



Appeal Decision

Site visit made on 1 September 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2019

Appeal Ref: APP/R5510/W/19/3230934

Land adjoining 1/3 Botwell Crescent, Hayes, Middlesex UB3 2BD

- 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 & Mrs Pavinder and Aruna Bassi against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 72105/APP/2018/3989, dated 6 November 2018, was refused by notice dated 7 May 2019.
 - The development proposed is new residential building on currently vacant land comprising 1 x 2-bed unit and 2 x 1-bed units.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted revised plans with the appeal. The procedural Guide - Planning Appeals – England advises that the appeal process should not be used to evolve a scheme. I have therefore made my decision on the plans originally consulted upon and considered by the Council.
3. It is also necessary to note that during the planning determination process, the development has been amended from the original description on the application form. It is now proposed as 2 x 2 bed self-contained flats with associated parking. For clarity, this appeal has been assessed against plans reference 4875 (50-54) Revision C.
4. Lastly, the site address used in the above header is derived from the Council's decision notice as none is provided on the application form. Both parties have presented their case on the basis of the submitted drawings, including the site plan, and I have done the same.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area, including, on the setting of the nearby conservation area as a designated heritage asset.

Reasons

6. The appeal site is positioned at one of the two entrances into Botwell Crescent with Botwell Lane, on the north side of the Barra Hall Circus roundabout. It is roughly square in shape, vacant and overgrown by vegetation and enclosed by

temporary fencing. The local vernacular is made up of two storey red brick 1930's maisonettes that follows the curve of the crescent in a broadly consistent building line. The properties are set back from the road by front gardens. The maisonettes along Botwell Lane also follows the same vernacular and are situated on a consistent building line with front gardens overlooking the large public Barra Hall Park. The park and the central green space within the roundabout forms part of Hayes Village Conservation Area (CA) although the appeal site is not within the CA.

7. The appeal site is particularly visible within the street scene due to its unkempt appearance and the connectivity of roads and public pathways that surround it. The presence of Barra Hall Park opposite increases the sense of spaciousness around this area. The site is closely related to the housing development at Botwell Crescent as it was once physically attached to 1/3 Botwell Crescent.
8. Due to the exposed nature of the appeal site, three sides of the development would be clearly visible to the public domain. In order to provide interest to prominent elevations, the appellant has articulated elevations using an irregular build pattern with a configuration of hipped roofs above. This layout and design would not reflect the regularity of the layout and design of neighbouring dwellings. Moreover, the amount of built development proposed on the appeal plot reduces the available space surrounding the property. Whilst the amount of outdoor space includes balcony features, and the accessibility of the site to the park may be acceptable to the Council to support the living conditions of future occupants, the limited space surrounding the property leads to the property appearing visually cramped within its plot. This is especially obvious given the context of its environment of more spacious surroundings to the other residential dwellings along Botwell Crescent and Botwell Lane.
9. Although part of the frontage of the development would sit in line with 1/3 Botwell Crescent, the development would sit forward of the front building line of 303 Botwell Lane which sits perpendicular to the appeal site. The uniform front gardens of the maisonettes along Botwell Lane creates separation from the main road and is also a strong recognisable feature here. The fact that the development would sit forward of the building line of Botwell Lane with no similar garden pattern here makes the development appear particularly pronounced within the street scene where front gardens form an important part of the streetscape of the area. The development would not relate well to the other dwellings and therefore would not appear well assimilated into the streetscene, but instead appear as visually over-prominent development that would be harmful to the character and appearance of the area.
10. Policy BE4 of the London Borough of Hillingdon Local Plan: Part 2 Saved Unitary Development Plan (UDP) Policies 2012 sets out the requirement for new development on the fringe of the CA to preserve or enhance the features which contribute to the special architectural and visual qualities. However, S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply in the same way as it would, were the site in the CA.
11. The Hayes Conservation Area Appraisal 2015 identifies the importance of the views eastward from Botwell Lane across Barra Hall Park which provides clear views to the maisonettes on Botwell Lane, that are considered to form an attractive edge to Barra Hall Park. The development as proposed would

interrupt the existing grain of development in this location. This is further harm to the setting of the conservation area as a designated heritage asset. At the very least this would be less than substantial harm as per Paragraph 196 of the National Planning Policy Framework. In this case I do not consider that this harm is outweighed by the public benefits of the proposal which includes the provision of new dwellings.

12. Accordingly, I therefore conclude that the proposed development would have an adverse impact on the character and appearance of the area, given the reasoning above. It would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 which requires all new development to improve and maintain the quality of the built environment including, amongst other matters, enhancing the local distinctiveness of the area, and 'saved' policies, BE4, BE13 and BE19 of the UDP as it fails to harmonise with the existing streetscene or other features of the area which it is desirable to retain or enhance. These policies broadly fit with the aims of policies 3.5 and 7.4 of the London Plan which seeks to enhance the quality of local places and local character, including matters of scale, proportion and mass.

Conclusion

13. The proposed development would be contrary to the adopted development plan and there are no material considerations indicating a decision otherwise than in accordance with it. As such I conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR