



Appeal Decision

Site visit made on 19 June 2018

by Rachel Walmsley BSc MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2018

Appeal Ref: APP/R5510/W/18/3192706

11 Warwick Road, West Drayton UB7 9BT

- 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 John Fenton against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 9746/APP/2017/3485, dated 26 September 2017, was refused by notice dated 7 December 2017.
 - The development proposed is extension to existing offices and the addition of two floors of residential accommodation creating 4 x 1 bedroom apartments.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are:
 - (i) the effect of the proposal on the character and appearance of the area, and;
 - (ii) the effect of the proposal on the living conditions of the occupiers of No 9 Warwick Road, with particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal site is within a residential area, fronting Warwick Road which at the point of the appeal site turns a corner. On one side of the appeal site is a row of two storey frontage properties, surrounding the site's other sides are larger forms of development that extend up to four stories in height and are at various stages of construction. The appeal site is therefore at a point of transition, between the more domestically scaled terraced houses and the larger developments which create a step change in the character of the area. This step change in character is most evident in views from the south of the appeal site looking north.
4. The Council raised no concerns for the design of the development proposed but for the form and scale of the proposal, particularly in relation to the terraced properties to the south of the site. On the basis of the evidence before me I find no other matters related to character and appearance and expressed by

- parties that constitute matters of concern and therefore the focus of my reasoning with regards to character and appearance relates to form and scale.
5. The form and scale of the development would respond to the transitional role the site has, creating a step change between the lower stories of the terraced houses and the larger development to the north. However, the ground floor of the existing offices would be extended with two floors of accommodation which would protrude as far forward as the bay window at No 9 Warwick Road and therefore would protrude forward of the main wall of this property. Combined with the rectangular form of the development at this point and the blank south elevation, the development would appear awkwardly juxtaposed to No 9 and overly dominant and incongruous within the street scene.
 6. This ungainly nature of the development would be exacerbated by the slate grey cladding panels proposed on the south facing elevation. In views from the south, the dark colour of the materials and the lack of detail on this elevation would create a bland and brusque elevation which would contrast starkly with the more articulated elevations seen in the same view.
 7. There is much to commend about the scheme, not least the accessible nature of the development and its contribution to local housing supply. Furthermore the effort of the appellant to design a scheme through an iterative process of design is to be supported. Nonetheless, for the reasons given, the development would be harmful to the character and appearance of the area and the benefits identified would be insufficient to outweigh the harm found.
 8. I find, therefore, that the development would be contrary to saved policies BE13 and BE19 of the Unitary Development Plan¹, policy BE1 of the Local Plan² and policies 3.5 and 7.4 of the London Plan³ which seek development that is designed appropriately to harmonise with the character of the area.

Living conditions

9. Saved policies BE19, BE20 and BE21 of the Unitary Development Plan seek development that safeguards the amenity of the area, ensuring that adequate daylight and sunlight reaches habitable rooms. In support of these policies the Council's Supplementary Planning Document on Residential Layouts (SPD)⁴ applies the 45 degree principle to new development to ensure that adequate daylight and sunlight is enjoyed in existing dwellings.
10. The development proposed has been designed so that the majority of the development above ground floor level would sit behind a 45 degree line taken from the mid-point of a rear facing window which serves a habitable room at No 9 Warwick Road which is closest to the development site. However, exceeding this line would be a privacy screen and projecting windows. Nonetheless, given the distance of these features from No 9, together with the appeal site being north of No 9 and therefore not directly within the sun's path, the levels of light into the living spaces of No 9 would not be restricted in a way that the development would limit levels of light and sunlight into the living spaces of No 9 to be considered harmful to occupier's living conditions.

¹ London Borough of Hillingdon Unitary Development Plan (adopted 1998), Saved Policies, 27th September 2007

² London Borough of Hillingdon, Hillingdon Local Plan Part 1 – Strategic Policies (adopted November 2012)

³ The London Plan, The Spatial Development Strategy for London, Consolidate with Alterations since 2011 (March 2016)

⁴ London Borough of Hillingdon, Hillingdon Design and Access Statement (HDAS), Supplementary Planning Document, Residential Layouts (July 2006)

11. The windows at No 9 that would directly overlook the development are either obscure glazed or do not relate to habitable living spaces. Consequently views from No 9 would not be affected by the development for occupier's outlook to be harmed.
12. In all, therefore, I find that the development would not be harmful to the living conditions of the occupiers of No 9 Warwick Road, with particular regard to light and outlook and therefore would not be contrary to saved policies BE19, BE20 and BE21 of the Unitary Development Plan or the SPD.

Conclusion

13. Whilst the development would not have a harmful effect on the living conditions of the occupiers of No 9 Warwick Road, with particular regard to light and outlook, the development would have a harmful effect on the character and appearance of the area. Therefore, for the reasons given and having regard to all other matters raised, I conclude that the development would be contrary to the development plan when taken as a whole and the Framework. There are no material considerations to suggest a decision other than in accordance with the development plan and therefore the appeal is dismissed.

R Walmsley

INSPECTOR