



Appeal Decision

Site visit made on 31 July 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2024

Appeal Ref: APP/R5510/W/23/3329120

8 Cleveland Road, Hillingdon, Uxbridge UB8 2DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr P Caraco against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 32669/APP/2023/1483.
 - The development proposed is erection of new end of terrace dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An amended Block Plan was submitted by the appellant just before the Council made its decision on the planning application. The amended Block Plan shows a reconfigured arrangement of the outdoor private amenity space for the proposed dwelling. However, it does not appear that the Council considered or would have had an opportunity to consult on this amended Block Plan in determining the planning application.
3. Moreover, whilst the amended Block Plan shows an increase in private outdoor amenity space for the proposed dwelling, this would be at the expense of a significant reduction in the outdoor amenity space for Flat 8A Cleveland Road. Despite Flat 8A being in the same ownership as the appeal site, there is no certainty that neighbours were consulted on this amended Block Plan or, if they had been, given the unchanged plan numbers, there is no certainty that they would have had cause to appreciate the appellant's revision. Accordingly, and in the interests of fairness, I have determined the appeal on the basis of the Block Plan, as originally proposed, which shows an outdoor private amenity space of about 41 sqm for the proposed dwelling.

Main Issues

4. The main issues are:
 - i) the effect of the proposal on the character and appearance of the area including The Greenway Conservation Area; and ii) the quality of the proposed accommodation with regard to its private outdoor amenity space.

Reasons

Character and appearance

5. The appeal site comprises a single storey garage and land to the rear of this. The garage is attached to the side of 8 Cleveland Road ('host property'). This is

a two storey detached property, sub-divided into two flats and is situated on the junction of Cleveland Road and Villier Street.

6. The host property forms part of a row of mainly individually designed detached properties along Cleveland Road that form part of The Greenway Conservation Area. This Conservation Area incorporates mainly detached and semi-detached dwellings in a range of styles and scales. I observed that a number of these properties have been extended. Consequently, and in particular along Cleveland Road, the spacing between properties is also varied.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced. Based on my observations the significance of The Greenway Conservation Area is largely derived from the varied architecture of its dwellings.
8. The host property is characterised with a hipped roof, brick walls and white framed windows. The property incorporates a hardstanding frontage and a paved rear amenity area which is subdivided for the existing flats.
9. The proposal seeks to demolish the existing single storey side garage and replace this with a two storey, two bedroom dwelling.
10. The proposed dwelling would be attached to, and about half the width of the host property. This would also be slightly set back from Cleveland Road, relative to the host property. The roof form and overall height of the proposed dwelling would also be set down from the existing roof ridge by about 0.5m.
11. Also, the new dwelling would be located about 1m from the shared boundary with the property to the south, whereas the existing garage is built up to this boundary. Overall, the proposed arrangement would create an appreciable gap between the property to the south and the host property. Therefore, the proposed dwelling would not appear cramped within the wider plot associated with the host property.
12. The external finishes of the proposed dwelling would match the host property. The proposed fenestration arrangement would also be broadly consistent with the existing. Consequently, the proposed dwelling would have a similar appearance to the host property. The entrance to the proposed dwelling would be located to the side. As such, it would not be readily apparent that this is a separate unit of accommodation.
13. Based on the above observations, the proposed dwelling is designed as a subordinate and proportionate extension to the host property. Within the wider street scene, as extended, the host property would retain the appearance of an individually designed detached property in a generous plot.
14. As a result, the proposed development would complement the character and appearance of the area and this would preserve the significance of The Greenway Conservation Area.
15. Accordingly, the proposal would comply with Policy BE1 of the Local Plan (Part One) (2012), policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), and Policy D3 of the London Plan. These seek, among other matters, for development to harmonise with the

local context taking into account the surrounding scale and height of adjacent structures and a design-led approach that optimises the capacity of a site.

16. I also find no conflict with Policy HE1 of the Hillingdon Local Plan: Part One (2012), which seeks to conserve and enhance the areas historic environment.

Private outdoor amenity space

17. Private outdoor amenity space positively contributes to the quality of dwellings and the health and wellbeing of residents. Table 5.3 of Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires a minimum 60 sqm of private outdoor amenity space for a 2 bedroomed dwelling.
18. The proposed Block Plan shows an external amenity space of about 41 sqm, this would fall considerably short of the Council's minimum requirement. Consequently, the proposal fails to make acceptable provision for outdoor private amenity space. This would significantly compromise the quality of the proposed accommodation for its occupiers. As such, the proposal conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Conclusion

19. I have found that the proposal would not harm the character and appearance of the area or the significance of The Greenway Conservation Area. I have also found that the proposal would fail to provide adequate outdoor private amenity space for the proposed dwelling. For this reason and conflict with the development plan, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR