

Appeal Decision

Site visit made on 25 October 2022

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2022

Appeal Ref: APP/R5510/W/22/3303172

45 Eton Road, Hayes UB3 5HS

- 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 Jay Verma against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 1624/APP/2021/4611, dated 16 December 2021, was refused by notice dated 10 May 2022.
 - The development proposed is described as conversion of existing side addition incorporating proposed rear and side extension to form separate two bedroom dwelling. Erection of double storey side extension to existing side addition. Erection of single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the host building and surrounding area;
 - Whether the development would provide its occupiers with suitable living conditions, with particular regard to internal living space; and
 - Whether the development would be accessible and inclusive for all users.

Reasons

Character and appearance

3. The appeal site is one half of a two-storey, semi-detached property situated in a prominent position on the corner of Eton Road and Pendall Avenue. It has an existing two-storey, flat-roofed side extension. However, there remains a gap between the side extension and the boundary wall with Pendall Avenue. The other corner property No 43 has a very similar arrangement. The separation to the side boundaries on both sides of the road provides an appreciable sense of openness at the entrance to Pendall Avenue, and contributes to the general form and order of this street scene.
4. The proposed attached dwelling would replace the existing side extension, but it would be much wider and positioned very close to the pavement edge of Pendall Avenue. Indeed, the rear corner of the main gable and side wall of the single-storey rear projection would abut the boundary wall. This would cause

the development to appear unacceptably cramped within the plot and result in a street scene that is materially more enclosed at this corner junction.

5. In terms of design, I note that much of the original symmetry in the pair of dwellings has already been lost as a result of the existing extensions. Nonetheless, the proposal would add a disproportionately large third element to the existing pair of dwellings. While the front elevation would be set in by a small distance with a corresponding lower roof line, these factors would not be sufficient to overcome the dominance of the development as a result of its width and overall scale in relation to the host building. Additionally, there would be a lack of balance in the composition of its front fenestration compared to the existing pair of dwellings, particularly with a large blank area of wall at first floor level. The overall effect would be a design and scale of development that does not integrate sensitively with the host building and its surroundings.
6. The proposal would also see an increase in the amount of hard surfacing and associated car parking across nearly the whole of the site frontage, leaving very little opportunity for any meaningful landscaping to be introduced. This would only serve to reinforce one of the negative characteristics of the area and therefore adds to the overall harm that would arise from the development.
7. In reasoning the above, I acknowledge that the existing side extension is itself not a positive addition to the property. However, any benefit from its removal would be negated by the harmful effects of the proposed replacement.
8. For all these reasons, I conclude that the development would unacceptably harm the character and appearance of the host building and surrounding area. Thus, it conflicts with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012) where it requires that new development contributes positively to the local area in terms of layout, form and scale. There is also conflict with Policies DMHB11 and DMHB12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) where they require that development is well designed and harmonises with the local context by taking into account the surrounding scale of development, plot coverage, degree of enclosure, architectural composition, and includes suitable landscape treatment. There is further conflict with Policies D3 and D4 of the London Plan (2021) (the LP) which seek good design and development that positively responds to local distinctiveness through its layout, scale, appearance and shape, with due regard to existing building forms and proportions.
9. The proposal is also contrary to paragraph 130 of the National Planning Policy Framework which states that development should be sympathetic to local character and add to the overall quality of the area.

Living conditions

10. The Council considers that the floor area of bedroom 3 does not meet the requirements set out in the Government's 'Technical housing standards – nationally described space standard' and incorporated into the LP under Policy D6, which requires a double bedroom to be at least 11.5m².
11. While the floor plan drawing does indicate a floor area of 11m², it also shows provision of built-in storage of a further 1.2m² which the technical housing standards explains should count towards the floor area requirements. This results in a floor area of 12.2m² for this bedroom and there is no indication that

the minimum room width is not met. The proposal therefore complies with the minimum space standard and LP Policy D6 in this regard. As such, it has not been necessary for me to consider the amended floor plan that accompanied the appeal.

Accessibility

12. The Council's Access Officer suggests that the plans for the proposed dwelling would require a number of amendments to meet the requirements for accessible and adaptable dwellings in LP Policy D7. Amongst the concerns raised was the absence of level access into the dwelling. However, the application drawings clearly show provision of a ramped access. Other internal changes would appear to be relatively minor, such that they could likely have been addressed through planning conditions and the Building Regulations had I been minded to allow the appeal. I am therefore satisfied that the development could achieve compliance with the relevant accessibility standards and thus would comply with LP Policy D7.

Conclusion

13. Although the proposal would bring with it some benefits in the form of providing a new home, it gives rise to significant conflict with the contents of the development plan relating to character and appearance. As such, the proposal conflicts with the development plan as a whole. There are no material considerations that indicate that a decision should be taken other than in accordance with the development plan. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR