
Appeal Decision

Site visit made on 29 January 2018

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 19 February 2018

Appeal Ref: APP/R5510/W/17/3187027
97 Cromwell Road, Hayes UB3 2PS

- 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 Sandeep Kalyan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 5804/APP/2017/952, dated 15 March 2017, was refused by notice dated 15 May 2017.
 - The development proposed is a two storey one bedroom detached house with new crossover, associated parking, amenity space, bin space and bike store.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey one bedroom detached house with new crossover, associated parking, amenity space, bin space and bike store at 97 Cromwell Road, Hayes UB3 2PS in accordance with the terms of the application, Ref 5804/APP/2017/952, dated 15 March 2017, subject to the conditions in the schedule attached to this decision letter.

Main Issue

2. Then main issue raised by this appeal is the effect the development would have on the character and appearance of the area.

Reasons

3. The appeal site is presently occupied by a semi-detached house on a corner plot. This house and its neighbour in the pair are set at an angle to the houses on adjoining streets. The proposed house would be situated in a gap which presently separates No 97 and 2 Commonwealth Avenue, the adjacent house.
4. The wider area is characterised by similar, closely spaced semi-detached houses. Some corner sites also have a similar arrangement of pairs of houses set at an angle to their neighbours with more generous spacing between them. Such an arrangement appears to have existed in the immediate vicinity of the appeal site. However this spaciousness has been largely eroded as a result of two storey side extensions to some of the houses on corner plots and a range of single storey buildings between those opposite the site. The gap in which the proposed house would sit is relatively small and, given the proximity of surrounding buildings, is only appreciable as such from a limited area.
5. Therefore, whilst the appeal proposal would substantially fill the existing gap, this effect would be considerably less marked on the area's character in such a

context. Although slender and detached, the proposed hipped roof house would be in line with the frontage of No 2 and have a similar appearance to its neighbours, complementing the area's character. The separation distance between it and Nos 2 and 97 would avoid the building appearing cramped within the site. Its layout would harmonise with the generally closely spaced dwellings which predominate in the area and would not appear at odds with the area's townscape and established character.

6. I note that the Council have approved dwellings on other sites within the wider vicinity in gaps between houses on corner plots within a similar streetscape character to that of the appeal site's surroundings, including those at Kingsway and Bishops Road. The circumstances, and in some cases development plan considerations, will have been different to that of the appeal proposal and the detailed configuration of the sites and spacing between buildings in these cases are not identical to those in the appeal proposal. Nevertheless, these schemes occupy previously spacious corner plots and, whilst my decision does not turn on the matter, these other local examples weigh in support of the proposal.
7. The development would consequently not conflict with design and character requirements of Local Plan¹ Policy BE1, saved UDP² Policies BE13 and BE19 and London Plan, 2016 Policies 3.5 and 7.4, as supported by council guidance³.

Other Matters

8. An interested party objecting to the proposal has raised a number of concerns. The proposed off street parking spaces for existing and proposed dwellings on the site would minimise the likelihood of the development contributing to any parking congestion in the area. The situation of the proposed building relative to surrounding dwellings would mean that it would not result in materially harmful effects on day or sunlight. I note that the Council reached similar conclusions in these respects. There is no substantive evidence that the occupation of the dwelling is likely to give rise to unacceptable levels of noise or disturbance, or that waste would not be stored and disposed of appropriately. These other matters do not lead me to consider that the proposal would be otherwise unacceptable.

Conditions

9. It is necessary to specify the approved plans as this provides certainty. Requiring external materials and a landscaping scheme to be approved will ensure that the character and appearance of the area is maintained, although I have attached a more concise condition than suggested by the Council in respect of the latter given the scale of the scheme. In order to ensure occupiers have access to a choice of sustainable transport and that waste is stored appropriately it is necessary to require that cycle and waste storage is provided. In the interests of highway safety and mitigating effects on parking conditions it is necessary to specify visibility splays and require car parking for existing and proposed dwellings to be provided.
10. Although not suggested by the Council, as the site is situated in a residential area close to other houses, it is necessary to limit hours of construction to

¹ A Vision For 2026, Local Plan: Part 1 - Strategic Policies, 2012.

² London Borough of Hillingdon Unitary Development Plan (UDP), 1998.

³ Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document – Residential Layouts, 2006.

protect neighbours' living conditions. Given the standard nature of such a condition, no parties' interests will be prejudiced by my attaching it.

Conclusion

11. For the above reasons the development would not harm the character and appearance of the area and would accord with Council guidance and the development plan. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: MAR/17/02.
- 3) No development above foundation level shall take place until details of materials, colours and finishes to be used on all external surfaces of the development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.
- 4) No development above foundation level shall take place until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, including details of boundary treatments. All hard landscaping and boundary treatments shall be carried out before the dwelling is first occupied. All planting or seeding comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 5) Notwithstanding condition 2, the dwelling shall not be first occupied until cycle parking/storage and refuse storage have been implemented in accordance with a scheme which has first been submitted to and approved in writing by the local planning authority.
- 6) Before the first occupation of the dwelling the access for the proposed car parking spaces shall be provided along with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions. Subsequently they 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.
- 7) The car parking spaces shown on the approved plans shall be made available before the first occupation of the dwelling and shall be retained and kept available for the parking of cars at all times.
- 8) Construction works shall take place only between 0800 and 1800 on Mondays to Fridays and 0800 and 1300 on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.