

Appeal Decision

Site visit made on 4 May 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2022

Appeal Ref: APP/R5510/W/21/3288965

31 Clevedon Gardens, Hayes UB3 1RD

- 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 Jaswant Thind against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75243/APP/2021/1759, dated 23 April 2021, was refused by notice dated 16 September 2021.
 - The development proposed is for new 2 bedroom chalet bungalow with parking and amenity space and demolishing the existing garage of the principal dwelling at No 31 Clevedon Gardens Drive.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It is noted that revised ground and first floor layouts were submitted as part of the appellant's Appeal Statement in response to the third of the Council's refusal reasons. Although not before the Council at the time of their consideration of the planning application, the Council accept that internal alterations could address this reason for refusal and that the matter could be adequately resolved by way of an appropriate planning condition.
3. I accept that such an approach would not, in these particular circumstances, prejudice the interests of the main parties, or others, in this respect, and I will return to this matter below.

Main Issues

4. The main issues are the effects of the proposed development upon:
 - The character and appearance of the surrounding area; and
 - Highway safety, with particular regard to the provision of off-street car-parking, access and manoeuvring.

Reasons

Character and appearance

5. Clevedon Gardens is a residential cul-de-sac of two storey terraced dwellings, split into terraced blocks of four and six houses. The residential plots are narrow but have reasonably long rear gardens, the exceptions being end of terrace properties located at the head of the cul-de-sac around the tight turning circle. Here, the gardens fan out towards the rear beyond the houses, giving a more spacious setting to these properties, with glimpses of trees and

hedges possible between the terrace ends. In these respects, Clevedon Gardens shares a common character and distinct identity with the broadly similar neighbouring streets of Windsor Gardens, Marlow Gardens and Burnham Gardens.

6. The appeal property, as a consequence of its location at the head of the cul-de-sac, has a generous and spacious rear garden plot which opens out from a narrow street frontage. Although there is a small, detached outbuilding within the garden, it is unobtrusive and does not unduly restrict views through the gap between adjacent terraced blocks towards the verdant, green backdrop or otherwise compromise the relative sense of space and openness at the rear of the terraces.
7. Whilst the proposed dwelling would not be widely visible on approach along Clevedon Gardens, from the turning circle it would become more clearly visible and impinge upon views of the verdant backdrop seen between Nos 31 and 33. As a contrast to the cramped, car-dominated street frontage, the glimpsed views to the green backdrop behind the terraced blocks and the sense of spaciousness described above are important contributory factors to the area's character and its appearance. Their erosion would be at odds with the prevailing character of Clevedon Gardens and neighbouring streets.
8. The appellant has sought to demonstrate that the proposal's proportion of built area to site area compares favourably with those of the existing terraced properties within Clevedon Gardens. It has also been shown that the retained garden for No. 31 would be consistent with other mid-terrace properties.
9. Whilst that may be so, there are other factors to consider in assessing the effect of a proposal on character and appearance. The proposed dwelling would be an altogether larger structure than the existing outbuilding, its size and bulk due principally to its disproportionately large roof structure and substantial rear box-dormer window. It would, as a consequence, have something of an awkwardly top-heavy appearance, setting it at odds with the generally consistent, prevailing style, form and character of the terraced blocks.
10. Moreover, the building would be positioned very close to the site's frontage on the narrow access track. Because of its orientation within the plot its rear corner would also be very close to the rear of the site. This would compound the incongruous nature of the proposal's location at the rear of the terraced block and its bulky appearance, resulting in a cramped and discordant form of development at odds with the area's prevailing pattern and form of development.
11. Whilst garden buildings are not entirely without precedent, they tend to be smaller structures than that proposed in this instance. The building's ridge height and overall scale may be less than those of the existing terraced buildings, but this would not make the proposal any less dominant within the context in which it would be located. Nor would the large and angular box dormer window or awkward half-hipped roof be consistent with the prevailing roof forms of Clevedon Gardens and neighbouring streets.
12. There are, I accept, other examples of residential properties at the rear of these terraced blocks, most notably on the other side of the access track (Nos. 33A / 33B). Whilst I do not have the details of the proposals that led to those properties or the development plan context within which they were considered

before me, I saw that that building is located further back into the space at the rear of that particular terraced block than the appeal proposal would be. As such, those properties are significantly more recessive features than the proposed dwelling and consequently impinge less on the sense of space around the terraced blocks.

13. For these reasons, I conclude that the proposed development would fail to harmonise with local context and the prevailing scale, built form and layout of Clevedon Gardens and neighbouring streets. As such, the proposed development would be in conflict with Hillingdon Local Plan Part 1 (LP1) policy BE1 and Hillingdon Local Plan Part 2 (LP2) policies DMB11 and DMHB12 which together seek to improve or maintain the quality of the built environment and to achieve a high quality of design that enhances the local distinctiveness of the area. LP2 policy DMH6 identifies circumstances in which garden and backland development may be appropriate but notes the effect of such development on local character. The proposal would also be in conflict with this policy.
14. Although the National Planning Policy Framework (the Framework) states that planning decisions should promote the effective and efficient use of land, the creation of high-quality buildings and places is fundamental to the planning and development process. The proposal would also, for the reasons I have set out, be in conflict with the aims and objectives of the Framework in seeking good, high quality and inclusive design.

Highway safety

15. Given the nature of the layout of the terraced blocks around the tight turning circle at the end of Clevedon Gardens, there already appears to be a significant degree of inter-dependence on the access track between Nos 31 and 33 for accessing the small forecourt parking areas at the front of each property. In the case of No 31, this would continue to provide one of the parking spaces for the existing property.
16. However, the second of the spaces would be located adjacent to No 31's flank elevation. The appellant's swept path diagram¹ shows that a car, parked parallel to the boundary with the proposed dwelling, could reverse out and then exit the access track in a forward direction. However, what it does not demonstrate is how the vehicle would access that particular parking spot in a forward direction.
17. The width of the access is restricted by the front corners of Nos 31 and 33. It would be possible to drive in and pull in parallel to No 31's flank, but not in the manner shown on the swept path. Nor does it show how either of the parking spaces for the proposed dwelling would be accessed in a forward motion where the width of the access, and thus the manoeuvring space, is heavily constrained by existing buildings, potentially parked vehicles and by the limitations of the appeal site's extent.
18. Given the limited, and already heavily used, on-street parking and the restricted space around the tight turning head, the proposal's failure to demonstrate accessible parking provision or adequate and usable access and manoeuvring space would be prejudicial to highway and pedestrian safety. As

¹ Drwg No: P-31 CG -06 – 'Proposed Site Plan Swept Path Diagram'

such, the proposal fails to demonstrate safe and efficient vehicular access to the highway network or adequate provision for access to, and manoeuvring into and out of, the parking spaces provided within the proposal, contrary to LP2 policies DMT2 and DMT6.

Other Matters

19. The third of the refusal reasons relates to the shortcomings of the proposed dwelling's internal layout, with particular regard to bathrooms. A revised internal layout has been submitted within the appellant's Appeal Statement which suggests how this reason for refusal could be overcome.
20. Although not previously before the Council, the Council acknowledge that these matters could be adequately dealt with by way of a planning condition as internal alterations. I see no particular reason to disagree. However, the use of a condition (or conditions) to secure this matter would clearly not address the matter of the harm I have identified in respect of the main issues.
21. The proposal would increase the supply of homes, the significant boosting of which is identified in the Framework as an objective of the Government. However, the weight that I can give this matter in favour of the proposal is limited, commensurate with the limited extent of the proposal for a single dwelling.

Conclusion

22. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie

INSPECTOR