



Appeal Decision

Site visit made on 30 July 2019

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/R5510/W/19/3227422
260, Kingshill Avenue, Hayes UB4 8BZ

- 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 Singh Phull against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 32013/APP/2018/1906, dated 22 May 2018, was refused by notice dated 29 March 2019.
 - The development proposed is the erection of a third floor extension incorporating 1x 1 Bed flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are as follows:
 - The effect of the development on the character and appearance of the area having regard to its size, bulk and design; and
 - Whether the development would provide an appropriate level of car parking.

Reasons

The effect of the development on the character and appearance of the area

3. The appeal site is a three-storey building forming part of a busy parade of shops at Kingshill Avenue. The building's ground floor is currently occupied by a hot-food takeaway with the upper floors in use as flats. The building is flat roofed and dates from around the early 20th century which contrasts with the design of the three storey neo-Georgian parade extending from no.262 to 288 to the west. The building forms a distinct transition between the higher pitched roof neo-Georgian parade to the west and the lower, two-storey, flat roofed parade which extends to the east.
4. The proposal would add an additional third floor extension to form a further flat on to the building. This would include a mansard type roof with two front facing windows overlooking the main street. The rear of the extension would be a simple flat roof with a single window to the rear aspect. The extension would raise the building's height to the level of the adjoining building at No. 262. The mansard style roof would be in contrast to the pitched roof of the parade from No.262 to 288 and the flat roof of the post war parade to the east. As such, the

introduction of such a roof style would represent a distinctly different form of development and character with the surrounding properties.

5. The proposal would be highly visible from the main street and particularly visible by those using the shops at Kingshill Avenue. The building's current height gives the appearance of a distinct change between the older and newer phases of the parade. It provides a pleasing step-down effect between the two phases of the parade representing a more gentle transition which can be appreciated when taking in longer views of the parade from Kingshill Avenue. The remainder of the extension would be constructed from matching brick albeit the eastern elevation would comprise only of brickwork with no further detail proposed. I consider that the introduction of a third floor to the appeal building would be a bulky and incongruous addition to the building and would remove the 'step' effect when viewed from Kingshill Avenue, giving rise to a more pronounced drop between the building heights than currently found.
6. The pitched roof of the neo-Georgian parade and the gable end of No. 262 are clearly visible from the street and have remained unaltered, allowing a clear appreciation of the detail of the roof, the gable end as well as its facia which is well articulated. The introduction of the appeal proposal would remove the views of these important details which make a significant positive contribution to the character of the area. I consider that the removal of these views by the appeal proposal would result in significant harm to the character and appearance of No.262, and as a result, the area itself.
7. The appellants have indicated that the site has previously been subject to a planning permission for a third floor extension dating from 1988. However, this proposal was materially different from the appeal proposal in that it included a pitched roof. Furthermore, there is no evidence before me to suggest that this permission has been implemented as a fall back. As there is no evidence that the earlier permission is capable of implementation this limits the weight that could be given to it in this decision, but even so it is clearly a different scheme from that before me.
8. Policy BE1 of the Hillingdon Local Plan part 1 is a strategic policy which indicates that support will be given to proposals that are consistent with the Hillingdon Local Plan part 2 Development Management Policies. Policies BE13, BE15 and BE19 of the saved Local Plan part 2 are most relevant in this instance. Specifically, Policy BE13 states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene. Policy BE15 states that proposals for extensions and alterations will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building. Policy BE19 states that the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.
9. I consider that the incongruous nature of the proposal by virtue of its scale and design significantly affect the character of the area by removing the ability to reflect the gradual transition between the phases of the adjoining development. Furthermore, it results in harm to the character and appearance of No. 262 and the street scene by the elimination of the detail of the adjoining property the as a result of the bulky third floor extension. I consider that as a result the scheme is contrary to Policies BE1, BE13, BE15 and BE19 of the Local Plan. The

Hillingdon Residential Layouts Supplementary Planning Document (SPD), states at paragraph 4.24 amongst other things, that a diverse roofline with a variety of pitches is considered to improve the richness of the townscape where this adequately respects the wider street scene. However, as set out above the bulk and design of the extension does not respect the wider street scene and as such fails to fulfil the expectation of the SPD.

Whether the development would provide an appropriate level of car parking

10. The Council has indicated that 1.5 off-street car parking spaces would be required to support a development of this size in order to avoid on-street parking and queuing. The appellants have indicated that off-street parking could be made available via an unused garage within the boundary of the appeal site. However, no details have been provided as to how many parking spaces could be accommodated nor whether there are any rights for the garage to be used in connection with the use of the existing flats. As such, it is not clear that the required net additional parking could be secured. Paragraph 54 of the National Planning Policy Framework considers whether unacceptable development could be made acceptable through the use of conditions. However, in light of the uncertainty regarding the quantum or availability of car parking spaces, I do not consider this to be a matter that could be addressed by mechanisms such as a planning condition that would meet the prescribed tests.
11. My attention has been drawn to the sustainability of the location being close to public transport route such that it negates the need for parking spaces to be provided for future occupiers. However, whilst public transport opportunities may exist, I consider that there are no effective controls proposed that would limit car ownership by future occupiers of the proposed flat. As a result, I consider that some limited harm could be caused to highway safety due to on-street parking, turning and queuing. In light of this harm, I consider that the proposal would not comply with Policy AM14 of the plan which states that development will only be permitted where it complies with the adopted parking standards which in this case equate to 1.5 spaces per dwelling.

Other Matters

12. My attention has been drawn to the benefits to the local housing target provided by the addition of a further flat which complies with the relevant floorspace standards and location in relation to accessibility by public transport. Whilst the proposal would result in a minimal contribution to the housing target due to the creation of a further flat, in light of the harm I have identified when considered against the Development Plan as a whole, the minimal contribution to the housing target has not altered my conclusions in respect of this appeal.

Conclusion

13. Having regard to the significant harm I have identified to the character and appearance of the area and the limited harm in respect of the lack of parking provision, notwithstanding the other matters raised these do not outweigh that harm. As such, I consider the appeal should be dismissed.

P Mileham

Inspector