The Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2020 by S Witherley

Decision by Chris Preston BA (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/R5510/W/20/3249554
12 Glebe Avenue, Ickenham UB10 8PB

- 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 Oraee against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 4602/APP/2019/2551, dated 5 February 2019, was refused by notice dated 25 September 2019.
- The development proposed as described on the application form is: Single Storey rear extension to existing launderette and relocation of rear first floor staircase.

Decision

1. The appeal is dismissed.

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 Matter

3. Since the appeal was submitted, the London Borough of Hillingdon, Local Plan Part 2, Development Management Policies (LP2) was adopted on 16 January 2020. As such, Policies BE4, BE13, BE15, BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), cited in the refusal reason along with the Council's Supplementary Planning Document, Residential Extensions, have been withdrawn and are no longer part of the development plan. The Council have referenced emerging Policies DMHB 1 and DMHB 4 in their refusal reason and have also referenced Policies DMHB 11, DMHB 12 and DMHD 1 of the LP2 in their statement of case as being the most up to date planning policies. In making my recommendation the relevant policies are those which are in place at the time the appeal decision is made, and, in that respect, I shall refer to the most recently adopted policies.

Main Issues

4. The main issues are the effect of proposal on 1) the character and appearance of the appeal property, the area and whether it preserves or enhances the Ickenham Conservation Area (CA) and 2) the living conditions of neighbouring occupiers at No. 10 Glebe Avenue.

Reasons for the Recommendation

5. No. 12 is a mixed use two-storey terraced property. The ground floor is commercial with residential above. It is located within a shopping parade which is formed in two parts; the main part featuring a long run of shops overlooking Long Lane and the second, where the appeal site is located, comprising of a small group of units overlooking Glebe Avenue. At the rear of the appeal property there is a modest sized back yard which is enclosed by a mix of timber fencing and a brick wall. Access to this rear yard is via a back lane leading from Edinburgh Drive.

6. The site is located within the CA. Its significance, in so far as it relates to this appeal, deriving from the 1930s arts and craft style of properties, the predominant use of similar materials, repeating architectural features and layout of properties.

7. At the rear of No. 12 and its immediate neighbours there is evidence that a number of extensions and alterations have taken place. These have altered the appearance of these properties at ground floor level. Despite this, the rear lane retains paired ground floor additions with gable fronts which project out into the rear yards. These original features along with their prominent gable roofs at the rear of the main buildings that make a positive contribution to the character and appearance of this part of the CA and the CA as a whole.

8. The proposal would see the removal of the existing single storey structures and replace them with one single storey flat roof extension. This would cover the majority of the floor area of the rear yard. The stairwell providing access to the residential unit above would be relocated so that it runs along the shared boundary with No. 10. The proposal indicates that the external chimney stack would be retained in order to limit overlooking and loss of privacy into the neighbouring window at No.10.

9. The removal of one side of the gable fronted paired addition and its replacement with a larger flat roofed extension would significantly alter the appearance of this property. As such the proposal would interrupt the uniformity along this short section of the parade and as these gable fronted additions are a repeating feature in this part of the street its loss would result in the removal of a key defining feature of this part of the CA that is worthy of retention.

10. Whilst I appreciate that the proposal would replace the existing incremental flat roof structures with one cohesive development, and that a number of rear extensions and alterations have occurred at neighbouring properties, none have resulted in the removal of this key feature, which would irrevocably be lost as part of the proposal. Nor do any of the other neighbouring extensions result in almost all of the floor area of the rear yard being developed and this along with the combined loss of the rear boundary treatment would result in the over-development of the rear yard and the overall scale and proportions of the extension would be excessive in relation to the scale of the host property.

11. As the appeal building sits near to the edge of the CA and the proposed extension is at the rear, consequently views are limited to parts of Edinburgh Drive. Nevertheless, the proposal would appear incongruous and out of keeping from along Edinburgh Drive and thus would be harmful to the wider character

and appearance of the CA. As a result, the development would fail to either preserve or enhance the character and appearance of this part of the CA and the CA as a whole, thus harming its significance.

12. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the proposal. The appellant has not identified any public benefits. There would be a small addition to the floor area of the commercial unit and the benefits would largely be private, for the commercial interest of the owner/ occupier. The unit does provide a local service and it could be argued that the additional space within the laundrette would provide a better service to the community. However, even if I were to consider that a public benefit, the weight I attach would be limited on account of the modest increase in size and the lack of any evidence of a pressing local need. As such it would not outweigh the great weight that has to be given over to any harm caused to the designated heritage asset.

13. On this main issue, I find that the proposal would harm the character and appearance of the appeal property, the area and the CA. As such it fails to preserve or enhance the CA. The development would be contrary to Policies BE1 and HE1 of the, A Vision for 2026 Local Plan: Part 1, Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 of the LP2 and Policy 7.8 of the London Plan (2016), which collectively seek development to be of a high quality and which respects the established character of the area and which seek to preserve the character or appearance of designated heritage assets. It would also be inconsistent with guidance in the Framework relating to designated heritage assets. Whilst the Council has relied on Policy DMHD 1 in their determination, for the purposes of the ground floor extension to the commercial premises, I do not consider that this Policy is relevant given that it relates to alterations and extensions to residential dwellings.

Living Conditions

14. I noted that the central windowpane of the upper first floor window of No. 10 had iron bars inserted into it giving it the appearance of a storeroom rather than a habitable room. However, I have no evidence before me to suggest that this room does not service a habitable room. Nevertheless, whilst the relocation of the stairwell would see it move closer to this window it would not materially alter the existing situation in that views of this window already occur when accessing the upper residential unit from this stairwell. I noted that the proposal would not be too dissimilar to other stairwells nearby where deck access provides access to a number of upper floor flats and where it is necessary to walk past windows of neighbouring flats.

15. I do not find that the proposal would be so materially different from the existing arrangement. On this main issue I find that the proposal would not be harmful to the living conditions of neighbouring occupiers at No. 10 Glebe Avenue. The proposal therefore accords with Policies DMHB 11, and DMHD 1 of the LP2, which seek developments to protect the living conditions of neighbouring occupiers.

Other Matters

16. The appellant has provided drawings for a similar proposal at the appeal building and has stated that the Council considered previously that the ground floor element was acceptable. The drawings submitted show a proposal almost identical in terms of the ground floor element as the one relating to this appeal. However, no evidence has been provided to me that would substantiate the appellants assertions that the Council considered it to be acceptable. In any event, I am required to consider this appeal on the basis of its planning merits and the details before me and from what I observed at the time of my site visit. For the reasons given, I have found that the development would cause harm to the character and appearance of the area and the CA.

Conclusion

17. Whilst I have found the proposal would not cause harm to the living conditions of the neighbouring occupiers at No. 10, and that there would be minor public benefits, the proposal would fail to preserve or enhance the character and appearance of the CA and would therefore cause harm to the designated heritage asset, thereby in conflict with the development plan. In my view, these are the prevailing considerations which are to be given considerable importance and weight and which are not outweighed by other considerations found in its favour.

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, agree that the appeal should be dismissed.

Chris Preston

INSPECTOR