



Appeal Decision

Site Visit made on 5 July 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2021

Appeal Ref: APP/R5510/W/21/3270446

23 Cowley Crescent, Uxbridge UB8 2HE

- 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 Manpreet Lachhar against the decision of London Borough of Hillingdon.
 - The application Ref 11257/APP/2020/1766, dated 8 June 2020, was refused by notice dated 8 September 2020.
 - The development proposed is a two storey, 2-bed, attached dwelling house with associated parking and amenity space and installation of vehicular crossover to front.
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Decision

1. The appeal is dismissed.

Preliminary Matter

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 These have subsequently been replaced by the London Plan 2021 and the new National Planning Policy Framework 2021 (Framework) has been published.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 those circumstances. There have been no fundamental changes to policies relevant to the main issues in this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, including with regard to trees.

Reasons

4. The appeal site is located in a predominantly residential area characterised by pairs of similarly designed semi-detached dwellings. The properties are set back in good sized plots, often with grassed front gardens, including trees and hedges, in a regular pattern. The layout and established landscaping of the properties here provides a consistent rhythm to the street scene. The appeal site is a corner plot and is set back from the highway to its front and side, this combined with the set back of the other houses and trees and hedgerows gives the area a pleasant open character. I am aware of a previous appeal¹ for a similar development at the site, albeit that I have assessed the scheme before me on its particular merits.
5. The appeal scheme is for the erection of a two storey dwelling as an extension to No 23 Cowley Crescent. The proposal would be positioned so that the front

¹ APP/R5510/W/18/3207409

corner would be located close to the site boundary bringing built development much closer to the highway. Additionally, whilst other properties nearby have been altered, they remain as pairs of semi-detached. The addition of a dwelling as an extension to No 23 would introduce a terrace of three dwellings to the street scene which would be discordant with the established pattern of development. This, combined with the proximity of the proposal to the highway and the depth of the proposal, would result in it appearing dominant in the street scene and would erode the aforementioned openness which characterises the area.

6. Existing landscaping here, consisting of established hedgerows, trees and planting behind a grassed verge contributes positively towards the pleasant character and appearance of the area. Much would need to be removed to facilitate the development proposed, and there is no clear evidence before me of the effect of the proposal in that regard (or what mitigation might be provided by any new landscaping). In any event the potential to include comparable soft landscaping to that which already exists would be highly limited, such that this in combination with the layout of the proposal would further exacerbate harm to the street scene.
7. Whilst the proposal would be in excess of one metre from the boundary, this alone would not sufficiently mitigate the harm identified above to the character and appearance of the area.
8. The appellant argues that the site could be cleared of trees and hedgerows without planning permission. However, as the existing landscaping positively contributes to the existing dwelling and its amenity space and despite previous attempts to develop the site the landscaping has remained, I give such a fallback limited weight.
9. For the reasons above, I conclude that the proposal would harm the character and appearance of the area contrary to Policy BE1 of the of the London Borough of Hillingdon Local Plan: Part 1 – Strategic Policies (2012) and Policies DMHB11, DMHB12 and DMHB14 of the London Borough of Hillingdon Local Plan: Part 2 – Development Management Policies (2020) and London Plan (2021) Policy D6 which seek, amongst other things, to ensure that development is of a high quality design, harmonises with the local context and considers the character and quality of the surrounding area. The proposed development would also be at odds with paragraph 130 of the National Planning Policy Framework which seeks to ensure developments are visually attractive and sympathetic to local character.

Other Matters

10. 'My attention has been drawn to examples of side extension in the area, in particular 17 Cowley Crescent and 5 High Road. No. 17's extension is well set back from the front elevation and limited in its width, as such is not directly comparable to this appeal. With regards to 5 High Road, no plans have been provided detailing the extension. However, No.5 relates to High Road and its garden provides a buffer between the built development on High Road and Cowley Crescent. I have however, concluded above that a buffer of one metre would not overcome the identified harm.
11. I acknowledge there would be some benefits from the proposal, including in providing a new dwelling. However the benefits arising from one new home

would inevitably be modest. Neither the support in the development plan nor Framework for new housing is at the expense of ensuring that all development is appropriately designed. Therefore even were the Council unable to demonstrate a sufficient forward supply of land for housing, albeit that there is no evidence before me on the matter², and I were to reason that the scheme were acceptable in all other respects, inherent in my reasoning above is that the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits.

Conclusion

12. For the above reasons, there are no relevant material considerations, including the approach of the Framework, indicating that a decision other than in accordance with the development plan should be taken. It is for this reason that the appeal should be dismissed.

Tamsin Law

INSPECTOR

² Noting that the appellant states simply that the proposal would provide 'valuable housing for the Borough for which there is a shortage'.