals for development in the Green Belt will be assessed against national and London Plan policies, including the very special circumstances test. Policy DMEI 4 of the London Borough of Hillingdon Local Plan: Part Two – Development Management Policies, 2020 (HLP-P2) advises amongst other things that inappropriate development in the Green Belt will not be permitted unless there are very special circumstances; and that extensions will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and the purposes for including land within it, than the existing development. In addition, Policy G2 of the London Plan 2021 (LP 2021) seeks to protect Green Belt land from inappropriate development. In these respects, the HLP and the LP 2021 are consistent with the Framework.
8. The Framework does not define the term 'disproportionate additions' and I am mindful that neither the Framework nor any policies of the HLP specify what percentage increase in either floor area or volume would represent a disproportionate addition. Any assessment is therefore a matter of planning judgement with each case determined on its own merits.
9. The appeal proposal would see the existing dormer bungalow extended upwards to provide additional habitable accommodation at first floor level. To facilitate this, the elevations would be built up and a new pitched roof installed incorporating three half dormers at the front and three half dormers at the rear.
10. The footprint of the building would not change and the increase in the height of the building at eaves and ridge level would not be excessive. Nevertheless, the proposal would result in an increase in the internal floor area of approximately 36%. More significantly, due to the reconfiguration of the roof, the proposal would lead to a substantial increase in the volume of the property of about

50.77%. Taking these factors together, the proposal would result in a sizeable addition to the property, and one which would be disproportionate over and above the size of the original building.

11. Accordingly, I conclude that the proposed development would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies. It would therefore conflict with the provisions within the Framework which seek to protect the Green Belt and the policies referred to above, namely, Policy EM2 of the HLP-P1, Policy DMEI 4 of the HLP-P2 and Policy G2 of the LP 2021.

Openness of the Green Belt

12. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As such, openness is an essential characteristic of the Green Belt which has both spatial and visual aspects.
13. Notwithstanding the presence of large neighbouring properties and their associated outbuildings, the openness of the Green Belt is clearly evident around the appeal property and in the wider area.
14. Even though the property's footprint would remain the same, the appeal proposal would result in the introduction of sizeable built form at first floor level into space where currently there is none. Moreover, given the property's highly prominent roadside location, the additional height, bulk and massing of the dwelling would be highly conspicuous when viewed from the public routes of Royal Lane and Robinwood Grove.
15. In these regards, the proposed development would harmfully reduce the openness of the Green Belt. Although I acknowledge that, given the scale and nature of the proposal, the harm to openness would be limited and localised.
16. I therefore conclude that the proposed development would not preserve, and would have a harmful effect on, the openness of the Green Belt. As such, it would conflict with Policy EM2 of the HLP-P1 and Policy DMEI 4 of the HLP-P2 referred to above and the provisions within the Framework which seek to preserve the openness of the Green Belt.

Character and appearance

17. The appeal site is located outside of the historic core of the Village and within the HVCA. Although there are other properties and buildings along Robinwood Grove, the area surrounding the appeal site is generally undeveloped and open in character.
18. The expansive open spaces and mature tree cover impart a strong spacious quality and pleasing verdant appearance to the area. They provide a wider setting to the, architecturally rich, built historic core of the Village and the landmark Bishopshalt School, which augment the area's local distinctiveness and sense of place. Together, these elements make a positive contribution to the character and appearance of the HVCA as a whole and thereby to its significance as a designated heritage asset.
19. The appeal property replaced a derelict lodge building of the same footprint and a similar scale. Whilst located in a prominent position, in close proximity to

the highway, its modest size and scale, low lying form and muted palette of materials means that it does not compete with or detract from the spacious nature of its surroundings. In these regards, the building makes a neutral contribution to the character and appearance of the area and thus the HVCA.

20. The proposed development, particularly the conversion of the roof from hipped to pitched combined with its increased height, would substantially increase the bulk and massing of the building. This would radically and detrimentally modify the building's existing unassuming form and appearance. It would also cause it to jar with the low lying form of nearby buildings also sited adjacent to the highway and disturb the generally open and spacious quality of the surrounding area. This would undermine some of the positive characteristics of the locale and have a negative impact on how the HVCA is experienced.
21. The building's prominent roadside position within the street scene would mean that the changes to the building and their harmful effects would be highly visible and readily perceived when viewed from the adjacent public routes.
22. I am cognisant that the proposal would possess architectural references to other buildings within the area, be constructed of complementary materials and be of high quality construction. I also note the reference within the Design and Access Statement of the appellant's willingness to amend the design of the half dormers. Nevertheless, these factors would not be sufficient to overcome the fundamental objections to the resultant adverse size, bulk and massing of the building within the street scene.
23. I note the presence of large neighbouring properties, such as Greensleeves and Nos 1 to 26 Robinwood Grove. However, these buildings are set well back from the main highway of Royal Lane and screened in part by boundary treatment and tree cover. As such, their presence within the street scene and effects on the wider context are reduced and do not justify the proposal.
24. Taking all of the above into account, I find that the proposal would harm the character and appearance of the host building and the area. In doing so, it would fail to preserve or enhance the character and appearance of the HVCA as a whole and would harm the special interest and significance of a designated heritage asset. Given that the effects of the proposal would be limited to a single building and specific views within the HVCA, I find that, in terms of the Framework, the harm would be 'less than substantial' but nevertheless of considerable importance and weight.
25. Under such circumstances the Framework advises that this harm should be weighed against the public benefits of the proposal. The construction of the extension would generate some economic benefits in line with the objectives of the Framework. Nevertheless, the main benefit which would flow from the alterations would essentially be of a private nature in the provision of additional habitable accommodation for existing and future occupiers of the property.
26. On this basis, the public benefits accruing from the proposal are not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found.
27. In conclusion, the proposal would have a harmful effect on the character and appearance of the host building and the area and, in turn, fail to preserve or enhance the character or appearance of the HVCA. This harm is not outweighed

by the very limited public benefits which would be delivered by the development. This would fail to meet the requirements of section 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also be contrary to Policies BE1 and HE1 of the HLP-P1; Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the HLP-P2; and Policy HC1 of the LP 2021. Together and amongst other things, these policies seek development to be of a high quality and incorporate principles of good design; make a positive contribution to the local character and distinctiveness of the area; be well-integrated with the surrounding area and accessible; and conserve and enhance the historic environment and heritage assets, including conservation areas.

Other considerations

28. The proposal would increase and enhance the habitable accommodation within the property and I note the appellant's contention that in order to make the dwelling suitable for modern day living, 'sizeable extensions' should be appropriately anticipated. However, this is not a consideration which justifies the acceptance of the proposal and, as such, carries little weight.
29. The appellant asserts that the alterations would enhance the building and thus preserve the character and appearance of the locale. However, I have concluded otherwise and found harm in this regard.
30. The proposal would deliver some economic benefits. However, these would be modest given the extent of the development proposed.

Planning Balance and Conclusion

31. As set out above, the proposed development would constitute inappropriate development in the Green Belt which should not be approved except in very special circumstances. It would also not preserve, and would have a harmful effect on, the openness of the Green Belt. Substantial weight should be given to any harm to the Green Belt. It would also have a harmful effect on the character and appearance of the host building and the area and, as such, would not preserve or enhance the character and appearance of the HVCA.
32. Very special circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. Having regard to the other considerations advanced by the appellant, they are not sufficient individually or collectively to clearly outweigh the substantial weight which must be given to the Green Belt harm and the other harm I have found. Therefore, they do not amount to the very special circumstances required to justify the proposed development.
33. The proposal would be contrary to the development plan and the Framework taken as a whole. There are no other material considerations which indicate that the decision should be determined other than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR