
Appeal Decision

Site visit made on 3 May 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 May 2017

Appeal Ref: APP/R5510/W/17/3169194

First Floor, Bristan House, Colham Mill Road, West Drayton UB7 7AE

- 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 S Kumar against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 2963/APP/2016/4074, dated 7 November 2016, was refused by notice dated 3 January 2017.
 - The development proposed is a roof extension to provide a one bedroom self-contained flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the surrounding area; ii) the living conditions of future occupiers with particular regard to external amenity space and iii) highway safety with particular regard to parking provision on site.

Reasons

Character and Appearance

3. The appeal site is in a prominent location on the corner of Colham Mill Road close to its junction with Station Road. It marks a transition point between a predominantly residential environment that includes Colham Mill Road, characterised by quiet and verdant streets, and the mixed uses along the busier and more vibrant Station Road.
4. The two storey appeal building is simple and functional in appearance, incorporating a flat roof, with blank side elevations. However, whilst differing in form and materials compared to the residential properties along Colham Mill Road, the existing height and alignment of the building helps to assimilate the structure within the street. In this regard I concur with the observations of the Inspector who dealt with a previous appeal for a different development at the site¹, that the existing building is most closely associated with nearby buildings along this street.

¹ Appeal Reference: APP/R5510/W/15/3137844

5. Though there are larger buildings on Station Road, viewed from Colham Mill Road, the proposed increase in height of the structure would appear intrusive and incongruous in this prominent location, visually jarring with the adjacent two storey residential buildings in terms of an abrupt change in scale and form. The extension would be set in from the existing edges of the building. Whilst this would provide some visual relief to the profile, it would nevertheless expand the blank side elevations, further emphasising the scale and mass of the structure.
6. I conclude that the proposal would result in harm to the character and appearance of the surrounding area. It would therefore conflict with Policy BE1 of the Hillingdon Local Plan Part One - Strategic Policies 2012; Policies BE13, BE15 and BE19 of the Hillingdon Local Plan Part Two - Saved Unitary Development Plan Policies 2012 (UDP) and the Council's Design and Accessibility Statement Supplementary Planning Document Residential Layouts 2006 (SPD) insofar as they seek to promote good design that protects local character and harmonises with its surroundings.

Living Conditions

7. The appeal site is tightly confined, essentially comprising the existing building and adjacent car parking area. The proposal would not allow for any external amenity space to serve the flat. The absence of external amenity space would prevent future occupiers from using the exterior of the property during finer weather for example to relax or dry laundry. It would therefore be detrimental to the comfort and convenience of residents.
8. Whilst I acknowledge that this arrangement would be consistent with that which already exists for the three flats at first floor level and I have no reason to doubt that there would be a market for the development, it does not justify the issue I have identified. The appellant has referred to the availability of alternative external amenity space in the form of nearby parks. However I have been provided with no further details in this regard and, in any event, this would not compensate for the convenience and privacy of external space linked to or closely associated with the property.
9. I have no reason to doubt that the development could be constructed to a high standard, however for the above reasons I find that it would not allow for acceptable living conditions for future occupiers of the flat. This would conflict with the objectives of Policies BE19 and BE23 of the UDP; the SPD and the National Planning Policy Framework (the Framework) insofar as they seek to achieve a good standard of amenity for all existing and future occupants of land and buildings.

Highway Safety

10. It was apparent from my visit that external space to the side of the existing building has been marked out to provide a car parking area. The position of these spaces does not reflect what is shown on the proposed drawings. In addition it appeared to me that some of the spaces were very small and it is unclear whether the layout would allow for safe and convenient manoeuvring of vehicles if used intensively.
11. Notwithstanding this, I am mindful that the proposal is for a single additional flat of limited size and containing a single bedroom. In addition the site is

within a relatively sustainable location, close to local shops and services and to the West Drayton rail station. This may make the development attractive to occupiers without access to a car. In view of these considerations, I conclude that any additional parking demand, should it arise, would be very small and not sufficient to jeopardise highway safety. The Council has raised the point that with regard to the previously dismissed appeal on the same site, the Inspector concluded that the development would have resulted in harm to highway safety. However, whilst limited information has been provided, that proposal, which was in outline, would have involved the demolition of the existing building and the redevelopment of the site for a different mix of uses. That scheme is not therefore comparable to the current appeal.

12. For the reasons given in paragraph 10 above, it is unclear whether the development would accord with Policy AM14 of the UDP, which requires parking provision in accordance with the Council's standards. However, in my view, even if there is conflict, this would be outweighed by the consideration that the proposal would be in accordance with the Framework insofar as it states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Other Matters

13. The appellant has made the point that there has been no objection to the proposal from nearby property owners. Notwithstanding this, I have a statutory duty to consider the impact of development, even when no specific objection from third parties has been forthcoming. Whilst I have no reason to dispute the points that the Council has granted permission for flats at different nearby sites and that the previously dismissed appeal on the same site related to a larger building, this does not justify the harm I have identified in this case, each application being decided on its own merits.

Conclusion

14. I have not found harm in terms of highway safety. However this is outweighed by my negative findings with regard to character and appearance and the living conditions of future occupiers.
15. For the above reasons, having taken into consideration all other points raised, I conclude that the appeal should not succeed.

Roy Merrett

INSPECTOR