



Appeal Decision

Site visit made on 7 December 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2021

Appeal Ref: APP/R5510/W/21/3271803

Land Adjacent To 2 Windsor Avenue, Hillingdon, Middlesex UB10 9AT

- 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 Ben Brewer against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75970/APP/2020/3506, dated 23 October 2020, was refused by notice dated 15 February 2021.
 - The development proposed is described as comprising a 2 bedroom plus a study room dwelling and associated parking and refuse area.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the Council's decision, the London Plan 2021 (LP) has been adopted. This now forms part of the development plan for the appeal site and its policies replace those from the London Plan 2016 referred to in the Council's refusal reasons. The Council's appeal statement refers to LP policies and the appellant has been invited to provide comments on the points raised. As such, I am satisfied that both parties have had sufficient opportunity to make representations in light of the LP.

Main Issues

3. The main issues are (i) the effect of the development on the character and appearance of the area, and (ii) whether it would provide appropriate living conditions for future occupants having regard to the requirements of people with disabilities.

Reasons

Character and appearance

4. The site lies in a residential area where most houses face the road, are 2 storeys high and either attached or positioned close to each other. Despite its built up nature, in the vicinity of the appeal property there is a fair degree of consistency in terms of the houses being set back from the roadside pavement. This uniformity and subsequent sense of space in the street scene is one of the defining aspects of the locality.
5. The proposed dwelling would be attached to the side of the appeal property. Its front would face Windsor Avenue and would align with the general building line along the road. However, the site lies on a corner and the development would

occupy most of the gap between the flank wall of the existing house and the side boundary with Granville Road. The subsequent loss of openness and the removal of trees to allow the development would be clearly noticeable from the adjoining streets.

6. Moreover, when viewed from the highway to the side and rear, the house would stand out in front of the generally consistent line of dwellings along Granville Road. Also, despite the small gap to the side boundary, the 2 storey high flank elevation would appear as an unusually high feature near to the pavement. Therefore, the development would not respect and would fail to fit in with the street scene, even though it would be a similar scale and appearance to the host building and other nearby dwellings.
7. I am referred to residences that have been constructed on corner plots at 48a and 70a Windsor Avenue. However, these dwellings are noticeably set off the site boundaries and so avoid the level of detriment caused by a loss of openness and prominence I have identified in respect of the appeal scheme. Moreover, these houses are not seen with the appeal site. Similarly, other permitted developments that I am referred to lie some distance from the location of this proposal, including that allowed at 43 Bedwell Gardens after a planning appeal. These other developments would have been assessed in light of their particular contexts and so they do not set a precedent that I am bound to follow in my consideration of this main issue.
8. For these reasons, I conclude the proposal would harm the character and appearance of the area. In these respects, it would not accord with policy BE1 of the Hillingdon Local Plan Part 1 2012 and policies DMHD1, DMHB11 and DMHB12 of the London Borough of Hillingdon Local Plan Part 2 2020. Amongst other things, these seek development of high quality design that integrates with the surrounding area.

Living conditions

9. The LP policy D7 looks to ensure suitable housing is provided to allow choice for people including those with disabilities, older people and families with young children. Under the terms of this policy, the Council contend the proposal should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The Council consider the development would fail to comply as it would not include a toilet at the same level as the entrance and that the hallway width would in parts not meet minimum standards.
10. The appellant does not contest the Council's concerns but contends that they could be addressed through revisions to the internal layout of the scheme. It is suggested that approval of such amendments could be secured by a planning condition. However, no details have been submitted to illustrate the level of internal revisions required to allow adequate access to ground floor facilities as well as the inclusion of a toilet. Without such information, I am uncertain whether the suggested planning condition would be reasonable, particularly as the footprint of the proposal would be restricted in size.
11. Therefore, I conclude the development would not provide appropriate living conditions for future occupants having regard to the requirements of people with disabilities. In these respects, it would not accord with LP policy D7.

Other Considerations and Planning Balance

12. It is stated that the proposal would be more environmentally friendly compared to the existing house. However there is no detailed comparison data provided in these regards and limited information before me on the environmental performance features to be incorporated. As such, this factor attracts limited weight in my assessment.
13. The proposal would make a more efficient use of land in an urban area where future residents would have good access to facilities. Also, it would add to the housing stock, although there is no evidence to indicate that there is a shortage of housing land. As a single additional unit, the benefits to the scheme would be modest.
14. For the reasons as set out under the main issues, the development would not accord with the policies of the development plan when read as a whole. The benefits of the scheme and other considerations are of insufficient weight to justify allowing the proposal contrary to the development plan.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

Jonathan Edwards

INSPECTOR