
Appeal Decision

Site visit made on 7 July 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

Appeal Ref: APP/R5510/W/22/3296539

51A The Drive, Ickenham, UB10 8AG

- 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 D Singh against the decision of London Borough of Hillingdon.
 - The application Ref 66020/APP/2021/4369, dated 29 November 2021, was refused by notice dated 25 February 2022.
 - The development proposed is Erection of leisure building following demolition of existing structure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted a document titled 'Tree Survey Schedule' and a plan 'Arboricultural Method Statement Plan'. The guidance set out in the Procedural Guide: Planning appeals – England is clear, the appeal process should not be used as an opportunity to evolve a scheme and the appellant has not provided any substantive reasoning as to why this evidence was not or could not have been provided to the Council before the application was determined. Nonetheless the evidence is relevant to the issues of this appeal and in this instance, I have will allow the consideration of the additional evidence.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area and on trees.

Reasons

Character and Appearance

4. Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) (the LP1) and Policies DMHD2 and DMHB11 of the Hillingdon Local Plan - Part Two (2020) (the LP2) seek amongst other matters, that new buildings do not adversely affect their surroundings including the local character, be proportionate to both the dwelling and residential curtilage, and "harmonise" with the local context.
5. The Drive predominantly consists of large residential buildings set within deep plots. While some of the buildings are situated close to one another, the area nonetheless has an open and verdant character and appearance with space in front of and behind the residential properties.

6. I saw at the site visit that the appeal site appears to be a narrower plot in comparison to the adjacent properties and the existing outbuilding already takes up a substantial proportion of the rear garden area.
7. The proposed outbuilding is shown on the, very limited, submitted plans as being notably larger than the existing outbuilding and of some scale in itself, described in the Officers report as having a footprint of some 180 square metres.
8. The appellant notes, and I saw at the site visit, that the location of the proposed outbuilding is set at a lower level than the main building on the site and many of the adjacent buildings. As such, the appeal scheme would not be widely visible but would still be visible from a number of vantage points, including from neighbouring properties.
9. That the materials of the outbuilding would be matching, and a flat roof used would improve the appearance and reduce the prominence of the proposed outbuilding. Nonetheless the proposed outbuilding would erode the open character of the area.
10. The appellant details that the larger outbuilding is necessary because it would serve three residential flats rather than 1 house, I note that the replacement building currently under construction on the site is shown on the submitted plans as being notably larger than the building that it replaced, further eroding the open space of the appeal site.
11. Therefore, while the need for the larger building is not unreasonable, nonetheless the proposed development would result in a noticeably more developed plot than the prevailing character and appearance of the area.
12. For the reasons detailed above I find that the appeal scheme would result in a notably more developed site, eroding the open and verdant character of the area and thus harming the character and appearance of the area contrary to Policy BE1 of the LP1 and Policies DMHD2 and DMHB11 of the LP2.

Trees

13. Policy DMHB 14 of the LP2 requires, amongst other matters, that new development retains or enhances existing trees and applications provide an accurate tree survey.
14. The Tree Preservation Plan provided by the Council does not appear to correspond with the trees that are present on site, either with regards location or species. The appellant's Tree Survey shows the principal trees on site and adjacent to the site being retained and protected with suitable tree protection measures during construction.
15. The Tree Survey also shows the removal of two separate groups, G2 and G3, consisting of what the Survey describes as "Small ornamental shrubbery; spp. inc ash, bay, laurel" and "self seeded specimens, forming a hedge or screen". Both groups are identified as being category C indicating, amongst other matters, low quality.
16. I saw at the site visit that the two groups that would be lost as a consequence of the appeal scheme do make a positive contribution to the verdant character

of the area. Nonetheless on the basis of the evidence before me I am satisfied that, with suitably worked conditions to ensure that the tree protection measures detailed in the Tree Survey are implemented and compensatory landscaping and planting is carried out at the appeal site, the appeal scheme would not harm the protected trees or the character and appearance of the area with regards trees.

17. For the above reasons, I am satisfied that the appeal scheme is not contrary to Policy DMHB 14 of the LP2.

Conclusion

18. I have concluded that the appeal scheme would not harm trees on the appeal site but would harm the character and appearance of the area. Therefore I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR