
Appeal Decision

Site visit made on 5 September 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2024

Appeal Ref: APP/R5510/W/24/3340666

58 Long Lane, Hillingdon, Ickenham UB10 8SZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Thomas Ho (Hang Kwong Ho) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 18540/APP/2023/3202.
 - The application sought planning permission for single storey side extension, porch to front involving demolition of existing garage, porch and shed and replacement boundary wall and installation of bike/store without complying with a condition attached to planning permission Ref 18540/APP/2020/3644, dated 22/12/2020.
 - The condition in dispute is No 2 which states "The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers D01 Rev A, D02 Rev A, D03 Rev A, D04 Rev A, D05 Rev A, D06 Rev A, D07 Rev A and D08 Rev A".
 - The reason given for the condition is: to ensure the development complies with the provisions of the Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2016).
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Decision

1. The appeal is allowed and planning permission is granted for single storey side extension, porch to front involving demolition of existing garage, porch and shed and replacement boundary wall and installation of bike/store at 58 Long Lane, Hillingdon, Ickenham UB10 8SZ in accordance with application 18540/APP/2023/3202 made on 03/11/2023 without complying with condition 2 set out in planning permission Ref 18540/APP/2020/3644 granted on 22/12/2020 by the Council of the London Borough of Hillingdon otherwise subject to the following conditions:
 1. The development hereby approved shall be carried out in accordance with the following plans and drawings – Drawing Nos P9/001,002, 003 and 004
 2. The materials to be used in the construction of the external surfaces of the development hereby permitted (the extensions, store and boundary treatment) shall match those used in the existing building and shall thereafter be retained as such.

Background and Main Issue

2. Planning permission for development described in the banner heading was approved on 22 December 2020. This planning permission included a number of conditions, one of which required that the development be carried out in

accordance with the submitted plans. The appellant wishes to vary this condition and replace it with a condition which substitutes drawings to show a front porch. At my site visit I observed that the development appears to have been carried out in accordance with the plans for which approval is sought.

3. The Council's statement indicates that the condition is necessary due to the effect on the character and appearance of the appeal property and the surrounding area including the Ickenham Village Conservation Area (CA). This is consistent with the reason for the condition given on the decision notice. Taking the above into account, the main issue is the effect that varying the condition would have on the character and appearance of the appeal property and the surrounding area including the CA.

Reasons

4. Long Lane is a wide residential street which comprises properties of varying architectural styles within spacious, landscaped plots. The site is within the Ickenham Village Conservation Area (CA). The statutory requirements¹ entail that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. The significance of the CA seems to derive from its regimented settlement pattern, open spaces and well-defined front building lines. However, there is a considerable amount of variation in terms of the appearance of built form across the CA. As a large, traditional detached dwelling occupying a spacious corner plot bordered by mature planting, the appeal site contributes positively to the verdant and spacious street scene.
6. Whilst visible from the immediate surrounding area, in the context of the large host dwelling and plot, the open-sided porch does not dominate these views or appear excessive in scale. The articulation of the porch and palette of materials is consistent with the design of the host dwelling. Consequently, the porch does not appear as an over-dominant or obtrusive feature in the context of the host building. Additionally, whilst canopy porches of the depth proposed do not appear to be a particular characteristic of the area or the wider CA, given the variety in built form in the surrounding area, the porch extension does not appear as a discordant feature within the varied street scene.
7. In light of the above, the character and appearance of the appeal property, and the Conservation Area within which it sits, would be preserved. Therefore, I find no conflict with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1– Strategic Policies (2012) or Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 or DMHD 1 of the Hillingdon Local Plan: Part 2 Development Management Policies (2020), which seek, amongst other things, to ensure a high standard of design that preserves or enhances the character or appearance of Conservation Areas within the Borough. I also find no conflict with the Framework, which requires that great weight to be given to an asset's conservation when considering the impact of a proposal on its significance.

Other Matters

8. Concerns regarding the retrospective nature of the appeal are noted however, I have determined the appeal on the merits of the scheme in front of me. Additionally, concerns regarding skylights, gates and an extended front drive,

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

which it is stated are not in accordance with the approved plans, are noted. However, I am tasked with determining the plans before me.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed and grant a new planning permission replacing the disputed condition with an amended condition which reflects the amended design but retaining the non-disputed condition from the previous permission that appears still to be relevant. A condition relating to the commencement of development is not needed since the development has already been carried out.

N Robinson

INSPECTOR