
Appeal Decision

Site visit made on 5 November 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th January 2020

Appeal Ref: APP/R5510/D/19/3235328

23 Hudson Road, Harlington, Middlesex, UB3 5EL

- 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 and Mrs P Sweet against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 8590/APP/2019/1184, dated 2 March 2019, was refused by notice dated 31 May 2019.
 - The development is proposed granny annexe.
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Decision

1. The appeal is allowed and planning permission is granted for a granny annexe at 23 Hudson Road, Harlington, Middlesex, UB3 5EL in accordance with the terms of application Ref 8590/APP/2019/1184, dated 2 March 2019, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the approved plans, HN/097/01, HN/097/02, HN/097/03, HN/097/04, HN/097/05, HN/097/06, HN/097/07.
 3. The development hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 23 Hudson Road, Harlington, Middlesex, UB3 5EL.
 4. Notwithstanding the details shown on the approved drawings, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the host dwelling at 23 Hudson Road, Harlington, Middlesex, UB3 5EL and shall be retained as such thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council refer to the policies of the Hillingdon Local Plan: Part 2 – Saved UDP Policies (November 2012). However, the front cover submitted with these policies reads 'London Borough of Hillingdon Unitary Development Plan

(adopted 1998) Saved Policies 27 September 2007' (UDP). For the avoidance of doubt, I shall refer to these policies with reference to the front cover that has been submitted with them.

4. Within its refusal reasons, the Council refer to Policy BE15 of the UDP. As this relates to the alteration and extension of existing buildings, I do not consider that it is relevant to the appeal proposal.

Main Issues

5. The main issues in this case are the effect of the proposal on the character and appearance of the host dwelling and area, including the setting of the Harlington Village Conservation Area, and the effect on the living conditions of nearby occupiers and parking provision.

Reasons for the Recommendation

Character and Appearance

6. The appeal site comprises a semi-detached dwellinghouse on the east side of Hudson Road. The property sits within a rectangular plot with a long rear garden and shared side access leading to a garage at the rear. There is also a brick outbuilding linked to an identical structure at No 21. The boundary of the Harlington Village Conservation Area (HVCA) runs along the rear of the site.
7. The proposal is for a detached single storey outbuilding of 6.5 metres wide by 6 metres deep at the end of the rear garden. These measurements have been taken from the proposed drawings and are not disputed. The Council has indicated that the eaves of the building would be 2.2 metres high with the ridge height at 4.28 metres, which is not disputed. The building, as proposed, would have a dual pitched roof and would be constructed from rendered blockwork with concrete roof tiles and white PVCU doors and windows and would provide a living/bedroom area, shower room with WC, two storage areas and a kitchen.
8. The rear garden environment of properties within the vicinity of the appeal site is characterised by a range of outbuildings. In this regard, whilst larger than the dimensions set out in emerging Policy DMHD 2 of the London Borough of Hillingdon Local Plan Part 2, Development Management Policies with Modifications, March 2019 (ELP) and the guidance contained within the Hillingdon Design and Access Statement (HDAS) Supplementary Planning Document – Residential Extensions (December 2008) (HDAS), the new outbuilding would not be out of keeping with the character and appearance of the area. Furthermore, given its scale relative to the host dwelling and its relationship to it, the new annexe building would be subservient and would appear as an outbuilding within the garden.
9. The Council considers that given the proposed accommodation within the annexe that it could be occupied independently of the host property. Whilst I acknowledge that the accommodation would provide facilities for day to day living, the shared access and garden area would ensure that there would be a physical and visual connection to the host property. Moreover, the use of the accommodation could be controlled by way of a suitably worded planning condition. Although limited information has been provided by the appellants as to which member of their family would occupy the accommodation, no evidence has been provided to demonstrate that it would not be occupied in this manner. In view of my findings, I find that there would be no conflict with the

purposes of emerging Policy DMHD 2 of the ELP, which states that the use of outbuildings should be for a purpose incidental to the enjoyment of the dwelling house and not be capable for use as independent living accommodation.

10. In light of the foregoing, I conclude that the proposal would respect the character and appearance of the area, including the adjacent HVCA. Harm to the character and appearance of the host dwelling and the area in general would not occur as a result. Moreover, the proposal would have a neutral effect upon the setting of the HVCA. There would be no conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies (Adopted November 2012), Policies BE4 and BE13 of the UDP, Policy DMHD2 of the ELP and the HDAS. Collectively, these seek among other things, to ensure that development achieves a high quality design, does not result in the inappropriate development of gardens and green spaces, complements or improves the character of the area, with outbuildings not resulting in an over dominant and obtrusive form of development. Development within or on the fringes of conservation areas, such as the appeal site, are also expected to preserve or enhance those features which contribute to their special architectural and visual qualities.

Living Conditions

11. Used as ancillary accommodation, the occupants of the new annexe would be likely to undertake some shared activities and journeys with the occupants of the main dwelling, including the use of the shared garden and parking facilities. Typically, an ancillary use would be likely to generate a lower intensity of activity, with fewer comings and goings, and less disturbance to neighbours than if it were occupied as an independent dwelling.
12. In light of the above findings, I am satisfied that the proposal would, subject to a condition restricting the use of the outbuilding to ancillary accommodation, ensure that the living conditions of nearby occupiers would be preserved and that a high standard of amenity would be provided for existing and future users. There would be no conflict with the aims of Policies BE19, BE20, BE21, BE23 and BE24 of the UDP and the HDAS, which collectively seek to protect the living conditions for the occupants of proposed and existing buildings, including neighbouring and nearby properties from development proposals.

Parking

13. In terms of parking provision, I observed that there was space within the curtilage of the property for a number of vehicles to park. It is also noteworthy that there are no comments from the Highway Authority raising concern to the proposal's impact on highway safety. With regards to parking provision, there is space for a vehicle to park to the front of the existing garage. Further, though my visit represents a snap shot in time, Hudson Road was not heavily parked and there appeared to be sufficient on street parking should the occupants of the outbuilding own a vehicle. While this may require the occupant of the annexe to obtain a permit, the Council has not provided any evidence to suggest that on street parking in the area has reached saturation or that an additional vehicle would result in harm to the safe and efficient operation of the highway.

14. As such, there would be no conflict with Policy AM14 of the UDP which requires development to accord with the Council's adopted car parking standards.

Conditions and Recommendation

15. The Council has suggested a list of conditions in the event that the appeal is allowed. A condition requiring that the development is carried out in accordance with the approved drawings is necessary for certainty. To ensure that the development remains ancillary to the residential use of the host property, a condition is necessary to control the occupation of the development. In the interest of the character and appearance of the area, a condition is necessary controlling the materials to be used in the development. I have, however, amended some of the suggested wording of the conditions to reflect the guidance on conditions set out in the Planning Practice Guidance.
16. For the reasons given above, I recommend that the appeal should be allowed with the suggested conditions.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed with the suggested conditions.

RC Kirby

INSPECTOR