

Appeal Decision

Site visit made on 4 September 2018

by Mike Worden BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2018

Appeal Ref: APP/R5510/W/18/3195185

5 Leybourne Road, Uxbridge UB10 9HA

- 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 Ben Banner against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 33692/APP/2017/4098, dated 10 November 2017, was refused by notice dated 25 January 2018.
 - The development proposed is the erection of detached house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area with particular regard to streetscene;
 - the living conditions of future occupants with regard to the provision of internal living space;
 - the living conditions of the occupants of No. 5 Leybourne Road with regard to the provision of external amenity space; and,
 - highway safety with regard to parking provision.

Reasons

Character and appearance

3. The appeal site is the garden of a two storey semi-detached house in a residential area. The semi-detached house is a corner property set at angle to the junction of Leybourne Road and Midhurst Gardens/Hazeldene Gardens. Two of the other properties around this junction are of similar style and orientation. This pattern is mirrored at the next junction along Leybourne Road, and provides a rhythm and character to the streetscene, forming a distinctive break in the alignment of houses along Leybourne Road and a clear and bespoke entrance to the roads off it.
4. As a result of its orientation, the semi-detached house has a larger front and side garden/driveway area than its garden to the rear. The proposal is to demolish the existing garage which sits to the side of the house (No. 5 Leybourne Road) and erect a detached dwelling. The detached dwelling would

be positioned between No 5 and the end property (No. 3A Leybourne Road) of the adjacent terraced block.

5. Whilst the proposed dwelling would sit back from the pavement so that it would be aligned with the front elevations of the two properties either side, it would be conspicuous and would infill the gap between No 5 and No 3A Leybourne Road. It would detract from the contribution that the existing semi-detached houses make to the distinctive character of the area at the junction. This would have the effect of seriously eroding the existing pattern and rhythm of housing around the junction, which would significantly harm the character and appearance of the area with regard to streetscene.
6. The proposed development would therefore be contrary to Policy BE1 of the *Hillingdon Local Plan Part One Strategic Policies* (the Local Plan) which requires that new developments must improve and maintain the quality of the built environment, and Policies BE13 and BE19 of the *Hillingdon Local Plan Part Two – Saved UDP Policies* (the Saved UDP) which together seek to secure developments which harmonise with the streetscene and which complement or improve the amenity and character of an area.
7. It would also be contrary to Policy 7.6 of the *London Plan* which seeks to secure high quality architecture and the Council's *Housing Design and Accessibility Statement Residential Layouts Supplementary Planning Document* (the RL HDAS) which provides guidance on new housing layout design on which I have placed considerable weight.

Living Conditions of future occupants

8. The proposed dwelling would have two bedrooms and would accommodate three persons. Policy 3.5 of the London Plan sets out minimum space standards for new dwellings and in accordance with the Policy the dwelling would require a minimum gross internal area (GIA) of 70 sqm. The Council considers that the GIA of the proposed dwelling would be around 61 sqm whilst the appellant considers that it would be around 67 sqm plus storage space in the loft. Even if the appellant's GIA figure was the correct one, it would still be less than the 70 sqm required by the London Plan. I have had regard to the additional storage in the loft but Policy 3.5 makes no provision for such space and which I therefore consider should not count as part of the GIA.
9. I therefore consider that the internal living space would be less than the minimum required by Policy 3.5 of the London Plan and would be harmful to the living conditions of future occupants.

Living Conditions of the existing occupants of No 4 Leybourne Road

10. The proposal would make provision for around 60 sqm of external amenity space and leave a residual space of around 56 sqm for the existing property, No 5 Leybourne Road. The Council considers that the existing four bedroomed property would require an area of private amenity space of around 100 sqm, in accordance with the RL HDAS. Whilst the existing property has a larger area of open space at the front, some of which would remain as part of the proposal, the space which would be remain to the rear is significantly smaller than the 100 sqm. I consider that since this is a four bedroomed property which could be occupied by a family, the residual area to the rear is not a sufficient quantity of private external amenity space. I consider that whilst some account can be

made of the area to the front of the property, this would not be so private as the area to the rear and would not make up the significant deficit in proposed provision compared to the requirement.

11. I have been referred to examples of small gardens within the area, but do not have specific details of the open space provided or the background. In any case I have determined this appeal on its merits and on the basis of the submitted evidence before me. I have also taken account of the existing resident's view that the residual space would be sufficient, but that may not be the view of future residents. This is a family sized home.
12. For the reasons above, I conclude that the proposal would cause significant harm to the living conditions of the occupants of No. 5 Leybourne Road, with regard to the provision of external amenity space, contrary to Policy BE23 of the Saved UDP which requires development to provide or maintain sufficient external amenity space.

Highway Safety

13. The proposed development would provide for one off road car parking space and one further space would be retained for the existing house. The site has a low PTAL score indicating that there would be a high reliance on the use of a private car. The Council's adopted parking standards require the provision of two off road spaces per dwelling. The proposed development would secure the provision of only two spaces, for the two dwellings. I consider that given that there would be six bedrooms between the two dwellings, this would not be sufficient off road car parking provision. The existing house currently has two off road spaces itself. I consider that the proposed development would be likely to lead to additional cars being parked upon the street.
14. Leybourne Road suffers from parking stress and from my observations there were a number of parked cars on both sides of the road outside and close to the appeal site which necessitated cars waiting behind them to let the oncoming traffic pass. I consider therefore that the parking of additional cars could lead to manoeuvres which could harm highway safety on Leybourne Road.
15. For the reasons set out above, I conclude that the proposed development would add to the existing parking stress in the area and would be harmful to highway safety contrary to Policy AM7 of the Saved UDP which amongst other things seeks to ensure that development does not prejudice the free flow of traffic or highway or pedestrian safety, and Policy AM14 of the Saved UDP which requires development to meet the Council's adopted car parking standards.

Conclusions

16. The proposed development would provide an additional unit of accommodation which would contribute to the housing supply. However, this benefit is outweighed by the collective harm which I have found.
17. For the reasons given above I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR