



Appeal Decision

Site visit made on 1 August 2019

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2019

Appeal Ref: APP/R5510/W/19/3228414

Land to the rear of 93 - 107 Field End Road, Eastcote HA5 1QG

- 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 LCP Securities Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73453/APP/2018/2876, dated 3 August 2018, was refused by notice dated 26 November 2018.
 - The development proposed is erection of four new flats, associated landscaping, parking and improvements to existing service road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the development upon the character and appearance of the area;
 - whether it would provide acceptable living conditions for future occupiers, with particular regard to privacy and whether it would provide a safe and secure living environment;
 - the effect of the development on the living conditions of nearby occupiers with particular regard to light and outlook; and
 - the effect of the development on the safe and efficient operation of the local highway network.

Reasons

Character and appearance

3. The appeal site comprises the parking and service areas associated with No 93-107 Field End Road - a three-storey mixed-use building with subservient rear wings. The building is subdivided into a number of retail uses at ground floor level. Flats are located on the upper floors with first and second floor habitable room windows facing the appeal site. The appeal site contains several single storey buildings, structures and trees. A dedicated service road runs along the eastern boundary of the site accessed from both Abbotsbury Gardens and Deane Croft Road.

4. The development would replace these structures with a single building of a simple contemporary appearance. The building whilst taller would not be out of scale with buildings in the surrounding area which includes two and three storey development. The development would be similar in height to the rear wings and nearby buildings.
5. The development would accord with Policies BE1, BE13 and BE19 of the Hillingdon Local Plan: Part Two – Saved UDP Policies (HLP) and Policy 7.4 of the London Plan 2016 (LP) which seek to secure development that harmonises with the existing street scene and that either compliments or enhances the character of the area.

Living conditions for future occupiers

6. The proposed flats would be located on a single level above an undercroft, orientated so the main habitable room windows face onto private amenity space located to the side of each of the flats.
7. There would be a significant degree of overlooking from second floor windows of the flats at No 93-107 Field End Road of the proposed amenity space. This relationship would result in an unacceptable loss of privacy for future occupiers contrary to Policy BE24 of the HLP which seeks to protect the privacy of occupiers and neighbours. The use of privacy screens would not be effective in protecting occupiers living conditions, due to the elevated position and proximity of windows in the rear elevation of No 93-107 Field End Road.
8. The development would be accessed via a dedicated walkway running along the service road from Abbotsbury Gardens. Notwithstanding the Council's comments, future occupiers would only walk along the walkway for a short distance to reach their front doors. The walkway would provide a clear and legible pedestrian route and would be a safe environment for occupiers in accordance with Policy R16 of the HLP and Policies 3.8, 7.1 and 7.3 of the LP.
9. The Council suggests that the development should include step free access. The appellant has indicated that should any future occupiers require it, measures to aid access in the form of a stair lift could be installed. This would make the development adaptable to the future requirements of occupiers if necessary. I am satisfied that were the appeal to be allowed, this matter could be addressed by a suitably worded condition. As such I find that the objectives of the LP and the HLP would be met in this regard.

Living conditions for existing occupiers

10. The proposed development would be in very close proximity to the first-floor kitchen/diner windows of Nos 93-107 Field End Road. Whilst I do not consider that this would result in an unacceptable loss of light to those properties the outlook for their existing occupiers would be severely diminished contrary to Policies BE20 and BE21 of the HLP which seek to protect living conditions of existing occupiers.
11. I note the appellant's suggestion that the Council have misapplied guidance set out at paragraph 4.12 of the Hillingdon Design and Accessibility: Residential Layouts SPD (HDAS). Even if I were to agree with this suggestion, I still find that the development would result in harm to the living conditions of existing and future occupiers.

Safe and efficient operation of the local highway network

12. The appellant states that the occupiers of the existing flats do not benefit from parking rights at the appeal site. At the time of the site visit I noted that one side of the service road was heavily parked with cars, although it was not evident whether the cars belonged to residents or staff. Nevertheless, the reduced road width made it difficult for vehicles to enter individual service areas which resulted in them blocking the service road for short periods of time. I also witnessed one of these vehicles reversing back along the service road, for some distance, onto the highway. Whilst this is a snapshot in time it is evident that the service areas are heavily used throughout the day.
13. The proposed parking and service areas would be set behind garage doors. No information has been provided in relation to the management of the garage doors or the parking and service areas. I have considered the swept path diagrams and technical note and find that the overall reversing distances and the irregular manoeuvres required to enter the spaces for both the flats and retail units would deter drivers from using these spaces. In addition, the position of the bollards would be an additional obstacle making manoeuvring more difficult. This arrangement would be contrary to Policy AM7 of the HLP which seeks to safeguard highway and pedestrian safety.
14. Whilst the development would provide the number of spaces in line with Policy AM14 several spaces would not be accessible or usable which is likely to result in indiscriminate and inconsiderate parking taking place on the service road. This would block the service areas for vehicles, including service and refuge vehicles and pedestrians which would result in conditions that would be harmful to highway and pedestrian safety contrary to Policies AM7 and AM14 of the HLP.

Other Matters

15. I accept that the proposal would add to the general availability of local housing. However, I have not been made aware of any pressing housing need that would justify a different overall conclusion that the appeal should be dismissed.
16. I acknowledge the appeal decisions referred to by the appellant. However, from the details before me, it appears that the merits and circumstances of those appeals are materially different to the appeal proposal. In any case, every appeal must be considered on its own merits.

Conclusion

17. For the reasons outlined above the appeal is dismissed.

B Thandi

INSPECTOR