



Appeal Decision

Site visit made on 3 December 2018

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2018

Appeal Ref: APP/R5510/W/18/3206624

174 Aylsham Drive, Ickenham UB10 8UF

- 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 B Gascoyne against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 35924/APP/2018/960, dated 12 March 2018, was refused by notice dated 29 May 2018.
 - The development proposed is described as *'The proposal involves the subdivision of a plot and the erection of a part sunken 2 storey dwelling, providing one bedroom at ground floor level and living accommodation at lower ground floor level, together with associated car parking and private amenity space'*.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council took its decision but prior to the appeal start date, a revised version of the National Planning Policy Framework (the Framework) has been published. The main parties are aware of the changes and have had the opportunity to comment on the revisions where they may be relevant to this appeal. I have determined the appeal accordingly and in light of the revised Framework.

Main Issues

3. The main issues are:-
 - The effects of the proposal on the character and appearance of the surrounding area;
 - Whether the proposed dwelling would provide an appropriate quality of living accommodation, with particular regard to outlook and outdoor amenity space.

Reasons

Character and appearance

4. Significantly wider at the front than at the rear, the appeal site is a wedge-shaped residential plot on the inside of a sweeping bend in Aylsham Drive. The existing dwelling at No. 174 is an end-of-terrace two storey dwelling, set forward of the remainder of the terrace.

5. The garden area at the side of the house is heavily enclosed by a substantial evergreen hedge immediately to the rear of the pavement. The evergreen hedge carries on around the inside of the bend, beyond the appeal site, to enclose and screen the adjacent electricity sub-station compound and links up with a similar hedge at the front of No. 176.
6. Aylsham Drive has a densely laid out, enclosed and somewhat oppressive feel to it. The estate road felt narrow and dwellings are set close to the back edge of the pavement. With little space around them at the front, the dwellings feel close to the pavement. In this context, areas such as the gap between Nos. 174 and 176 and the space around the junction of Aylsham Drive and Cranston Close therefore provide a welcome sense of relief and something of a breathing space. Here, a greater sense of space and openness is evident compared with the prevailing character and grain of the surrounding area.
7. The proposed dwelling would provide living accommodation over two floors but because of its partly subterranean design it would outwardly have the scale and appearance of a single storey building. Because of its flat roof design, it would be lower overall than the existing attached garage at the side of No. 174. However, although a lower structure than the garage in overall terms, the proposed dwelling's height to eaves would be greater than that of the garage, whilst the garage's receding roofline and set back from the front of No. 174 renders it a relatively unobtrusive feature within the Aylsham Drive streetscene.
8. The slab-fronted dwelling would however have a façade of greater height than that of the existing garage. Furthermore, because of its positioning within the wedge-shaped plot relative to the sweep of the road, it would have a strident presence within the streetscene. This would be exaggerated by the timber fence that would integrate the building's façade into a substantial and lengthy timber fence at the side of No. 174. Together, it the proposed dwelling would be an incongruous addition at the side of No. 174 in the important visual gap between it and No. 176.
9. The incongruous and somewhat obtrusive nature of the fence and building façade would be compounded by the removal of the existing vegetation around the front of the appeal site. In the context of the densely built surrounding area, the hedge and the contribution it makes to the visual gap between Nos. 174 and 176 is a distinctive feature within the estate. The loss of this vegetation, and replacement with a stark fence linking into the proposed dwelling's façade would give the proposed dwelling an incongruous and obtrusive presence within the street.
10. Although the appellant has stated, and the submitted plans appear to confirm, that some form of landscaping would be reinstated around the frontage of the site, I am not persuaded that this would satisfactorily ameliorate the visual impact, both actual and perceived, that the proposed development would have in this location. Whilst there is little of architectural merit about the existing dwellings in the surrounding area, the flat roofed, outwardly single storey-looking dwelling would be an incongruous addition to the street in a prominent location on the inside of a bend in Aylsham Drive. Notwithstanding its outwardly single storey appearance, the proposed dwelling would introduce a not insubstantial building at a point in the estate where the existing visual gap provides an important visual breathing space from the dense and somewhat

oppressive feel of the estate's grain. Its design and siting relative to the sweep of Aylsham Drive, together with the proposed means of enclosure, would be such that I conclude that it would fail to harmonise with, complement or enhance the existing streetscene. As such, the proposal would fail to accord with Hillingdon Local Plan: Part Two – Saved UDP Policies (LP2) policies BE13 or BE19 or London Plan policies 3.5 or 7.4.

11. I note that the Council's first reason for refusal also refers to LP2 policies BE15 and BE22. However, I do not consider either of these policies to relate to the proposal before me as the proposal is neither an extension to an existing building nor, because of its partial subterranean nature, is a building of two or more storeys in height. I therefore give these policies little weight in my consideration of the proposal.

Living conditions

12. The partly subterranean dwelling would provide living accommodation over two floors; ground floor and lower ground floor, with the main living area (living / dining area and kitchen) located at lower ground floor level. A full height void above the lower ground floor living / dining area would facilitate further light penetration across both floors and throughout the depth of the building.
13. Although essentially a single aspect outlook dwelling, the building's rear south-east facing elevation would be entirely glazed, from where direct access to a sunken courtyard garden would be provided from lower ground floor level. The outlook from the lower ground floor area would be across a small patio to a series of terraced steps, but I am satisfied that the appellant has demonstrated by way of a '25° daylight sightline' that the lower ground floor window would be exposed to an adequate level of daylight.
14. Furthermore, sun-path / shadow projections also demonstrate that the rear elevation would receive direct sunlight at midday at most times of the year. At times when shadow is cast, evidenced by the sun-path / shadow projection for the winter solstice, the extent of glazing and uninterrupted sightline would nonetheless continue to provide adequate daylight penetration within the dwelling. Whilst the references to daylight / sunlight and BRE guidelines for 'Site Layout Planning for Daylight and Sunlight' referred to by the appellant from the Hillingdon Design and Accessibility Statement (HDAS): Residential Extensions are not duplicated in HDAS: Residential Layouts, the provisions of paragraphs 3.17 and 3.18 of the former nonetheless seem to me to be equally applicable to the assessment of daylight / sunlight for new dwellings for the purposes of LP2 policy BE20.
15. The Council do not argue that the proposal would provide insufficient external amenity areas. Nor is it argued that the proposal would provide insufficient internal space for a dwelling of the size and nature proposed. Having regard to the minimum space standards set out at table 3.3 of the London Plan¹ and the HDAS: Residential Layouts, I have no reason to reach a different conclusion. A suitably worded condition could ensure the submission of an appropriate landscaping scheme and thus, for the reasons I have set out, I am satisfied that the proposal would provide a satisfactory level of outlook from, and daylight / sunlight to, the proposed dwelling. I am also satisfied that the

¹ Paragraph 6.23, appellant's Grounds of Appeal: July 2018

proposal would provide sufficient quality and quantity of outdoor amenity space and indoor living accommodation.

16. There would therefore, be no conflict with LP2 policies BE19, BE20, BE21 or BE23 or London Plan policy 3.5. Together these policies seek to secure development that provides an appropriate level of residential amenity for future occupants of proposed dwellings. Whilst the proposed development would achieve these aims, these factors are not sufficient to outweigh the harm to character and appearance that I have identified above.

Other Matters

17. In the context of the Framework's support to the Government's objective of significantly boosting the supply of homes, the proposal would deliver an additional dwelling unit that would provide a limited contribution to housing supply within Hillingdon. It is also suggested that the proposal would optimise the use of an underutilised part of the existing garden plot of No. 174, whilst I note that the Council do not object to the broad principle of residential development in a sustainable location. Although these factors weigh in support of the proposal, the weight that I give to them is limited, commensurate with the small scale nature of a proposal for an additional dwelling.
18. I acknowledge that the Council do not object to the proposal on the grounds of its effect on the living conditions of occupiers of neighbouring properties, with particular regard to privacy, outlook or daylight / sunlight. Local residents also object to the proposal in terms of increases in air and noise pollution, congestion and inadequate parking provision. These concerns did not form part of the Council's reasons for refusal and I am satisfied that these matters would not result in a level of harm which would justify dismissal of the appeal.

Conclusion

19. Whilst I have not found harm in relation to living conditions of future occupiers of the proposed dwelling, the lack of harm in this respect does not outweigh the harm that I have identified above in respect of character and appearance. For the reasons set out therefore, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR