
Appeal Decisions

Site visit made on 5 July 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

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

Decision date: 26 July 2016

Appeal A Ref: APP/R5510/W/16/3147670

Land rear of 18 East Walk, Hayes, Middlesex UB3 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 Mujahid Ali, Property Plus UK against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 63334/APP/2015/2540, dated 16 July 2015, was refused by notice dated 5 October 2015.
 - The development proposed is the erection of a detached, 2-bedroom bungalow.
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Appeal B Ref: APP/R5510/W/16/3147671

Land rear of 18 East Walk, Hayes, Middlesex UB3 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 Mujahid Ali, Property Plus UK against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 63334/APP/2015/4045, dated 30 October 2015, was refused by notice dated 23 December 2015.
 - The development proposed is the erection of a detached, 2-bedroom bungalow.
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Decision

1. Appeal A and Appeal B are dismissed.

Procedural Matter

2. As set out above there are two appeals on this site. They differ only in their roof form, their size and their detailed design. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issue

3. The main issue in both appeals is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site occupies an undeveloped corner of land, which is described as being previously used as allotments, between a terrace and a pair of semi-detached houses at the end of East Walk. East Walk and West Walk are two streets with relatively narrow roads and footways which run perpendicular off Crossway which together form a cruciform street arrangement. East Walk, though slightly longer than West Walk, appears to contain a similar and
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distinctive arrangement of pre-war Council housing in staggered pairs of semi-detached houses and short terraces set out broadly symmetrically, with short terraces at the end of each street, where large, green areas fill the corner space between each of the stop-end terraces and the houses running along the length of the street. Two green, undeveloped areas also lie behind the houses on the north-east side of the Walks.

5. The distinctive layout of the streets, which allows glimpses through to these undeveloped areas and to the houses beyond, is enhanced by the enclosures to front gardens being generally in privet hedges, and by a coherence in the form, materials and detailing of the houses predominantly in white, pebble-dashed render under extended hipped, pan-tiled roofs, which lend the streetscape a picturesque quality.
6. The Council refers to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies 2012 (LP1) which seeks development which enhances the local distinctiveness of the area and contributes to a sense of place as well as making a positive contribution to the local area in terms of layout, form, scale and materials. While it also refers to Policies BE15 and BE19 of the Hillingdon Local Plan Part Two – Saved UDP Policies 2012 (LP2), the former relates to extensions and I have not been provided with a copy of the latter. Nonetheless, it also refers to saved UDP Policy BE13 which seeks development whose layout and appearance harmonises with the street scene.
7. In regard to appeal A it also cites LP1 Policy HE1 which sets out that the Council will conserve and enhance the environment including locally recognised features such as Areas of Special Local Character. It has designated the area as the East Walk/ West Walk Area of Special Local Character (ASLC). Policy BE5 of the Hillingdon Local Plan: Part Two – Saved UDP Policies 2012 (UDP) states that new development in these areas should harmonise with the predominant materials, design features, architectural style and building heights of the area.
8. In this policy context, the Council objects to the footprint, size, site coverage and siting of the proposals concluding that they would be an over-development of the site which would be at odds with the distinctive pattern of development in the area.
9. While the footprints of the proposed houses in both appeals are larger than their immediate neighbours, they would be only single storey and not substantially larger than some of the extended houses in the street. This would reduce the impact of their larger ground floor footprints. The lateral separation between the proposals in both appeals and the adjoining plots would not be significantly different from the prevailing character of side gaps, and the displaced location of each proposal would diminish its effect on the street scene. I note that the siting would not extend forward of the established building line of the neighbouring houses with a similar orientation to the street, and I note that the overall heights of the proposals, being single storey, are relatively low.
10. However, despite these positive characteristics of the proposed layouts, both proposals, by their location in the undeveloped space between the houses, would be visible in the street scene and from neighbouring houses and gardens. They would undermine the contribution which the undeveloped gap makes to the spacious character of the area, and they would disrupt the

broadly symmetrical pattern of development in the street layout which is a significant factor in the distinctiveness of the place. Furthermore, while the proposal under appeal B would have a hipped roof similar to its neighbours, the flat roof of the house proposed under appeal A would appear distinctly at odds with the coherent townscape of the rest of the houses in the street which is of hipped roofs.

11. I agree that the proposals would not be visible in long street views; however they would be conspicuous from within the cul-de-sac at the end of East Walk, and from the houses and gardens adjoining the site.
12. I note the appellant's points about the visibility of the proposals from East Walk not necessarily by itself equating to visual harm, the de-sensitising effect of cumulative minor development, as well as the size of the development plot being larger than some of the plots containing three or four bedroom houses. However, I have identified the harm to result from the erosion of the gap and the impact on the characteristic pattern of development which contributes to the distinctive order and spaciousness of the area, which is part of the significance of the ASLC. While I saw that some of the surrounding houses have been altered, the overriding townscape and landscape character of the area remains intact. There is no substantial evidence which undermines the Council's designation, and I have balanced the significance of the ASLC against the proposals in accordance with paragraph 135 of the National Planning Policy Framework 2012 (the Framework). I have also given regard to the size of the development plot and found no harm in respect of footprint or plot ratio.
13. I acknowledge that both proposals would provide ample garden area, retain the characteristic privet hedge and that the proposal in appeal B would be 1m shorter than the proposal in appeal A. I note too that its roof would reflect the surrounding roofscape. However these positive factors which weigh in favour of the proposals do not outweigh the harm identified above.
14. The Inspector in the 2015 appeal¹ referred to on the site to the south, between 14 and 15 East Walk dismissed the proposal in that case. While it was for a more intense development than proposed in the appeals before me, the conclusion that from close views at the head of the cul-de-sac parts of the development would be seen in the gap and would diminish the sense of visual gap and the termination provided by the terrace of four at Nos. 15 to 18, are similar to my conclusions of the proposals in these appeals.
15. I conclude that the proposals in both appeals would have a materially harmful effect on the character and appearance of the area, and would be at odds with LP1 Policy BE1 and the proposal in appeal A at odds with LP1 Policies BE1 and HE1. Each proposal would also conflict with LP2 Policies BE5 and BE13, and with the advice in the Framework which suggests that development should respond to local character and respect the identity of local surroundings², as well as the Planning Practice Guidance³ which advises that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development.

¹ Appeal Ref: APP/R5510/W/15/3006538

² National Planning Policy Framework 2012, paragraph 58

³ Planning Practice Guidance, DCLG 2014 as amended, paragraph 007, ID 26-007-20140306

16. When considered against the tests set out in the Framework relating to the presumption in favour of sustainable development, I have acknowledged the design qualities of the developments proposed in both appeals and these stand alongside the modest benefit in each of one house to local housing supply, in accordance with paragraph 47 of the Framework, and the limited associated economic benefits.
17. However, both proposals do not adequately address the environmental role of sustainable development as set out in paragraph 7 of the Framework, and in this respect, the benefits above are outweighed by the material harm to the character and appearance of the area and the conflict with the policies of the Development Plan as a whole, as well as the Framework.

Other Matters

18. I have already dealt with what I regard as the main planning issues. I note the objection from a neighbour regarding lack of parking and access to the site for emergency vehicles. However, the development proposed in both appeals of a single house would not have a significant effect on the safety or convenience of road users. Each would retain a clear route from the street together with space around the footprint of the house which would provide emergency access.

Conclusion

19. For the reasons given above, and taking account of all matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Patrick Whelan

INSPECTOR