



Appeal Decision

Site visit made on 25 January 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/R5510/W/21/3284847

60 Wingfield Way, Ruislip HA4 6RH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Harshad Patel against London Borough of Hillingdon.
 - The application Ref 61307/APP/2021/2462, is dated 19 June 2021.
 - The development proposed is erection of rear conservatory.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. This appeal results from the failure of London Borough of Hillingdon to determine the application within the relevant statutory period. The Council have submitted a statement detailing that if they had determined the application consent would have been refused, referring to harm in a number of specific aspects.
3. At the site visit I saw that a substantial outbuilding had been erected to the rear of the appeal property. This outbuilding is not detailed on the submitted plans and is not referenced by the Officer's report. That this outbuilding has been constructed is a material consideration in the determination of the appeal and the parties have been given the opportunity to make comments.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area, including the appeal property.

Reasons

5. Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) (the DMP), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) (the HLP) are relevant to the consideration of the appeal scheme.
6. The Policies, amongst other matters, seek to ensure that development is of a high design quality and respects the context of surrounding development. Policy DMHD1 of the DMP details specific requirements and refers to the need to avoid a "adverse cumulative impact" and that new extensions should "appear subordinate to the main dwelling"

7. I saw at the site visit that the appeal property has the appearance of a modest bungalow located on a well proportion plot with space to the front, side and rear.
8. The submitted plans show that the proposed conservatory extension is 4m wide and 3m deep. However, I note that this results in an approximately 7m projection from the rear of the original building, as a result of the existing extension, detailed by the Officers Report as being erected under the prior approval procedure.
9. The proposed conservatory is set off the boundary with the attached property and it is not at dispute between the main parties that the appeal scheme will not harm the living conditions of the occupiers of the neighbouring properties. Based on the evidence before me I find no substantive reason to conclude otherwise.
10. However, as a result of the cumulative impact of the existing extension and appeal scheme, I find that the conservatory would not appear subordinate to the main dwelling and as such would harm the character and appearance of the area, including the appeal property contrary to Policies DMHB 11 and DMHD 1 of the DMP and Policy BE1 of the HLP.

Other Matters

11. At the site visit I saw that an outbuilding had been constructed in the rear garden. This structure is not shown on the submitted plans. In combination, this outbuilding, the proposed conservatory and the existing rear extension to the main dwelling would substantially reduce the private outside space available to future residents, harming the living conditions of those future occupiers.

Conclusion

12. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR