



Appeal Decision

Site visit made on 30 November 2020

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 December 2020

Appeal Ref: APP/R5510/W/20/3255652
178 Harefield Road, Uxbridge UB8 1PP

- 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 SDS Investment Group Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 46205/APP/2019/3418, dated 15 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is the demolition of the existing 3 bedroom detached dwelling-house, the erection of a detached 3 storey building to provide 4 x 2 bed flats and 3 x 1 bed flats, new dropped kerb and vehicle crossover from the public highway and reinstatement of existing dropped kerb and vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing 3 bedroom detached dwelling-house, the erection of a detached 3 storey building to provide 4 x 2 bed flats and 3 x 1 bed flats, new dropped kerb and vehicle crossover from the public highway and reinstatement of existing dropped kerb and vehicle crossover at 178 Harefield Road, Uxbridge UB8 1PP in accordance with the terms of the application, Ref 46205/App/2019/3418, dated 15 October 2019, subject to the conditions set out in Schedule 1 of this Decision.

Main Issue

2. The main issue in this appeal is the effects of the proposal on the character and appearance of the area.

Preliminary Matters

3. Following the Council's refusal of the proposal, the appellants presented a revised scheme to them for Officers' comments. This later scheme included the provision of a lift, which in itself the Officers found to be acceptable and overcame one of the reasons for refusal. However, the other alterations made to the scheme, some of which were necessitated by the inclusion of the lift, did not satisfy officers that the scheme could be supported.
4. The appellant has asked that I consider the revised scheme within the appeal but the Council considers that I should not do so and states that the interests of local residents would be prejudiced as there would not be the opportunity for formal consultation and comments. The alterations in the revised scheme

include a lift, the reduced width of gables in the front by 150mm, decorative timber cladding and revisions to the proposed landscaping.

5. I have carefully considered the scope and nature of the proposed revisions, conscious that the scheme considered at appeal should generally be the scheme that has been considered by the local planning authority. Nevertheless, there will be cases where refusal reasons raise objections on certain points, which may be readily overcome by an alteration to a scheme and alterations may be suggested which alter the appearance of a proposed development. In this appeal scheme, the inclusion of a lift would overcome one of the Council's reasons for refusal. The other alterations are generally minor, the revised size of the gable would be barely noticeable, and the timber cladding is cosmetic in nature. The revisions to the proposed landscaping would again be minor in nature and are designed to improve the scheme. In my judgement these alterations do not represent any fundamental differences to the appeal proposal. I have read and can see the nature of objections to the proposal made by local residents and I will take these into account in determining the appeal but I do not consider that their interests would be prejudiced if I were to consider the revised scheme due to the minor nature of the changes that are represented. As a result, I consider that no-one would be prejudiced by my consideration of the revisions and the principles established in the *Wheatcroft* case would not be compromised. Therefore, I will consider the proposed revisions as part of the appeal.

Reasons

6. The appeal site is currently occupied by a detached 2 storey house and its garden area. The site sits within an area containing a variety of buildings, mostly in residential use. These include detached houses dating from the first half of the 20th Century, more recent developments, some within the rear of sites, and some terraces of houses. Adjacent to the site is also a large care home. Most of the buildings are 2 storeys in height although a number have accommodation within a roof level. A number of properties have mature trees and many have hedges along the front boundaries; even where these conceal parking areas, the general impression is one of greenness.
7. The proposed building would have accommodation on 3 floors, with the upper floor contained within the roof. It would be considerably larger than the existing house, which is set well back from the road. Notwithstanding its greater width, the proposal would be set off the side boundaries by distances which are consistent with a great many that I observed in the area; indeed, the existing terrace houses clearly have no gaps between them. The proposal would also benefit from the visual gap to its right-hand side afforded by the roadway that serves the 2 houses to the rear.
8. The proposal would be set closer to the road than the existing house. However, the existing house appears rather out of place in this respect due to the considerable distance of its set-back. The proposal would still be set back from the road by a considerable amount and further back than its closest neighbour at No 178B Harefield Road.
9. Although the proposal would extend deeper into the site than the existing house, this would not be by a great amount and the deepest part of the proposed building would be set away from the side plot boundaries. As a result, its greater depth would not have an unacceptable effect on its

surroundings. Indeed, when compared to the adjacent care home, the proposal would be significantly smaller.

