

Appeal Decision

Site visit made on 26 February 2018

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2018

Appeal Ref: APP/R5510/W/17/3190345

2 Worcester Road, Uxbridge UB8 3TH

- 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 P Shanahan (Greystoke Builders Limited) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 35129/APP/2017/2264, dated 21 June 2017, was refused by notice dated 16 November 2017.
 - The development proposed is a new dwelling at side.
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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 host property and surrounding area; and
 - The living conditions of occupiers of neighbouring properties, with particular regard to outlook, daylight and sunlight.

Reasons

Character and Appearance

3. Worcester Road is a residential street characterised by semi-detached dwellings and flats, interspersed with short terraced rows of residential properties, with regular and consistent spacing between them. Although properties are predominantly two storeys in height, there are also a small number of bungalows situated opposite the appeal site at the entrance to Worcester Road. These are, however, set in a short terraced row and semi-detached pairs that broadly reflect the general scale, grain and pattern of development found elsewhere along Worcester Road and into Maygoods Green.
4. The proposal seeks permission to construct a detached two storey dwelling at the side of 2 Worcester Road. At present, the site of the proposed dwelling is occupied by an attached single storey garage and playroom at No. 2. It is set back from the front of the host property and, in turn, extends somewhat beyond the rear of the host with a narrow gap between it and the site boundary.
5. The proposed dwelling would also be set back from the front of No. 2, albeit not to the extent of the existing elements at the side of the host property. At the rear, it would extend beyond the rear of No. 2 and, whilst it would present

a longer flank elevation in a prominent position at the entrance to Worcester Road than that of the existing property, it would not be particularly noticeable or harmful.

6. The appellant acknowledges that the established character of Worcester Road is of semi-detached dwellings, and the occasional terrace. However, the proposed dwelling would be a detached property set apart from, and set back behind, the flank and front elevations respectively of No. 2. It would, quite clearly therefore, read as a separate, detached dwelling. In itself, this would mark the proposed building at odds with the prevailing scale, form and layout of properties along Worcester Road.
7. Significantly however, the proposed dwelling's proportions would also fail to reflect the prevailing character and appearance of those of other properties within the street. Whilst it would reflect the heights of ground and first floor levels, and heights to eaves and ridge levels, of the adjacent pair of semi-detached dwellings, its width would be less than that of each half of that pair of semis. As a consequence, its width would appear somewhat compressed and its vertical proportions would overpower the horizontal. This would emphasise its limited width in comparison to the prevailing semi-detached and short terraced rows of houses and make it an incongruous feature at the entrance to the street.
8. Although the site of the proposed dwelling is largely occupied by a single storey garage and playroom extension to the side of No. 2, its overall scale, and particularly its height, is modest and it does not erode the regularity of spacing that I saw to be a consistent feature between properties along Worcester Road and Maygoods Green. In stark contrast however, the detached nature and form of the proposed dwelling, together with the limited spacing around and between it and No. 2, would sit uncomfortably with the relatively spacious, regular spacing between dwellings elsewhere along the street.
9. I acknowledge that the expanse of green verge between Worcester Road and Elliott Close is a contributory factor to the sense of spaciousness and spacing within Worcester Road. The proposal would not directly affect this. However, the spacing between buildings is a significant feature of the street and one that the proposal would fail to reflect in its siting, design, scale and appearance.
10. Although I do not find the flank elevation of the proposed dwelling to be particularly harmful, this does not overcome the concerns I have in other respects. Thus, I conclude that the proposal would fail to harmonise with the scale, form, proportions, character and appearance of other properties within Worcester Road and Maygoods Green. The proposal is therefore contrary to policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (LP1), policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two – Saved UDP policies (LP2) and London Plan policies 3.5 and 7.4.

Living Conditions

11. Although the proposed dwelling would extend beyond the rear face of No. 2 the Council accept that it would not breach the 45° principle set out in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document. Furthermore, whilst the Council also consider the proposal to be too close to the flank elevation of No. 2, they have not sought to dispute the

appellant's assertion that the proposed dwelling would instead, and in accordance with LP2 policy BE22, be set apart from No. 2 by 1 metre.

12. The rear of the host property faces due south and has a relatively open outlook over a reasonably generous rear garden and the school grounds beyond. Whilst the additional rearward projection and flank elevation of the proposed dwelling may result in some afternoon overshadowing, the nature of the surrounding ground levels and properties to the west on Elliott Close, are such that these are likely to be as significant factors affecting afternoon sunlight as the proposed dwelling would. Whilst the 45° principle is merely a guide, the proposal's adherence to this principle supports my conclusion that the proposed dwelling would not cause unacceptable or material harm to the living conditions of occupiers of the host property in terms of sunlight or daylight.
13. Furthermore, the Council have not supported their contention that the proposed dwelling would be 'too close' to No. 2 or sought to challenge the appellant's statement that it would be set apart from No. 2 by 1 metre. In any event, it seems to me that in terms of the spacing between dwellings and plot boundaries, LP2 policy BE22 is concerned more with the effects of the loss of spaces between dwellings upon the character and appearance of an area rather than the living conditions of occupiers of adjacent dwellings.
14. Thus, whilst I have concluded that the scale, appearance and form of the proposed dwelling, and the limited space between it and No. 2, would cause harm to the character and appearance of the area, it does not follow that these factors would cause harm to the living conditions of occupier of No. 2. The proposal would not therefore be in conflict with LP2 policies BE21 or BE22 in this respect.

Other Matters

15. My attention has been drawn to PPS1 in setting out the overarching planning policies on the delivery of sustainable development through the planning system. However, following its publication in 2012, the National Planning Policy Framework (the Framework) supersedes the provisions of PPS1. The provisions of PPS1 are not therefore material considerations to which I can give any weight.

Conclusion

16. For the reasons set out above, I find that the proposal would not cause harm to the living conditions of occupiers of 2 Worcester Road with regard to outlook, daylight and sunlight. However, this does not overcome the harm to the character and appearance of the host property and the surrounding area that I have identified. I have considered all other matters raised and thus conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR