



Appeal Decision

Site visit made on 27 February 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2020

Appeal Ref: APP/R5510/D/19/3242614
14 The Avenue, Ickenham, UB10 8NP

- 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 Flood against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75068/APP/2019/2920, dated 28 August 2019, was refused by notice dated 11 November 2019.
 - The development proposed is single storey rear extension, two storey front extension and internal alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There are discrepancies with the plans, as originally considered by the Council. The elevations show an additional front extension, but this is not shown on the floor plans. I have dealt with the appeal on the basis that the elevations are correct. An amended floorplan was submitted with the appeal.
3. The London Borough of Hillingdon Local Plan Part 2 Development Management Policies was adopted in January 2020 ("adopted local plan"). Policies in the Hillingdon Local Plan: Part 2 - Saved UDP Policies, as cited on the Council's decision notice, are no longer part of the development plan. I have dealt with the appeal accordingly. The Council have also confirmed that the guidance set out in the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions (2008) has been withdrawn.
4. A flood risk assessment was provided with the appeal, in response to the second reason for refusal. However, the appeal process should not be used to evolve a scheme¹. This information sets out, amongst other things, flood resistance and resilience measures, together with details on how surface water would be managed on the site. These measures materially evolve the scheme and could potentially have an impact on the surrounding area.
5. The householder appeals process offers little opportunity for consultees and interested parties to comment on such information. It would therefore be inappropriate to take it in to account. Consequently, I have disregarded this new information, and dealt with the appeal solely on the information submitted with the original planning application.

¹ See paragraph M.2.1 of the Planning Inspectorate Procedural Guide: Planning appeals – England (February 2020)

Main Issues

6. The effect of the development on:

- The risks associated with flooding; and
- the character and appearance of the host building and surrounding area, with particular regard to the Ickenham Village Conservation Area.

Reasons

Flooding

7. Part of the site falls within flood zone 2. The National Planning Policy Framework ("the Framework") requires that planning applications in such areas are supported by a site-specific flood risk assessment. This is reflected in policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) ("Local Plan Part 1") which requires proposals in flood zone 2 to demonstrate that flood risk can be suitably managed. Policy DMEI 9 of the adopted local plan, and policy 5.12 of the London Plan (2016), share similar objectives.
8. The proposal would significantly enlarge the host property. Consequently, there would be new residential accommodation potentially susceptible to flooding; and the increased footprint of the building could potentially affect flood risk in the surrounding area. On the evidence before me, no flood risk assessment was provided with the original planning application to demonstrate the accommodation is or could be made flood resistant or resilient. Furthermore, it was not demonstrated that the development would not increase the risk of flooding elsewhere.
9. In the absence of this information the proposal as submitted to the Council would result in an unacceptable risk of harm both to the occupants of the building and those in the surrounding area, in the event of a flood. The proposal therefore conflicts with the development plan policies cited above. As such, the principle of development has not yet been demonstrated to be acceptable. It would not be reasonable to deal with this issue through the use of planning conditions; such conditions could potentially make the development undeliverable.

Character and Appearance

10. The site falls within the Ickenham Village Conservation Area. The Avenue comprises large, mainly detached properties of individual design on large, irregularly shaped plots. This contributes to a spacious character, defined by the differing and individually attractive appearance of the houses along it.
11. In this respect, the road on which the site is set is readily distinguishable from other twentieth century residential estate development in this part of London. The features described above contribute positively to the special character and significance of the Conservation Area, when it is considered as a whole.
12. The host property appears as a 20th Century brick building. It exhibits an off-centre porch and asymmetric windows with decorative shutters. The works would reconfigure the front fenestration, with a projecting front gable extension encompassing enlarged entrance doors and a Juliette balcony at first floor level.

13. Whilst the quirkiness of the existing front elevation would be lost, there are several examples of projecting front gable walls along this road, along with front facing balconies and large feature windows. These architectural features are similar to what is being proposed here, at No.14. They add to the variety of building design along this road, and do not detract from the Conservation Area.
14. The extended building would continue to appear asymmetric, due to the gable wall being slightly off centre and the addition of a small additional front extension to one of its sides. As such, the proposal would not detract from any prevalent asymmetric character found along this road. The partial use of render would also follow the precedent set by other buildings along the road.
15. The projecting front gable wall and associated extensions would project a small distance forward of the remainder of the building. The extended roof would be set below the main ridge of the existing building. Overall, the front extensions would appear visually subservient to the host building, harmonising with its architectural composition.
16. Considering the rear extension, this would be set away from public views within the Conservation Area. The partial pitched roof would have an appearance that broadly respects the remainder of the building. The small area of flat roof above part of the extension would not detract from the appearance of the building, when viewed from the rear.
17. Overall, the extended building would have a more conventional, modernised design, but would still appear individually attractive. A large front and rear garden would be retained. The character and appearance of this road, and the Conservation Area within which it sits, would be preserved. There would be no harm to the character and appearance of the host building or the surrounding area. There is no significant conflict with policies BE1 and HE1 of the Local Plan Part 1; nor policy 7.8 of the London Plan, nor DMHB 1, DMHB 4, DMHB 11, DMHB 12 or DMHD1 of the adopted local plan all of which seek, amongst other things, to ensure a high standard of design that preserves or enhances the character or appearance of Conservation Areas within the Borough. Nor is there conflict with the Framework, which shares similar objectives.

Other matters and conclusion

18. The proposal would provide modernised living accommodation which would enhance the living conditions of its future residents. However, this does not overcome the harm identified in the first main issue. The lack of objections to the proposed development does not amount to a benefit in its favour. Whilst other precedents including appeal decisions are cited by the appellant, each decision must be taken on the planning issues involved. In this case the issue raised in relation to flood risk is significant and justifies dismissal of the appeal.
19. To conclude, whilst the proposal is acceptable in terms of its effect on the character and appearance of the host building and surrounding area, there are unacceptable risks associated with flooding. The proposal conflicts with the development plan when it is considered as a whole and there are no other considerations that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR