
Appeal Decision

Site visit made on 4 May 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 26 MAY 2021

Appeal Ref: APP/R5510/W/20/3263131

Land adjacent to 10 Kent Close and 5 Fairlight Drive, Fairlight Drive, Uxbridge UB8 1XR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Progress Planning against the Council of the London Borough of Hillingdon.
 - The application Ref 75553/APP/2020/1357, is dated 22 April 2020.
 - The development proposed is described in the application form as "Outline planning application for erection of a single family dwellinghouse with all matters reserved except for access and layout. Please see accompany Planning Statement and drawings for more details".
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Decision

1. The appeal is dismissed and planning permission for Outline planning application for erection of a single family dwellinghouse with all matters reserved except for access and layout. Please see accompany Planning Statement and drawings for more details is refused.

Preliminary Matter

2. The appeal was made in outline with only access and layout to be determined at this stage. Appearance, landscaping and scale are identified as reserved matters.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the area; (ii) the living conditions of adjacent occupiers; and (iii) whether the proposal would provide adequate parking for future occupiers.

Reasons

Character and appearance

4. The appeal site forms a corner of land set within a residential area. The pattern of development is experienced in blocks of terraced dwellings, with an identifiable break in development at regular intervals. Adjacent to No 12 Kent Close a parcel of land similar in size reflects the appeal site. This reinforces the practical and visual role that the appeal site plays in contributing to the break in development.

5. The proposal would redevelopment the vacant site and the dwelling would be positioned in the area of the site adjacent to No 10 Kent Close. The positioning of a dwelling in this location would eradicate the currently open site, and essentially create a continuous built form around the cul-de-sac development of Kent Close.
6. I consider that this erosion of the space would be extremely harmful to the character of the area. The increased sense of enclosure, in combination with the increase in development and visual element of infilling, would entirely change the character of this part of the road and be detrimental to the street scene and the wider area generally.
7. Whilst it has been indicated that the trees along the boundary of the site would be retained, this would not mitigate the fundamental issue of infilling the open site and the subsequent harm to the character of the area in this regard.
8. Accordingly, I find that the proposal would conflict with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012) (the LP), Policies DMH 6 and DMHB 11 of the adopted Hillingdon Local Plan – Part Two – Development Management Policies January 2020) (the LP Part 2). Collectively these policies require development to incorporate principles of good design and harmonise with the local context.

Living conditions

9. The plans indicate that the new dwelling would be located toward the corner of the site adjacent to Kent Close. It would be very close to the side, and extend beyond the rear, of No 11 Kent Close. Having regard to the elevated position of the site in comparison to its neighbours I consider that the proposal would be harmful to the living conditions of neighbouring occupiers. Whilst scale is not before me, I consider that the principle of the development in this location would be harmful due to the rising land level on the site.
10. As such I find that it would be harmful to the living conditions of neighbouring occupiers. It would conflict with Policies DMH 6 and DMHB 11 of the LP Part 2 which, amongst other things, advise that in schemes for back land development the neighbouring residential amenity of existing homes and gardens must be maintained.

The provision of parking

11. The proposal would not provide any on-site parking. A single allocated space would be provided on Fairlight Drive. It was clear from my observations that Fairlight Drive is a busy residential area and there is already a significant level of on street parking.
12. The site has a Public Transport Accessibility Level of 2, and whilst there are bus routes that run in fairly close proximity to the site it is probable that the occupants of the dwelling would require the use of a car. On the basis of the evidence I am not satisfied that the provision of the parking space could be achieved without removing a parking space from another dwelling. As such the proposal would increase demand for on street parking. I have very little evidence to demonstrate that the surrounding streets have been assessed to conclude whether the additional level of parking could be accommodated safely.

13. I find that the proposal would fail to comply with Policies DMT2 and DMT 6 of the LP Part 2 which require development to provide safe access and adequate parking. It would also conflict with Hillingdon's adopted parking standards as set out in Appendix C of the LP Part 2.

Other matters

14. The development would have a density of 25 units per hectare. It is clear that a higher density would be unlikely to be achievable on the site due to the change in land levels. Whilst an additional house would utilise the site, I do not consider that the proposal before me would successfully integrate an additional house withing resulting in harm to the character of the area and the living conditions of neighbouring occupiers.

Planning Balance and Conclusion

15. I have found that the proposal would conflict with the policies in the development plan when taken as a whole. Whilst there is local and national support for increasing the supply of housing, and the proposal would contribute an additional family sized dwelling, I do not consider that this benefit would outweigh the conflict with the development plan.
16. Accordingly, for the reasons above and having regard to all other matters raised I conclude that the appeal is dismissed and planning permission is refused.

J Ayres

INSPECTOR