

Appeal Decision

Site visit made on 20 July 2015

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 6 August 2015

Appeal Ref: APP/R5510/W/15/3006538

Land adjacent to 14 and 15 East Walk, Hayes, Middlesex UB8 3JJ

- 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 Anton Raimondo (Southern Capital Ltd) against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 63226/APP/2014/3023, dated 22 August 2014, was refused by notice dated 29 January 2015.
 - The development proposed is two x single storey 3 bed attached dwellings and one x 2 bed detached dwelling with amenity space.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appellant has indicated that although the Council did not seek his consent to change the description of the development from that given on the application form, the revised description as set out above is acceptable.

Main Issues

3. The main issues are i) the effect of the proposed development on the character and appearance of the area; and ii) the effect of the proposal on the safety and convenience of users of the adjacent highways.

Reasons

Character and appearance

4. West Walk and East Walk are cul-de-sacs either side of Crossway, with the properties on the three streets arranged in a cruciform layout. The two storey dwellings are set back from the narrow carriageways behind short front gardens or parking areas, which often include frontage hedgerows. They are arranged in a regular staggered pattern of semi-detached pairs or short terraces. A short terrace of 4 dwellings provides a visual terminus and a full-stop at the end of both East and West Walk. The consistent form and regular siting of the dwellings, and their common palette of materials, provides a sense of cohesion in the streetscene. Gaps between the buildings, particularly at the head of the cul-de-sacs, allow glimpses out to green spaces, gardens and outbuildings, with
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more distant dwellings or other buildings beyond. Together with the set-back of the dwellings, and their hipped roof form, this contributes to a sense of spaciousness.

5. Given the area's distinctive character the Council has designated it as the East Walk/West Walk Area of Special Local Character ('ASLC'). Policy BE5 of the Hillingdon Unitary Development Plan Saved Policies 2007 (retained 2012) ('UDP') states that within such areas new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. The Hillingdon Design and Accessibility Statement: Residential Layouts Supplementary Planning Document 2006 ('SPD') provides general guidance which seeks to ensure that development enhances and contributes positively to the appearance of an area.
6. The appellant acknowledges that this proposal would have a markedly different form, layout and finish from adjacent development. However, he considers that this is an isolated corner plot, and the proposed dwellings would be single storey to reflect the height of adjacent outbuildings. Consequently he maintains that they would not be conspicuous and that the scheme has addressed concerns raised by previous Inspectors (Appeal Ref: APP/R5510/A/07/2056417 and APP/R5510/A/08/2091277). Furthermore he considers that policy BE5 is inconsistent with national policy.
7. For my part, I noted on my visit that the site is largely undeveloped and overgrown, and has larger trees and bushes around its boundaries. The proposed dwellings would be single storey and set back into the site where they would not be prominent in the streetscene. However, from close views at the head of the cul-de-sac parts of the proposed development, particularly the dwelling on plot 3 and the boundary treatment, would be seen in the gap between nos. 14 and 15 East Walk. In those views, the proposed building and internal boundaries would diminish the sense of visual gap, and the termination provided by the terrace of four at nos. 15 to 18. Notwithstanding the proposed planted green roofs (with solar panels and raised rooflights) and areas of landscaping, the proportion of the plot covered by the proposed buildings and their proximity to many of the site's external boundaries, would also be apparent from surrounding rear upper floor windows. Although I noted outbuildings close by, in those views the proposed layout and plot coverage in this location would not respond to the strong prevailing characteristics of the area that I have identified.
8. In many respects the buildings' form, design and materials represents an imaginative solution to the constraints of the site, and I have considered the National Planning Policy Framework ('Framework') statement at paragraph 60 that policies and decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative. However, it also requires at paragraph 58 that development should respond to local character and reflect the identity of local surroundings. In my view, the scheme would conflict with that approach.
9. The Council's decision states that the scheme would fail to preserve or enhance the character of the area. However, that is a test applied to conservation areas and is not applicable here. UDP policies BE5, BE13 and BE19 require proposals to harmonise with, or complement, the area, but do not state that they should

replicate it. Consequently I consider that those policies are broadly consistent with the Framework and do not conflict with its approach at paragraphs 58 and 60. I therefore give those policies significant weight in my decision, and for the reasons above, find that this scheme would conflict with them, and with the similar requirements of the SPD.

10. I recognise the appellant's attempts to address the previous Inspectors' concerns. However, in disrupting the sense of rhythm as a result of the pattern and layout of the houses, and the gaps between them, this scheme is unacceptable, and I conclude that it would significantly harm the character and appearance of the area.

The safety and convenience of users of the highway

11. The proposed dwellings would be accessed via a narrow link between nos. 14 and 15 East Walk. Although they would not be provided with any off-street parking, the scheme includes bicycle storage areas and space for guest cycles.
12. Many dwellings on East Walk have driveways with space for a car to be parked. Given the narrow width of the carriageway, cars can only be parked on one side of the road, and where there is no drop kerb. The appellant has provided a Parking Assessment ('assessment') prepared by Paul Mew Associates which concludes that on adjoining streets overnight parking stress as a result of this scheme would be increased by 3% from 73% to 76%.
13. For my part, I note that the site is located within easy walking distance of the shops and services on Coldharbour Lane, and the bus stop at Fairdale Gardens. As a result, although the Council states that the site has extremely poor public transport accessibility, in my view future occupiers would be able to access many facilities on foot and would have alternatives to travel by private car. Consequently, whilst I accept that the scheme would add to vehicular movements and parking pressures on adjacent streets, for the above reasons, and with regard to the results of the assessment, I consider that those impacts from this relatively small scheme of three dwellings, would be modest.
14. Policy AM14 of the UDP requires parking provision to be made in accordance with Annex 1. As no off-street parking would be provided, the scheme would conflict with that policy and with the similar requirement in the SPD. However, those requirements are inconsistent with the Framework, which states at paragraph 32 that development should only be prevented or refused on transport grounds where residual cumulative impacts are severe. I also understand that the London Plan sets maximum parking standards and allows for a considerably more flexible approach. I therefore give policy AM14 little weight in my decision, and for the reasons above, I conclude on this matter that the scheme would not have a significant effect on the safety and convenience of users of the adjacent highways.

Other matters

15. The appellant considers that the Council's decision was inconsistent with its pre-application advice. However, I have considered this proposal on its merits and with regard to relevant policies and guidance.

16. In its favour the scheme would deliver housing in accordance with national planning objectives, on an undeveloped space. I understand that it would be to an energy efficient and sustainable design and construction, and that the dwellings would achieve level 4 of the Code for Sustainable Homes.

Conclusions

17. The proposal would not have a significant impact on the safety and convenience of users of the adjacent highways. However, it would have a significant adverse effect on the character and appearance of the area. That adverse impact is not outweighed by the limited contribution this scheme would make to the supply of housing. Consequently, for the above reasons, and having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR