



Appeal Decision

Site Visit made on 7 September 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2021

Appeal Ref: APP/R5510/W/21/3271814

1 Adelphi Crescent, Hayes, UB4 8LY

- 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 Jazvinder Sokhi of Sokhi Development Ltd against the decision of London Borough of Hillingdon.
 - The application Ref 75616/APP/2020/2866, dated 8 September 2020, was refused by notice dated 2 November 2020.
 - The development proposed is formation of a new 2 storey detached 2 bedroom (class C3) residential dwelling; including formation of waste storage; cycle store; parking and amenity space for the existing and proposed dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice referred to policies from the London Plan (2016). These have subsequently been replaced by the London Plan 2021 and the new National Planning Policy Framework 2021 (Framework) has been published. I have had regard to comments, where received, from the main parties in regard to this. There have been no fundamental changes relevant to the main issues in this appeal.
3. The appellant provided amended plans as part of their appeal to address refusal reasons relating to wheelchair accessibility and internal space standards. Although not before the Council at the time of their decision, they were provided at the outset of the appeal. The main elements of the scheme have not altered from that originally submitted and upon which consultation took place.
4. There would be no injustice caused to any of the appeal parties by my taking the above into account in my decision.

Main Issues

5. The main issues of the appeal are:
 - The effect of the proposed development on the character and appearance of the area,
 - The effect of the proposed development on the living conditions of the occupiers of 1 Adelphi Crescent (No 1), with particular regard to outlook, privacy, sunlight and daylight; and

- Whether the proposed development would provide appropriate living conditions for future occupiers, with particular regard to internal space and wheelchair accessibility.

Reasons

Character and Appearance

6. Much of Adelphi Crescent and the surrounding streets are characterised by regularly spaced semi-detached properties. The set back of the properties helps create an openness to the street. The size of the space varies at nearby corner locations with a similar arrangement to the appeal site¹ and is more limited at ground floor level.
7. Nevertheless, there is generally more separation between corner plots and the adjacent properties at first floor level, including between the existing properties either side of the proposed dwelling. This provides a greater openness and spaciousness to these parts of the streetscene and allow views of landscaping beyond the frontage dwellings.
8. The layout and orientation of 2 Adelphi Crescent and 25 Weymount Road creates a different relationship to that at the appeal site but likewise retains a spaciousness. The first-floor separation at corner plots contributes positively to the character and appearance of the area.
9. The existing gap at the appeal site is wider than some. A relatively wide gap at the front of the site would be retained, more than at many nearby plots with a similar arrangement, and with a comparable plot coverage.
10. However, the orientation of No 1 and the proposed dwelling, along with their scale and form would result in a tapering of the space towards their rear building line at first floor level. This would lead to the 2 storey elements of the proposed property and No 1 having an uncharacteristically close relationship at first floor level.
11. Rather than better balance the corner plot spacing, the appeal scheme would erode the existing sense of spaciousness at the site and result in an enclosed and cramped appearance. The incongruity of the scheme would be obvious from nearby properties and the street where the site is visually prominent.
12. While located on the boundary with No 3, the garage would replicate the rhythm of first floor separation between the semi-detached properties along Adelphi Crescent away from corner plots.
13. There is no uniformity to the frontages within the street. While some have front gardens and landscaping, others, including the attached property, have hard surfaced parking areas. There are small pockets of greenery at the site. Nonetheless, large parts of it, including where the new dwelling and proposed parking for No 1 would be are already hard surfaced. As a result, the presence of frontage hard surfacing, would not appear discordant and the scheme would accord with Policy DMHB14 of the Part 2 Plan². Were the appeal to be allowed a condition could be imposed to secure a landscape scheme to soften the appearance of the frontage areas.

¹ 24 Weymount Road and 22 Weymount Road, 23 Weymount Road and 21 Weymount Road, 1 Goshwark Gardens and 3 Goshwark Gardens

² Hillingdon Local Plan: Part 2 Development Management Policies

14. There is some variation to the roofscape and appearance of nearby properties. The scale, height, appearance, hipped roof and materials would draw on elements of the existing built form.
15. Nevertheless, the proposed development would unacceptably harm the character and appearance of the area. It would be contrary to Policy BE1 of the Part 1 Plan³ and Policies DMHB11 and DMHB12 of the Part 2 Plan where they, in part, seek to ensure developments are appropriate to, harmonise and are well integrated with the local context and surrounding area. It would also be contrary to Policies D4 and D6 of the London Plan 2021 where they require housing development to be of high quality and deliver good design.
16. Policy D5 of the London Plan 2021 relates to inclusive design. This policy weighs neither for nor against the appeal scheme with regard to this issue.

Living Conditions 1 Adelphi Crescent

17. The double doors from the kitchen at No 1 are set away from the proposed boundary and dwelling. This would ensure an open and wide outlook from the rear room is retained with only angled views towards the appeal site. The rear garden itself would have alternative outlooks away from the proposed dwelling given the orientation of the properties.
18. Side elevation windows at No 1 serve a shower room and hallway and as with the utility room windows do not serve habitable rooms. There would also be some separation from the proposed boundary fence. Upper floor windows would have an outlook over and away from the proposed dwelling. Therefore, the outlook from No 1 would be acceptable.
19. Proposed boundary treatments would reduce overlooking from the side elevation ground floor windows of the proposed dwelling as would the suggested obscure glazing. There are no first-floor side elevation windows in the proposed dwelling. Adequate levels of privacy for the occupiers of No 1 would therefore be retained.
20. Given the angle of the properties, as well as the direction of the sun, there would be some reduction in sunlight and daylight experienced at No 1 at certain times of day.
21. Nevertheless, the closest windows to the proposed dwelling serve non-habitable rooms and are unlikely to be occupied for long periods of time. There is a large front elevation window and openings at the rear that would serve the open plan living/dining/kitchen area. These would allow light to enter this area. Furthermore, the proposed dwelling does not significantly extend beyond the rear building line of No 1. As such, sufficient daylight and sunlight would still be able to access the habitable rooms and garden areas.
22. Consequently, the proposed development would not unacceptably harm the living conditions of the occupiers of 1 Adelphi Crescent with regard to outlook, privacy, sunlight and daylight. It would accord with Policy DMHB11 of the Local Plan where it states development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties.

³ Hillingdon Local Plan: Part 1 Strategic Policies

Living Conditions of Future Occupiers

23. Amended plans submitted as part of the appeal re-organised the size of rooms, circulation space and entrance arrangements. The Council are satisfied that these changes have addressed their concerns and there is no compelling case to the contrary.
24. As such, the proposed development would provide appropriate living conditions for future occupiers with regard to internal space and wheelchair accessibility. The scheme would accord with the requirements of Policy DMHB 16 of the Part 2 Plan, Policies D5, D6 and D7 of the London Plan 2021, the SPD⁴, the SPG⁵ and the THS⁶.
25. Policy D4 of the London Plan 2021 does not relate directly to living conditions and therefore weighs neither for nor against the proposal in relation to this issue.

Other Matters

26. While any contribution is worthwhile, being for a single property, the effect on housing supply would be small as would economic and social benefits associated with the construction and occupation of the building to nearby services and facilities. Benefits from the introduction of permeable surfaces would be limited.
27. I appreciate that the scheme has been amended to address concerns raised in a previous application. The scheme would provide sufficient outdoor amenity space and parking. This and that the proposal would be acceptable in relation to living conditions and accessibility are neutral factors. Nonetheless, the harm that would be caused to the character and appearance of the area is determinative.

Conclusion

28. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
29. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

⁴ Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document September 2017

⁵ Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

⁶ Technical housing standards – nationally described space standard