The Planning Inspectorate

Appeal Decision

Site visit made on 21 January 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/R5510/W/19/3239588
109 Long Lane, Hillingdon, Uxbridge UB10 0AR

- 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 Ms Fortella against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 73760/APP/2019/822, dated 6 March 2019, was refused by notice dated 20 June 2019.
- The development proposed is the demolition of existing garage and construction of two storey extension providing 1 self contained dwelling.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the Council refused planning permission it has adopted the London Borough of Hillingdon Local Plan Part 2 Development Management Policies 2020 (P2LP). As a result, the Policies within that document carry full weight and they have replaced the Local Plan Part 2 Saved UDP Policies 2012, which are no longer in force. The Hillingdon Design and Accessibility Statement Supplementary Planning Documents – Residential Layouts 2006 and Residential Extensions 2008 have also been withdrawn.

3. The Council has confirmed that the adopted P2LP Policies that it relies on are DMT 6, DMHB 11, DMHB 12 and DMHD 1. As these policies were not referred to specifically in the Council's delegated report or reasons for refusal, the appellant has been given the opportunity to make further comments on the change to planning policy that has occurred.

4. The appellant's submission makes reference to previous plans which did not form the basis of the Council's determination of the planning application. I am however able only to consider the plans on which the Council made its determination, which are those listed on the decision notice.

Main Issues

5. The main issues are the effect of the proposed development upon (i) the character and appearance of the existing dwelling and the surrounding area (ii) the living conditions of the occupiers of 1 Harvey Road and of the future occupiers of the proposed dwelling and (iii) highway safety with reference to parking provision.

Reasons

Character and appearance

6. The surrounding area is characterised by semi-detached dwellings arranged relatively uniformly along Long Lane. Various extensions and alterations to the dwellings, including two storey side extensions, are noted, however these have generally been undertaken in a sympathetic manner and have maintained the pleasant suburban character and appearance of the area and of the dwellings themselves.

7. Due to the location of the appeal site on the corner of Long Lane and Harvey Road, the proposal would be prominently located. It would be of substantial width, similar to that of the appeal dwelling, and it would visually dominate the existing dwelling and the pair of semi-detached dwellings by reason of its width and its general scale and massing. This would create an incongruous and unbalancing feature within the street scene and result in significant harm to the character and appearance of both the existing dwelling and the surrounding area.

8. Although the proposal does incorporate a setback from the front elevation, a lower ridge height and a bay window, these design features do not adequately mitigate against the harm that would arise. Furthermore, whilst the appellant has drawn attention to other examples of two storey side extensions in the area, none are directly comparable in their scale or in the impact that has resulted upon the character and appearance of the area. In any event however, I am required to determine the appeal primarily on its own merits and therefore this is the approach that I have taken.

9. The Council has further concerns that the proposed development would result in the closing of the gap between the appeal dwelling and Harvey Road, which it considers to be characteristic of the area. In this respect, a reasonable separation would be retained to Harvey Road and the proximity of the proposed development to this road would not adversely affect the spacious feel of this corner. However, whilst this element of the proposal would not result in harm, this does not outweigh the significant harm to character and appearance that I have identified.

10. I therefore conclude that the proposed development would cause significant harm to the character and appearance of the existing dwelling and the surrounding area by reason of its positioning, width and general scale and massing. Consequently, the proposal conflicts with the design aims of Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 (P1LP) and Policies DMHB 11, DMHB 12 and DMHD 1 of the P2LP, all of which seek to protect character and appearance.

Living conditions

11. Due to the corner positioning of the appeal dwelling and its orientation in respect to No 1, the proposed development would not be in close proximity to the main rear elevation of this adjacent dwelling and it would not adversely affect the outlook from its windows. For the same reasons, and due to the fact that the appeal dwelling is set at a lower ground level than No 1, the positioning of the proposal would also not cause harm to the living conditions

of the occupiers of No 1 due to its general bulk and massing or through a loss of light.

12. The Council has drawn attention to the fact that the proposed development would not meet the minimum internal space standards set out by Policy 3.5 and Table 3.3 of the London Plan 2016 (LP). This Policy forms part of the development plan and the determination of this appeal must be made in accordance with the plan unless material considerations indicate otherwise. The Mayor of London's Housing Supplementary Planning Guidance 2016 (SPG) further sets out the requirement to achieve minimum internal space standards.

13. In mitigation, the appellant considers that the proposed development would deliver an exemplar design and contribute to the achievement of the other objectives of the LP, including in the delivery of new housing. However, I have found significant harm with regard to character and appearance and the proposal cannot therefore be considered to be of exemplar design. The contribution to the delivery of new housing and any other benefits arising would be limited as only one new dwelling would be provided.

14. The appellant has also drawn attention to the fact that the proposed dwelling would be provided with outdoor space. However, this would not adequately compensate for the deficiency in internal living space and the failure to meet the standards set out in the development plan. Taken together, these considerations do not outweigh the fact that the proposed development would fail to provide the required internal space standards.

15. I conclude therefore that whilst the proposed development would not harm the living conditions of the occupiers of No 1 and that there would accordingly be no conflict with Policy BE1 of the P1LP or Policies DMHB 11 and DMHD 1 of the P2LP, it would fail to provide the necessary internal space standards set out by the development plan. Accordingly, the proposal would conflict with the aims of Policy 3.5 and Table 3.3 of the LP and with the SPG, which set out the internal space standards that new developments are expected to meet.

Highway safety

16. Long Lane runs parallel to the main A437 and as a result primarily provides a function as a service road to the dwellings in this area. During my site visit I did not observe there to be significant levels of traffic passing the appeal property and therefore the provision of parking spaces which require cars to reverse onto, or out of, the property would not cause harm to highway safety. Such an arrangement would also be consistent with the parking provision of other properties on Long Lane. Whilst there is not currently a dropped kerb serving the entire frontage of the appeal site, I have no evidence before me to demonstrate that works to provide this could not be undertaken or easily secured as part of any planning permission granted at the site.

17. I therefore conclude that the proposed parking arrangements would not cause harm to highway safety and that there would be no conflict with Policy DMT 6 of the P2LP which seeks to ensure that adequate vehicle parking is provided on new developments.

Conclusion

18. Whilst I have not found harm to the living conditions of the occupiers of No 1 or to highway safety, I have found significant harm to character and

appearance and a failure to demonstrate that the proposal would provide adequate internal space, both of which result in a conflict with the development plan. For this reason, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR