

Appeal Decision

Site visit made on 7 February 2024

by J N Seymour BA (Hons), MSc, MRTPI

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

Decision date: 26.02.2024

Appeal Ref: APP/R5510/D/23/3333912

32 Dene Road, Northwood, Hillingdon, HA6 2BT

- 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 Kirishnathasan Thillainather against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref: 77349/APP/2023/2065, dated 10 July 2023, was refused by notice dated 6 September 2023.
 - The development is described as: 'proposed front porch'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'proposed front porch' at 32 Dene Road, Northwood, Hillingdon, HA6 2BY. This is in accordance with the terms of the application, Ref: 77349/APP/2023/2065, dated 10 July 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 2022/60-01P – Existing & Proposed Ground Floor Plan
 - 2022/60-02P – Existing Elevations
 - 2022/60-03P – Proposed Elevations
 - 2022/60-04P – Location & Block Plans

Main Issue

2. The main issue in this appeal is the effect on the character and appearance of the area having regard to the Dene Road Area of Special Local Character.

Reasons

3. The appeal site comprises a detached dwelling on Dene Road, a residential street which forms part of the Dene Road Area of Special Local Character (ASLC). The appeal proposal consists of the erection of a porch over the main entrance to the dwelling on its principal elevation.
 4. Policy DMDH 1 of the Hillingdon Local Plan Part Two – Development Management Policies 2020 ('HLP Part Two') states that porches should be subordinate in scale and individually designed to respect the character and features of the original building.
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5. The porch would have a hipped roof design and an equivalent eaves height to replicate the roof structure covering the bay window and garage that would be positioned on either side of the porch. The ridge height of the porch would also be below the garage roof covering. I consider that this would ensure the porch would be of an appropriate scale and would appear subservient to the main dwelling when viewed in the street scene, whilst respecting the architectural style and character of the original building.
6. The porch projects beyond the principal elevation of the dwelling but it would not appear bulky in this context as it would be a modest structure in comparison to the much larger dwelling to which it would be attached. The porch would not appear prominent in the street scene because of the subservient design described above and due to the fact the host dwelling is set back considerably from the street.
7. The Council raises concerns regarding the two columns that would support the roof structure of the porch, citing paragraph A1.15 of HLP Part Two which states that classical columns and pediments will not be acceptable for porches unless they are a feature of the original house. However, this paragraph is part of the supporting text acting as interpretative guidance to Policy DMDH 1, but is not a part of the policy itself, and case law¹ dictates this carries less weight. The compliance with the policy as a whole outweighs what I consider to be a minor conflict in terms of the use of columns contrary to the guidance contained within paragraph A1.15 of the HLP Part Two.
8. Furthermore, on my site visit, I noted similar examples of columns being used for other porch structures within the ASLC which have not materially harmed its character and appearance. I consider the subservient nature of the porch and its roof configuration to match that of the main dwelling follows the principles of good design which would preserve the character and appearance of the ASLC.
9. In light of the above, I conclude that the proposal would not harm the character and appearance of the area having regard to the Dene Road ASLC. It would therefore accord with Policies DMDH 1, DMHB 5 and DMHB 11 of the HLP Part Two and Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies 2012, which collectively require residential extensions to be subservient, incorporate the principles of good design and to respect the design of the original house.

Other Matters

10. The Council has cited Policy DMHB 12 of the HLP Part Two in their reason for refusal. This policy deals with the development of streets and the public realm, rather than residential alterations and extensions. Therefore, I do not consider this policy to be determinative in my decision.

Conditions

11. The proposal is subject to standard conditions instructing that the development is constructed within the statutory three-year time period and in accordance with the approved plans.

¹ Gill, R (on the application of) v London Borough of Brent [2021] EWHC 67 (admin) (18 January 2021)

Conclusion

12. For the reasons given above, I conclude the appeal should be allowed and planning permission is granted.

J N Seymour

INSPECTOR