
Appeal Decision

Site visit made on 25 May 2022

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 July 2022

Appeal Ref: APP/R5510/W/22/3292683

193 Coldharbour Lane, Hayes UB3 3EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Parwinder Singh against the decision of the London Borough of Hillingdon.
 - The application Ref 42629/APP/2021/3946, dated 22 October 2021, was refused by notice dated 17 December 2021.
 - The development proposed is the erection of a two storey 2 bedroomed dwellinghouse plus front porch and 2 parking spaces and bin store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal scheme seeks outline planning permission with only landscaping reserved for future considerations. I have considered the appeal and accompanying plans accordingly.

Main Issues

3. There are four main issues. These are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of the occupants of Nos 193 and 195 Coldharbour Lane with specific regard to outlook and light; and whether the proposed development would provide c) acceptable living conditions for future occupiers with specific regard to internal and external space; and d) sufficient car and cycle parking in the interests of the proper function of the proposed development.

Reasons

Character and appearance

4. The appeal site is an irregular parcel of land which is currently part of the curtilage of No 193 Coldharbour Lane, which is an end terraced dwelling. It is in a relatively dense suburban area predominated by semidetached and terraced two storey properties. They are simple in their design, sharing common features such as bay windows, gables, and porches. The gaps between the pairs and groups of buildings, their setback position and the overall size of the plots contribute to a pleasant sense of spaciousness in the street scene. This, as well as the homogeneity provided by the design, scale and siting of the dwellings contributes positively to the character and appearance of the area.

5. The proposed new dwelling would infill the gap between Nos 193 and 195. Its proximity to the principle (side) elevation of No 193 would create a visual pinch point between the dwellings which would be at odds with the aforementioned uniformity and building to space relationship of the area. There are examples of similar such gaps in the street scene having been infilled. However, in the main this is by single storey extensions/outbuildings which, accordingly, maintains the visual space at the upper levels, retaining the cadence of the built form along the street.
6. The narrowness of the proposed dwelling would be out of scale with the type and design of the surrounding buildings. The proposal appears to include a similar string course to the terrace containing No 195. However, the difference in roof form, lower ridge height and eaves, as well as the mono-pitched porch would not provide a cohesion in design with either of the terraced rows on each side. This would further emphasise the proposals awkwardness.
7. The mix of vernacular and design features along Coldharbour Lane and immediately related to the site are noted, however the proposal would not represent either an in keeping design complementing its surroundings nor a uniquely different interpretation of the local character to enhance the areas appearance. In any event, any such design changes would not alter the effect of developing one of the gaps that contributes positively to the pleasant spacious feel of the street scene.
8. The lack of public objection in terms of the character and appearance of the area is noted. It is not however a factor which absolves me from making an assessment as part of my consideration of the appeal. The appellant considers Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) (LPDM) Policies DMHB12 and DMHB14 to have been erroneously added to the reason for refusal. However, both appear to deal with the integration of a development with its surroundings, along with the need for relevant landscaping. Therefore, the ethos of both Policies relate to any new development, including the appeal scheme.
9. With this in mind, and for the above reasons, the proposed development would harm the character and appearance of the area. This would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) (LPS), LPDM Policies DMHB11, DMHB12 and DMHB14, Policies D3, D4 and D6 of the London Plan (2021), and the National Planning Policy Framework (2021) (the Framework), insofar as they relate to design and layout.

Living conditions – 193 and 195 Coldharbour Lane

10. Due to the distances involved and the existing boundary treatments to the rear of the property, I am satisfied the only occupiers who would be affected are those at Nos 193 and 195. The proposed dwelling would be situated at an angle to No 193 providing some space to the front but creating a narrow pinch point at the rear corner of the properties. No 193's kitchen/diner window is positioned close to this rear corner and currently receives a reasonable level of light with an open outlook over the front garden and onto Coldharbour Lane. The proposal would build a two storey blank elevation close to this window. As a primary window into a regularly used part of the property, its open aspect would be dramatically reduced to a view dominated by the blank elevation of the proposal. The proximity of the proposed new dwelling to this window

would also reduce general ambient light to it and due to the orientation of the properties would likely mean the window was in shadow for much of the day.

