

Appeal Decision

Site visit made on 8 February 2021

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/R5510/W/20/3259248

Former Star Public House, Junction of Star Road and Malborough Parade, Uxbridge UB10 0LZ

- 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 Crossier Properties Limited against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 8057/APP/2019/3862, dated 25 November 2019, was refused by notice dated 20 July 2020.
 - The development proposed is a 5 storey building accommodating 14 dwellings (9 x 1 bed, 3 x 2 bed and 2 x 3 bed flats) and commercial space; erection of a 2 storey building with roof accommodation comprising 2 x 3 bed houses, car and cycle parking and private and communal amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

Background

3. The Council has accepted development on this site consisting of a very similar proposal. The main difference is that the height of the main building currently proposed would be 5 storeys rather than the 4 storeys already approved.
4. Reason for refusal 2 relates to the lack of a legal agreement to provide contributions towards the improvement of services and facilities. A unilateral undertaking has been submitted and the Council accept that this has addressed their concerns.
5. Given the above, the remaining main issue relates to the difference between the two schemes, particularly the greater height of the main building with regard to the effect on the character and appearance of the area.

Character and appearance

6. The frontage building would be of a significant scale and bulk. The top floor would be set back from the front and side. This would reduce its prominence
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- but not to the extent that it would be entirely obscured from view, except when viewed from only a very short distance away. However, its size and differing materials, together with the set-back, would ensure that it would not add significantly to the perceived scale or bulk of the main building.
7. The proposed third floor would represent a continuation of the form and design of the first and second floors of the permitted building. This forth storey would extend significantly above the height of the neighbouring building to the west and as a result, it would appear much more prominent in the street scene than the approved building. It would take a significantly greater step up from the proposed new buildings to the rear that will front onto Star Road.
 8. Byron Parade occupies the other corner across Star Road. It appears as a three storey building although it does have a substantial roof structure. It is higher than the building adjoining the appeal site but it is of a similar height to many other buildings that present a frontage to Uxbridge Road. It does appear as a prominent corner building which continues along the frontage but it has a distinctive design and its high hipped roof reduces its prominence.
 9. I accept that the introduction of a feature building, which would be of some prominence on this corner plot, would not be an unreasonable approach with regard to the wider character of the area. However, this is to a large extent what has already been accepted. The design proposed does not adequately address the greater prominence that would result from the additional storey now proposed. It would have too great a difference with regard to the scale of properties on Star Road and in relation to the adjoining property. I have also had regard to the variety of heights of other properties in the area and their design merits, particularly those that differ significantly in height from their neighbours. I have not found them to support the differences now proposed for this corner plot with regard to this detailed design. Overall, I am not persuaded that the design would be of sufficient interest or quality to justify the building's prominence.
 10. I note the comments made with regard to permitted development rights and have viewed the street scene images showing the context of this building should two storeys be added to neighbouring properties. The efficient use of land is clearly a matter that is to be supported. However, I am not satisfied that the changes to permitted development rights will result in the changes suggested. In any event, I have to consider this proposal on its own merits and in the light of the existing character and appearance of the area.
 11. I am satisfied that these units would offer a good standard of living space which would be appropriate for this location. I agree with the appellant therefore that the density of development should not be an issue and this is supported by the policy approach included within the newly adopted London Plan (2021). However, I find that the development would be harmful to the character and appearance of the area and its greater height would represent poor design in this particular context. As such, the proposal would be contrary to the design objectives of Policy BE1(1&2) of the Hillingdon Local Plan: Part One - Strategic Policies 2012; and Policy DMHB 11(A)(i) of the Hillingdon Local Plan: Part Two - Development Management Policies 2020. I also find conflict with London Plan Policy D3(D)(1&11). These policies are consistent with the design aspirations of the National Planning Policy Framework and can be

afforded full weight.

Conclusion

12. The greater number of residential units in this relatively sustainable location; and the more efficient use of previously developed land, are matters that weigh in favour of the proposal. However, on balance, the matters that support the proposal are not sufficient to outweigh the design concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR