

Appeal Decision

Site visit made on 28 October 2020

by Jan Hebblethwaite MA Solicitor

an Inspector appointed by the Secretary of State

Decision date: 29 December 2020

Appeal Ref: APP/R5510/W/20/3248412

51 Sweetcroft Lane Uxbridge UB10 9LE

- 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 Kavanagh of Harrington Properties Ltd against the decision of the London Borough of Hillingdon Council.
 - The application Ref 33932/APP/2019/2015 dated 14 June 2019, was refused by notice dated 5 September 2019.
 - The development proposed is the erection of 2 No. 4 bedrooms three storey detached houses.
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Procedural Matter

1. The Council's decision notice predated the adoption of the Local Plan: Part 2 – Development Management Policies (2020) ("LP2DMP"). Policies referred to in the decision notice are no longer in force and I have taken the current policies into account in reaching my conclusion on this appeal. I note that the Council has confirmed that Policies BE5, BE13 and BE 19 from the Saved UDP Policies 2012 have been withdrawn along with the Council's Supplemental Planning Document on residential layouts. The Council relies on policies DMH6, DMHB5, DMHB11 and DMHB12 from the LP2DMP, and the other local plan documents which remain unchanged.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the street scene and of the Hillingdon Court Park Area of Special Local Character.

Reasons

4. Sweetcroft Lane is residential in character with detached houses in long plots fronting the road. It is unusual in that there are several single-track drives between some of the houses, leading to detached dwellings in similarly long plots at the rear. The result is that Sweetcroft Lane comprises tandem development. The appeal site is the plot of one of the dwellings at the rear. The dwellings fronting the road and those at the rear to the east of the appeal site

mostly appear to date from the early to mid-twentieth century, with varying sizes, designs, and styles. The dwellings to the west of the appeal site front onto Portman Gardens, a more recent development of detached houses in smaller plots, which the Appellant states received planning permission in 1988. Access to the proposed development would be from the end of Portman Gardens, by way of an extension to the cul-de-sac. The extension would enter the appeal site roughly half-way between the north and south boundaries. The southern boundary to the appeal site adjoins Hillingdon Court Park, as does the boundary to all the rear houses on Sweetcroft Lane and the houses on the south side of Portman Gardens. The appeal site lies within the Hillingdon Court Park Area of Special Local Character ("HCPA").

5. There is a distinct difference between the layout of the older houses in Sweetcroft Lane and the houses in Portman Gardens, which are more closely spaced and in much smaller plots. However, the proposed houses are close to the east and west boundaries of the appeal site respectively and with very little separation between them. The Portman Gardens houses have separating gaps of various widths some of which are quite narrow for part of the length of the houses, but the development follows the curve of the street which creates a sense of separation not apparent from a simple measurement of gaps between houses.
6. Paragraph 122 of the NPPF¹ requires that planning decisions should support development which makes efficient use of land, taking into account (amongst other matters) *the desirability of maintaining an area's prevailing character and setting including residential gardens*. Paragraph 127 of the NPPF requires that planning decisions should secure that development (amongst other matters) is *sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventingchange such as increased densities*.
7. The HCPA is a non-designated heritage asset as defined in the NPPF. Paragraph 197 of the NPPF requires that the effect of proposed development on the significance of such an asset is to be taken into account in determining an application. The weight to be given to that effect depends on the scale of any harm and the significance of the asset.
8. Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies ("LP1SP") continues the theme of requiring development to improve and maintain the quality of the built environment. Policy DMHB 11 of the LP2DMP deals with design and requires that development should harmonise with the local context and (amongst other matters) *protect features of positive value....adjacent to the site including the safeguarding of heritage assets both designated and un-designated*. Policy HE1 of the LP1SP confirms that the Council will conserve and enhance historic settings including Areas of Special Local Character. These policies are reflected in the London Plan.
9. The construction of two detached houses on roughly half of the appeal site would be at odds with the layout and character of the older houses in Sweetcroft Lane which is considered by the Council to be of considerable local value, demonstrated by the designation as the HCPA. I accept that the Portman Gardens development is also at odds with the older character and layout, but it is self-contained with clear boundaries. The proposed houses would constitute

¹ National Planning Policy Framework

an intrusion into the valuable character and appearance of that part of Sweetcroft Lane to the east of the appeal site.

10. I have considered the other examples provided by the Appellant, where development has been carried out resulting in a denser layout. I do not have any evidence relating to the planning history of these developments. The four examples north of Sweetcroft Lane (Croft Close, Squirrels Close, Fairmark Drive and Hartshill Close) are all outside the HCPA. Rather than setting a precedent for the proposed development, the other examples, including Portman Gardens, serve to highlight how the cumulative effect of incremental change to buildings can have a materially adverse impact on the character and appearance of an area.

Planning Balance and Conclusion

11. I consider that the proposed development would fail to maintain and would not be sympathetic to the prevailing character of the area by reason of the cramped nature of the houses and the stark contrast with the existing layout. The proposed development would not be sympathetic to the character or appearance of the area and would not safeguard the non-designated heritage asset. The harm which I have identified outweighs any benefits which might arise from the creation of two houses. As a result, the proposed development conflicts with Policies BE1 of the LP1SP and DMHB 11 of the LP2DMP.

12. For the reasons given above I dismiss the appeal.

Jan Hebblethwaite

INSPECTOR