



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Mr Parwinder Singh

Proposal:
Outline planning application for the erection of two storey 2-bedroom dwelling house plus front porch and 2 parking spaces and bin store (landscaping reserved for subsequent approval)

Appeal Site:
193 Coldharbour Lane, HAYES, UB3 3EH

Our Ref:
Your Ref:

42629/APP/2021/3946
APP/R5510/W/22/3292683

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant Outline planning permission for the erection of two storey 2-bedroom dwelling house plus front porch and 2 parking spaces and bin store (landscaping reserved for subsequent approval)
- 1.2 The LPA refused planning permission on 17.12.2021 for the following reason (as stated on the decision notice):
1. The proposed development, by reason of its siting, size, scale, bulk, design, layout, site coverage would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing context of the surrounding area. The principle of intensifying the residential use of the site in the form proposed would have a detrimental impact on the character and appearance of the residential area as a whole. The proposal would be detrimental to the visual amenity, character and appearance of the site and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D3, D4 and D6 of the London Plan (2021), and the National Planning Policy Framework (2021).
 2. The proposed development, by reason of its siting, scale, bulk, design and proximity, would be detrimental to the amenities of the occupiers of the original dwelling at 193 Coldharbour Lane and those at No. 195 Coldharbour Lane by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore, the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
 3. The applicant has failed to demonstrate a satisfactory policy-led approach to the car and cycle parking provision and layout which could be prejudicial to all road users safety, contrary to policy DMT2 and DMT6 and the London Plan.
 4. The proposal would provide a dwelling of insufficient size and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 and Table 3.1 of the London Plan (2021), and the Technical Housing Standards - Nationally Described Space Standard (March 2015).
 5. The proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the proposed dwelling. As such the proposal would provide a substandard living conditions for future residents contrary to Policy DMHB11 and DMHB18 of the Hillingdon Local Plan - Part Two (2020).

- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The appellants statement advises that the impact of the development on the character of the area is considered in section 7.2 of the Council's Officer Report. The Report however does not consider the varied character, form and layout of development the local area. No. 193 forms the 'right hand' end of a mid-20th century terrace with gabled front projections, with painted finish to the walls under a tiled roof. The neighbouring property is at the end of a linear terrace with brick walls and a hipped linear roof form. On the opposite side of Coldharbour Lane are later pairs of bay-fronted semi-detached properties with a wide variety of extensions and wall and roof finishes, as well as an electricity sub-station occupying a prominent position at the junction with Precinct Road. There is thus little defining consistency to the form and layout of development in the local area, although properties generally adhere to a building line set-back from the street, with housing set in traditional perimeter blocks.
- 2.2 The Council maintains that this end terraced property occupies a prominent position within Coldharbour Lane, with the side elevation being highly visible. A notable visual gap is maintained between the existing dwelling and No. 195 Coldharbour Lane, which contributes to a general spaciousness, and accommodates the transition between the differently sited front building line. The proposed development to erect a new two-storey dwelling house on land associated to 193 Coldharbour Lane would be considered suburban infill. It would have a significant impact on the street scene. The proposal would subdivide the existing site creating two narrow and awkwardly shaped plots. The proposed development would have a thin and narrow built and plan form, creating an oddly elongated but also squat vertical appearance. This would be particularly evident to the front. The proposed design, proportions, height, and siting would be entirely incongruous with the other houses and pattern of development in the surrounding area.
- 2.3 The Council maintains that the level of light and outlook that would be achieved from rear facing windows serving habitable rooms at the original dwelling on site (No. 193) which would be unduly compromised by the proposed dwelling which would be sited very close to and project 3.2m beyond the rear wall of the original two storey dwelling. The existing dwelling also has a kitchen/dining room window facing the proposed flank wall of the existing dwelling at a close distance. The scale and siting of the proposed dwelling would appear visually intrusive and to occupants in No. 193, both within the dwelling itself and the garden space. There are also concerns that it would be loss of light and overshadowing.
- 2.4 Given the proximity to the site boundary with No. 195, the scale and siting of the proposal raises concerns with being overbearing and visually intrusive, to occupants of this property, particularly within their garden space.
- 2.5 The appellant acknowledges that the internal floor area does not meet National or Local standards.

- 2.6 The appellant acknowledges that the proposal fails to meet the Council's minimum outdoor amenity space standards.

3. Conclusion

- 3.1 For the reasons set out in the delegated report and this statement, the proposal represents an incongruous addition to the streetscene which would result in an loss of residential amenity to occupants of neighbouring dwellings and result in a poor standard of residential amenity to future occupants. The Inspector is therefore respectfully requested to dismiss the appeal.
- 3.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 3.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 2 – The LPA's Recommended Conditions