

Appeal Decision

Site visit made on 14 August 2024

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3RD September 2024

Appeal Ref: APP/R5510/W/23/3332009

1 Heatherfold Way, Eastcote, Hillingdon HA5 2LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Bakrania against the Council for the London Borough of Hillingdon.
 - The application Ref is 66946/APP/2023/2165.
 - The development proposed is side extension to existing garage.
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Decision

1. The appeal is dismissed, and planning permission is refused.

Preliminary Matters

2. The Council failed to determine the application within the prescribed period. Following the submission of the appeal, the Council have prepared an appeal statement that advises that had the Council determined the application, planning permission would have been refused. I have had regard to the Council's appeal statement, in so far as it provides clarity in terms of the reasons why the Council would have refused planning permission had it been able to do so. The main issues below are taken from this document.
3. I saw on site that the side extension to the garage has already been constructed. However, it included 3 windows in the side elevation fronting Wiltshire Lane, which are not shown on the submitted plans. For the avoidance of doubt, I have considered the appeal on the basis of the development that was originally applied for, as shown on the submitted plans.
4. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I have not sought further submissions.

Main Issues

5. The main issues in this appeal are the effect of the proposal on the character and appearance of the area and highway safety.

Reasons

Character and Appearance

6. Heatherfold Way is a relatively small cul-de-sac consisting of 30 properties, including detached, semi-detached, and terraced houses. While the houses vary in their size and form, they are two-storeys, some with rooms in the roof. They share a consistent style and palette of materials, as well as similar features, including some distinctive pitched and hipped roof forms. I saw on my visit that not many of the houses have been obviously extended.
7. The appeal property is a large, detached house located in a prominent position on the corner of Heatherfold Way and Wiltshire Lane. It has some interesting features, including a chimney stack adjacent to Wiltshire Lane, mock Tudor board cladding, mixed hanging tiles and cross jerkinhead roof. It also includes an integral double garage, and in addition to this, prior to the side extension subject to this appeal, it benefitted from a single garage on the opposite side of the property adjacent to Wiltshire Lane. As a result of the side extension, this single garage is now a double garage.
8. The section of Wiltshire Lane between Lime Close and Bramley Close, which leads to the appeal property, has a relatively narrow carriageway and pavements. The adjacent houses are set back from the highway predominantly behind hedging, grass verge and trees. This creates a verdant character with a sense of spaciousness.
9. The side extension has significantly increased the width of the single garage, which is exacerbated by the low, flat roof profile. As a result, while the extended garage does not dominate the appeal property, it does appear disproportionate and is no longer a subordinate addition. Despite using complementary materials, the flat roof of the extended garage, which is not a common feature in the area, and the large blank garage door, jar with the visual richness of the appeal property. As a result, the extended garage appears incongruous and harms the appearance of the appeal property.
10. Contrary to Policy DMHD1 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies (2020) (Local Plan Part 2), the extended garage exceeds the return building line of the previous single garage. It is set much closer to the highway than the other houses adjacent to Wiltshire Lane, taking up space that previously consisted of a grass verge, hedging and some small trees. This erodes the sense of spaciousness along this section of Wiltshire Lane.
11. I appreciate that the side extension is partially screened in some views by the existing hedging and trees along Wiltshire Lane. Also, I saw that some new hedging had been planted adjacent to the flank elevation of the extended garage, as shown in the submitted plans. Nonetheless, I cannot be certain that the hedging and trees would remain in their current form. While it may be that it helps soften the proposal, it should not be used as a screen to mitigate otherwise unacceptable development.
12. Accordingly, for the reasons above, the extended garage conflicts with Policy BE1 of A Vision for 2026 Local Plan: Part 1 Strategic Policies (2012) (Local Plan Part 1), Policies DMHD 1 and DMHB 11 of the Local Plan Part 2 and Policy

D3 of the London Plan 2021. These seek to ensure that all development, including householder development, achieves the highest design quality, which responds positively to local distinctiveness.

Highway Safety

13. Wiltshire Lane is a no-through residential access road providing access to numerous houses, including those on Heatherfold Way, and a reasonably large nursing home at its closed end. It has a speed limit of 30 mph. I saw on site that, despite providing access to the nursing home, there are not many vehicle and pedestrian movements along the section of Wiltshire Lane leading to Heatherfold Way, and even fewer along Heatherfold Way itself.
14. I understand the Highway Authorities concerns regarding the extended garage encroaching upon the visibility splay from Heatherfold Way onto Wiltshire Avenue. However, given Wiltshire Lane is a no-through road, vehicles leaving Heatherfold Way are unlikely to turn right, which significantly reduces any risk of conflict occurring between vehicles, even at times of the day when there may be more vehicle movements.
15. Notwithstanding this, the tactile pedestrian crossing point adjacent to the appeal site has been installed to help pedestrians cross the road. It has not been designed to provide vehicular access to the appeal site and using it as such increases the likelihood of conflict between vehicles and pedestrians. Furthermore, given its proximity to the entrance of Heatherfold Way and its junction with Wiltshire Lane, it also increases the likelihood of conflict with other vehicles. This would compromise highway safety.
16. I recognise that the pedestrian crossing point was already being used as a vehicular access prior to the garage being extended. It is also unlikely that the extended garage has resulted in any significant increase in the number of vehicle movements. Nonetheless, for the reasons above, any increase, in this case, would be unacceptable.
17. Accordingly, the extended garage would conflict with Policies DMT 1, DMT 2 and DMT 5 of the Local Plan Part 2 and Policies T2, T4 and T6 of the London Plan 2021. These seek to ensure all developments provide safe access for vehicles, pedestrians, and cyclists, and reduce car dominance.
18. The specific requirements for garages set out in Table 1: Parking Standards of Appendix C of the Local Plan Part 2 seek to avoid flat roofs, double width doors and long unrelieved walls, especially if they front towards the street. The extended garage would not meet these requirements and would therefore conflict with Policy DMT6 of the Local Plan Part 2 in this regard.

Conclusion

19. For the reasons set out above, I find the proposal would conflict with the development plan, read as a whole. It has not been demonstrated that there are any material considerations to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

Hannah Guest

INSPECTOR