



Appeal Decision

Site visit made on 21 October 2019

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2019

Appeal Ref: APP/R5510/W/19/3233957

37 Abbey Close, Hayes, UB3 3PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Moshe Ben-Nathan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref: 58453/APP/2019/355 dated 30 January 2019, was refused by notice dated 29 March 2019.
 - The development proposed is construction of new 2-bedroom house on land adjacent to 37 Abbey Close.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application was made in outline with all other matters reserved for future determination. I have had regard to the existing and proposed site plans and the indicative layout of the proposed development as shown in these drawings but have regarded all elements of these drawings as indicative.
3. During the appeal, the appellant has submitted an amended drawing showing an off-street parking space, cycle store and the position of bins in order to overcome the Council's second reason for refusal. Since these drawings include a number of changes to those which the Council made their decision on and upon which locally interested parties had been consulted, I am not satisfied that the interests of those parties would not be prejudiced if I were to take the revised drawings into account in my decision. I am therefore considering the appeal on the basis of the same plans the Council used to make their decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area; and
 - highway safety.

Reasons

Character and appearance

5. Abbey Close is a cul-de-sac development of modest semi-detached and short terraces of house. The houses are set back behind front gardens and arranged in small clusters, giving the area a spacious and open character. Number 37 Abbey Close (No. 37) is a semi-detached property occupying a prominent and open corner plot where the road bends.
6. The proposed house would adjoin but be slightly set back from No. 37 in order to accommodate the curve of the road. Due to the shape of the garden, the proposed house would nevertheless be relatively closer to the footway than the host property and would not benefit from the set back from the pavement characteristic of the pattern of development in this area. As such, while similar in style to the host property with matching materials, it would appear incongruous with surrounding development. This would make it appear squeezed into the space.
7. The garden space to the side of No. 37, due to its size and position on the inside bend of the road, provides visibility around the corner and makes a positive contribution to the spacious and open character of the street scene. The proposed house would fill a large part of this space, adding bulk to this prominent corner plot which would erode its open and spacious character.
8. The proposed house would be a similar size to surrounding properties and would benefit from private garden space. However, the drawings indicate that to provide adequate garden space for future occupiers, the house would be positioned where it would be harmful to character.
9. I conclude that the proposed development would significantly harm the character and appearance of the surrounding area. It would therefore conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 (LPP1), Saved Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies 2007 (UDP) with Policies 3.5 and 7.4 of the London Plan 2016¹. These policies together and amongst other things require development to be of high quality that respects local character and the scale, form and layout of the existing area. It would also not accord with the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document (SPD) Residential Layouts 2006 which supports development that does not harm the character of the area.
10. The decision notice refers to Saved Policy BE15 of the UDP and the HDAS SPD Residential Extensions 2008. However, as these relate to extensions and alterations to existing buildings, they are not relevant to the proposed development.

Highway safety

11. The Council's adopted parking standards are in Annex 1 of the UDP and set out that a 1-2-bedroom dwelling without individual curtilage parking should provide a maximum of 1.5 car parking spaces.

¹ The Spatial Development Strategy for London consolidated with alterations since 2011

12. The appeal site is located in an area with very poor accessibility to public transport, categorised as a PTal score of 0. It is therefore likely that future occupants would rely on a private car. The indicative plans do not show any off-street parking. The Council contends that there is limited capacity to accommodate all parking demand from the development, although it has not provided substantive evidence to support this.
13. Abbey Close has a number of dedicated parking area serving the flats and houses along this road. Additionally, a number of houses including the host property, have their own private driveways. At the time of my site visit, in the middle of the day, there were a few spaces to park on-street close to the appeal site. I observed that parking was unrestricted, but on-street capacity was limited by a number of drop kerbs and the narrowness of the road which limits parking to one side of the street. I also acknowledge that my visit took place during the day and that the peak time of demand for parking in this residential area is likely to be in the evening and at weekends.
14. Whilst I have been provided with no firm evidence in respect of on-street parking capacity, I am mindful of the narrowness of this cul-de-sac and the potential conflict that could arise between road users should high levels of on-street parking occur, particularly when refuse trucks or other service vehicles are accessing properties. Taking into account the poor accessibility of the location and the limited on-street parking capacity, in the absence of evidence to confirm that there is suitable space for additional car parking on-street I am not satisfied that the proposed development, even though small-scale, would not lead to additional traffic movements which would not be prejudicial to highway safety.
15. I conclude that the proposed development would harm highway safety. It would therefore conflict with Saved Policies AM7 and AM14 of the UDP which together require traffic associated with new development to not harm the free flow of traffic or highway safety and to provide appropriate car parking in accordance with the Council's adopted car parking standards.

Other Matters

16. The Government is seeking to significantly boost the supply of housing and the provision of a small, two-bedroom starter home which would be marketed at an affordable price would make a small contribution to this. This is a positive aspect of the scheme; however, this does not outweigh the harms I have identified in respect of character and appearance and highway safety.

Conclusion

17. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

Inspector