10. I have observed the surroundings of the appeal site in close detail and also my attention has been drawn to other developments locally, which I have seen. Within the context that I have observed, I am satisfied that the size of the building itself would not be out of character with the area and would be similar to a number of others (or smaller) that I observed. The area contains buildings that extend deep into their sites (notably the care home) and also buildings which have resulted from 'backland' style developments so there would be nothing unusual or harmful in relation to the proposed depth of the building. As a consequence, I find no conflict with Policies DMHB 11 and DMHB 12 of the Councils Local Plan Part 2 Development Management Policies (DMP) in this respect.
11. The Council have objected to the amount of hard-surfacing of the proposed site frontage, compared to landscaping. Although I have been provided with no detailed calculations, the appellant indicates that around 25% of the frontage would be available for landscaping. Whilst the proposal would result in the majority of the frontage being surfaced for car parking and access, there would be the opportunity for landscaping within sections of the frontage and the appellant states their intention to provide a hedge along the front boundary (allowing for the access point).
12. I saw a number of properties in the locality which have similar proportions of parking/landscaping within their frontages and I consider that the proposal would be consistent with them. In addition, it would compare favourably with the adjacent care home which has an extensive car park at its front. Therefore, I consider that the proposed frontage area would not result in any harm to the surrounding area and would be consistent with the general appearance of the locality, consistent with the aims of the above policies.

Other Matters

13. I have considered the effects of the proposal on the living conditions of neighbours. Due to the positioning of the proposal and the location of windows, I consider that the proposal would have no unacceptable effects on neighbours and I note that the Council are of the same view.
14. In relation to access, I note from the submissions that the Council would be satisfied with the provision of a lift. As I have stated my intention to consider the revised proposal which includes the lift, this overcomes any objections in this respect.

Conditions

15. I have considered the need for the suggested conditions in the light of the advice contained in the NPPF and PPG. In some cases I have altered the wording of the proposed conditions in order to be consistent with the advice. The appellants have confirmed their agreement to a number of conditions which require approvals prior to the commencement of the development.
16. In order that the proposal has a satisfactory appearance, the details of the external materials should be submitted to and approved by the Council, as should the landscaping scheme. I have included a condition which identifies the approved drawings for the sake of certainty. Conditions relating to the

approval of bin stores and cycle stores are necessary so that suitable provision is made and that they are satisfactorily located and designed. So that the proposal complies with Policy DMHD 1 of the DMP, a condition relating to sound-proofing is necessary. So that the proposed access is safe a condition requiring suitable visibility splays in relation to pedestrians is necessary. In order to ensure the continued provision of car parking spaces, I shall include a condition which requires their ongoing availability. The Council has requested a condition which would require compliance with certain of the Building Regulations; these are separate matters and adequately addressed by separate means and so I shall not include such a condition.

Conclusions

17. For the reasons set out above, I conclude that the proposal would have no harmful effect on the surrounding area or its residents. Therefore, the appeal is allowed.

S T Wood

INSPECTOR

SCHEDULE 1 Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; LSCP 2165/B; A1/164/01 Rev A; A1/164/02 Rev A; A1/164/03 Rev A; A1/164/10 Rev B; A1/164/11 Rev B; A1/164/12 Rev B; A1/164/13 Rev B; A1/164/14 Rev B; A1/164/16 Rev B; A1/164/16 Rev A.
- 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) Construction work shall not take place until details of a scheme of sound proofing, certified or to the certifiable standards of the Association of Noise Consultants (ANC) or UK Accreditation Services (UKAS), between each of the floors has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any part of the development is occupied and retained thereafter.
- 5) No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -
 1. **Soft Landscaping**
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 2. **Hard Landscaping**
 - 2.a Means of enclosure/boundary treatments (including elevations if appropriate)
 - 2.b Car Parking Layouts (including 2 spaces served by electrical charging points)
 - 2.c Hard Surfacing Materials
 - 2.d External Lighting
 - 2.e Other structures (such as play equipment and furniture)
 3. **Details of Landscape Maintenance**
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. A Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

- 6) No dwelling shall be occupied until space has been laid out within the site, in accordance with the approved drawings, for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and those spaces shall thereafter be kept available at all times for the parking of vehicles.
- 7) No dwelling shall be occupied until details of cycle storage have been submitted to and approved by the local planning authority and provision has been made in accordance with those details. The facilities shall thereafter be kept available for the parking of bicycles.
- 8) No dwelling shall be occupied until details of a storage facility for refuse bins have been submitted to and approved in writing by the Local Planning Authority and the facility has been provided in accordance with the details. The facility shall thereafter be kept available for the storage of bins
- 9) The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.