11. The kitchen/diner on No 193 has a partially glazed door in the rear elevation. However, this door is also located towards the rear corner of the property and so would again be detrimentally impacted in terms of outlook and light by the proximity of the proposal. From my site visit, it was evident that the proposal is unlikely to impact on the outlook from or light toward any of the other living spaces within No 193. Nevertheless, the impact on the kitchen/diner window and door would be unacceptably harmful to the living conditions of the occupants of that property.
12. The proposal would be positioned in parallel to No 195 but set away from its side elevation due to the location of the rear garden access path and side garden area of No 195. It would create a largely featureless, two-storey wall along the side of No 195 extending beyond its rear elevation. The proposal would enclose the more southerly aspect from the rear of No 195, however due to the length and size of its garden, this would only have a marginally negative impact on their outlook. It is likely the light available to the rear elevation and immediate rear garden of No 195 would be reduced by this proposal due to the relationship between the 2 buildings and their orientation but again only marginally.
13. Although the impact on occupants of No 195 would be minor it would still cause harm. This in conjunction with the impact on the occupants of No 193 means the proposal would be harmful to the living conditions of the occupants of both properties in relation to outlook and light. The proposal would not, therefore, comply with LPDM Policy DMHB11 insofar as it relates to living conditions of the residents of adjacent properties.

Living conditions – future occupants

14. The proposal would provide a gross internal area (GIA) of just over 66m² and a private rear garden of 45m², as confirmed by the appellant and agreed by the Council. The GIA would fall short of the minimum standards set out in the Technical Housing Standards - Nationally Described Space Standard (March 2015) (THS). The THS forms the basis of the minimum standards within LPDM Policy DMHB16 and London Plan Policy D6. The size of the rear garden would fall short of the minimum private outdoor space as set within LPDM Policy DMHB18.
15. No mitigating factors have been submitted to support the provision of a single dwelling with substandard internal and external space above the appellant's own assertion that the provision would be adequate. On review of the plans submitted I remain unconvinced that the proposed layout and design is so innovative as to compensate for the below minimum provision of internal and external space.
16. The proposal would not therefore provide adequate living conditions for future occupants of the new dwelling in relation to internal and external space. This would be contrary to LPDM Policies DMHB11, DMHB16, London Plan Policies D6 (including table 3.1) and the THS insofar as they set out minimum standards for space provision.

Parking for cars and cycles

17. The site can provide two off road parking spaces with direct access onto Coldharbour Lane via the existing drop kerb. These spaces would be positioned in tandem and as such require vehicles to either reverse into or out of them. Off road parking with a lack of manoeuvring space is common along Coldharbour Lane. Coldharbour Lane also has designated on road parking along its length which is not allocated or time limited.
18. The main parties agree that the London Plan Policy T6 standards for parking spaces supersedes LPDM Policy DMT6 and appendix C. The proposal would provide 2 spaces (Policy T6 requires 0.75 spaces per dwelling), and the appellant has confirmed that these spaces could be allocated 1 per existing and proposed dwelling. This would be adequate provision in terms of quantum. However, the location of the 2 proposed spaces would not provide convenient use for the occupants of No 193. The parking spaces proximity to the front door and windows of the proposed new dwelling would also be detrimental to the privacy of any future occupants. Nevertheless, there is adequate space to the front of the appeal site for the parking to be reorientated to better serve the existing and proposed dwelling.
19. It is evident that the existing on street parking along Coldharbour Lane could be used for visitor / short term parking in relation to No 193 and the proposed new dwelling, and that there is enough space on the site for appropriate cycle storage to be provided.
20. The proposed development could therefore provide adequate car and cycle provision for both No 193 and the proposed new dwelling in compliance with London Plan Policy T6 insofar as it relates to the number of car parking spaces, and LPDM Policies DMT2 and DMT6 insofar as they relate to the design and accessibility of said parking spaces as well as the quantum of cycle provision.

Other Matters

21. The London Plan supports well designed smaller units in suitable locations for those seeking to downsize. However, no evidence has been provided to show that the local area is a suitable location for such properties and for the reasons given above the proposal cannot be considered well designed. Therefore, the potential provision of a smaller unit to boost local housing stock, in this case, would be considered a neutral factor so does not alter my findings.
22. My attention has also been drawn to the paragraphs of the Framework which seek to ensure that new development meets defined economic, social, and environmental objectives. The appellant considers that with suitable landscaping the proposal could have a positive environmental impact, that it would contribute to the housing needs of London, and that the construction and thereafter occupation of the property would provide economic benefits. I have had regard to these matters and whilst I ascribe them some weight, it would not be sufficient to overcome the multiple harms I have found regarding the main issues of the case.

Conclusion

23. Although the proposal could provide adequate car and cycle parking, this would be a lack of harm and thus neutral. It would be insufficient to outweigh the harm that would be caused to the character and appearance of the site and

area; the living conditions of the occupants of 193 and 195 Coldharbour Lane in relation to outlook and light; and the lack of adequate living conditions for future occupants in relation to internal and external space.

24. The appeal scheme would, therefore, conflict with the development plan as a whole. There are no sufficiently weighted material considerations, including the approach in the Framework, that would indicate a decision otherwise. The appeal should, therefore, be dismissed.

RJ Redford

INSPECTOR