

Appeal Decision

Site visit made on 25 April 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2023

Appeal Ref: APP/R5510/W/22/3309101
18 Mead Road, Hillingdon, Uxbridge UB8 1AU

- 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 Mrs M Barnes against the decision of London Borough of Hillingdon.
 - The application Ref 68180/APP/2022/1598, dated 16 May 2022, was refused by notice dated 9 August 2022.
 - The development proposed is Erection of a 1 bed bungalow with associated amenity space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues with regards to this proposal are:
 - The effect on the character and appearance of the local area;
 - The effect on the living conditions of the neighbouring occupants by way of overbearing and loss of outlook;
 - Whether or not the living conditions of future occupiers would be harmed as a result of overlooking and loss of privacy and outlook; and
 - Whether or not the proposal would lead to a highway safety concern.

Reasons

Character and appearance

3. Located close to Uxbridge town centre, the appeal site is residential in character with a mix of differing house types, sizes and ages with linear gardens forming a significant feature of the local area. The garden of No 18 Mead Road runs parallel to Press Road and part of it would be severed to accommodate a one-bedroom bungalow designed with its front orientated towards Press Road. As the road comes to a dead end here, siting a new dwelling would more closely relate to the enclave of houses here.
4. Positioning a dwelling in the plot as proposed would not precisely follow the pattern of development that is a commonality of dwellings occupying most of the width of the plot with their private gardens behind. However, I observed during my visit the built development of a sizable back-land residential

development with direct access onto Press Road within close range of the appeal site.

5. Although that dwelling did not share precisely the same layout as other dwellings, I am of the view that erecting a dwelling in this back-land location with a frontage to Press Road and side garden, would, broadly speaking, not appear out of place. The remaining garden associated with No. 18 would not harmfully compromise the character of the local area in this regard.
6. Having said that, it has been drawn to my attention that the Council's policy on garden land development resists the loss of gardens, and, in addition, I am conscious that the site is within an area of special character where new development should reflect local context as well as character, even despite the policy requirement for back-land development to be 'intimate in scale'.
7. Whilst the street scene is varied in dwelling types, ages and design, it would appear out of scale here where dwellings are of much greater proportions, even though the bungalow may be in proportion to the size of its plot. Its scale and massing would not harmonise with the more characteristic larger scale buildings that it would be experienced in. Its design articulation is of very limited detail and would also not reflect the shared design cues of local vernacular. Overall, it would appear incongruous and would not safeguard the character and appearance of the local area.
8. My attention has been drawn by the appellant to development at the rear of Number 15 Fairfield Road. From the plans before me, I cannot be certain they are of the same scale or proportions as the appeal proposal. Also, I cannot be certain that the plot sizes adequately compare. Its design is substantially different to the proposal before me. In any case, it is not my duty to comment on the merits of that previously allowed scheme from 2008 as each proposal is determined on its own individual merits. For these reasons it cannot be precisely compared as an example.
9. To conclude, the design, scale and massing of the proposal would not reflect the prevailing character of the local area. Therefore, it would be contrary to the broad and combined design aims of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 5, DMHB 11, DMHB 12 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). In addition, it would fail to meet the design objectives of Policies D1, D3 and D6 of the London Plan 2021 as well as the National Planning Policy Framework to achieve well designed places.

Living conditions adjacent occupants

10. A new dwelling would sit at the far end of the existing garden of Number 18 that bounds onto Number 19 Mead Road. Both of these dwellings are chalet bungalows. From my assessment on the ground, the remaining garden of No. 18 would be in proportion to the size of the dwelling and would not detrimentally compromise the amount of space the occupants would enjoy.
11. Occupants of this dwelling and those of Number 19 Mead Road would visually experience sight of the proposal from within their gardens. I am not convinced a dwelling in this location of the scale and massing as proposed would lead to a significantly adverse effect upon the outlook from these gardens, or lead to a detrimental sense of enclosure.

12. Also, I see no reason to support the Council's view that it would adversely harm the outlook or lead to a sense of enclosure from the rear elevations of these dwellings. This is due to its location, scale and low-level height as a one storey bungalow and proximity to their rear facing habitable room windows, and at an oblique view from Number 19. Both occupant's living conditions would be safeguarded.
13. To conclude on this main issue, the proposal would accord with Policies DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) in regard to safeguarding living conditions.

Living conditions - future occupants

14. Within a suburban context, overlooking and a loss of privacy is inevitable and presently overlooking and a loss of privacy already occurs to the garden of No 18 from neighbouring properties. A boundary enclosure of approximately two metres in height has been presented by the appellant as a means to mitigate overlooking and loss of privacy that the future occupants of the scheme may experience. This could be secured by way of condition as I find it would meet the requirements of paragraph 56 of the National Planning Policy Framework. I find no reason to consider the living conditions of the future occupants would be adversely harmed.
15. Nor do I consider the outlook from the sole bedroom proposed to face Press Road, that would be unobstructed as the appellant confirms the removal of the boundary fence, result in poor quality living conditions for future occupants. There is nothing before me to substantiate the Council's view that light levels into this space would be detrimental to its occupants.
16. Therefore, all things considered, the proposal would safeguard the overall living conditions of the future occupants to meet the same aims as laid out in Policy D6 of the London Plan and the National Planning Policy Framework.

Highway safety

17. The locality is close to Uxbridge town centre within the PTAL 4 range identified as 'good'. There would be no off-street parking apportioned to the dwelling and given its sustainable location in terms of access to transport options and local services, the reliance on the private car would be reduced. This is underlined by the Council's internal Highway's Authority consultation on the proposal.
18. The use of a controlled parking zone is in evidence to control on-street parking stress. I note the content of the consultation makes no mention of the need for the appellant to enter into a legal agreement to prevent the future occupants from having access to the Council's on-street parking management scheme.
19. Therefore, I do not find the proposal to lead to undue parking pressures within the local area. I have read that a third party refers to problematic issues of loading and turning although there is no evidence before me to substantiate their concern.
20. Therefore, to conclude on this main issue, the proposal would accord with Policy DMT2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and T4 of the London Plan 2021 in their objectives to manage transport impacts in development.

Other Matters

21. There is no dispute between the parties with regards to the internal floor space or the amount of external space associated with the dwelling. However, this is a neutral matter in the overall consideration of the proposal and neither weighs for or against it. Greening of part of the site is welcome but could occur without this particular development.
22. There may be a fall-back position to build an outbuilding at the site. However, details of such have not been advanced for me to fully consider as an alternative to the proposal. In any case, an ancillary outbuilding could not be reasonably considered to compare to a new residential dwelling.

Balance and Conclusion

23. I have concluded that the effect of a dwelling as proposed would lead to visual intrusion to the character and appearance of the local area. In the overall planning balance, I apportion significant weight to this matter that far outweighs the areas where I have found in favour of it. Therefore, the scheme cannot succeed.
24. I conclude that the proposal would conflict with the development plan when taken as a whole and there are no other considerations that outweigh this conflict. For the reasons given above, the appeal is dismissed.

Alison Scott

INSPECTOR

