



Appeal Decision

Site Visit made on 27 April 2021

by **L Douglas BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/R5510/W/20/3263412

82 Willow Tree Lane, Hayes UB4 9BE

- 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 Sukhwant Khurl against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 25583/APP/2020/1775, dated 26 June 2020, was refused by notice dated 26 August 2020.
 - The development proposed is “new proposed 1 bedroom 2 storey dwelling”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: (i) the effect of the proposed development on the character and appearance of the area; and (ii) whether the proposed development would be capable of providing suitable facilities for people with disabilities.

Reasons

Character and Appearance

3. The appeal site is a corner plot, comprising one end of a short terrace of dwellings. The area is residential, with a mix of semi-detached and terraced buildings set back from their road frontage. The large side gardens of the appeal site and the nearest neighbour on the opposite side of Willow Tree Close add to the distinct set back of dwellings facing Willow Tree Close.
4. The proposed dwelling would be attached to the side elevation of the appeal building, forming a new end of terrace. When viewed from Willow Tree Lane, this arrangement and scale of buildings would reflect others in the area. It would not therefore appear unusual or indeed particularly prominent. However, when viewed from Willow Tree Close, its occupation of the aforementioned large side garden of the appeal site would result in a building sitting noticeably and uncharacteristically forward of other buildings. This would accordingly impinge on the spacious feel of the Willow Tree Close street scene. In addition, the entirely blank rear elevation of the new dwelling would, by virtue of its positioning, be highly noticeable in the Willow Tree Close street scene. Its appearance, in being large and featureless, would be unacceptably poor.
5. The proposed development would therefore harm the character and appearance of the area. This would result in conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012) and Policies DMHB1 and DMHD11 of the Hillingdon Local Plan: Part 2 – Development Management Policies (2020). These

policies require, amongst other things, proposals to take into account local identity and existing development including building lines, to integrate well with the surrounding area in avoiding harm to visual amenity, and to ensure no harm is caused to the character, appearance or quality of the existing street.

Disabled Access

6. The Council's second reason for refusal relates to the lack of a ground floor accessible toilet, meaning the proposed new house would fail to provide appropriate facilities for people with disabilities.
7. The appellant has demonstrated that this could be addressed by an amended ground floor plan and the Council accept a suitably worded condition attached to any planning permission could resolve this matter. I am satisfied this could be a suitable solution to ensure the proposal complies with Policy D7 of the Mayor of London's London Plan (2021), which requires new housing to be 'accessible and adaptable dwellings' (as set out in Building Regulation requirement M4(2)) or 'wheelchair user dwellings' (in accordance with Building Regulation requirement M4(3)). The proposal would therefore be capable of providing suitable facilities for people with disabilities.

Conclusion

8. I have found that the proposal would be capable of providing suitable facilities for people with disabilities; however, this would be a lack of harm which would, by definition, not outweigh harm. Specifically in this case, that which would be caused to the character and appearance of the area. I therefore conclude that the appeal should be dismissed.

L Douglas

INSPECTOR