



---

# 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: 16<sup>th</sup> December 2021**

---

**Appeal Ref: APP/R5510/W/21/3275714**

**17 Harvil Road, Ickenham UB10 8AJ**

- 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 Hussam against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 38715/APP/2020/3545, dated 1 November 2020, was refused by notice dated 9 February 2021.
  - The development proposed is demolition of existing bungalow and construction of a detached house.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area, and (ii) the living conditions of occupants of 18 Harvil Road (No 18) in terms of access to light and outlook.

## Reasons

### *Character and appearance*

3. The appeal property is in a line of detached dwellings on one side of Harvil Road. The houses tend to be set back, although they are visible from the highway over boundary features or through access gaps. There is no strong consistency in the design of the buildings and they include 2 storey high houses as well as bungalows. However, all of the dwellings are of a typical domestic scale and appearance with unassuming architecture. While there are porches with columns, these are modest single storey features. The chalet bungalow on the site has modest proportions and so it fits in with the area.
4. The front elevation of the proposal would be much larger than the appeal property as its eaves would be at a full 2 storey height across its entire width. Also, it would include an entrance feature that would project forward and would have a prominent gable fronted roof on top of 2 storey high columns. By reason of its height, width and design, the proposal would have a marked effect on the street scene. The front entrance feature would be particularly noticeable and would be overly ostentatious amongst the line of more modest properties. Moreover, despite being set in from the side boundaries, the proposal would be generally wider than nearby residences and this would emphasise the grandiose nature of the front elevation. As such, it would be incongruous and it would not harmonise with the street scene.

5. It is suggested that the proposal represents high quality, modern design but the incorporation of tall columns reflects a classical style of architecture. There is little to indicate the development would be innovative in design terms.
6. The scheme would reflect the locality's residential nature and it would follow the layout pattern. There would be space to the front for planting and the amount of hardstanding would not be detrimental to the street scene. Sympathetic materials could be secured by planning condition. However, these acceptable aspects would not address or override the identified incongruity.
7. For these reasons, I conclude the development would harm the character and appearance of the area. In these regards, it would not accord with policy BE1 of the Hillingdon Local Plan Part 1 2012 and policies DMHB11 and DMHB12 of the London Borough of Hillingdon Local Plan Part 2 adopted in 2020 (LP2). Amongst other things, these seek high quality development that harmonises with its local context. The proposal would include appropriate hard and soft landscaping and so it would accord with LP2 policy DMHB14.

#### *Living conditions*

8. Most of the proposed house would be behind the rear elevation of No 18 and so a large part of the side wall would be seen from the neighbouring property. The Council's concerns relate to the proposal's impact on the nearest first floor window and the breach of a 45 degree line. However, I am referred to no planning policy that refers to any such assessment and so this breach is not determinative on the issue.
9. There would be a significant gap between the side of the proposed house and the main part of No 18. Moreover, only part of the flank elevation would be 2 storeys high. Therefore, I am unconvinced from the evidence that the proposal would cause a significant overshadowing effect to No 18's first floor window. The loss of sunlight as a result of the development would more directly affect the roof of No 18's outbuilding rather than any fenestration. Also, while the proposal would be seen, it would not significantly impinge on the main outlook from No 18's windows towards its own sizeable back garden.
10. As such, I conclude the proposal would not harm the living conditions of occupants of No 18 in terms of access to light and outlook. In these regards, it would accord with LP2 policy DMHB11, which amongst other things seeks to ensure development avoids adverse impacts to adjacent properties.

#### **Other Considerations and Conclusion**

11. The proposal would lead to an increase in the amount of living accommodation on the site, although it would not create additional dwellings. The benefit in this regard is afforded limited weight.
12. The proposal would be acceptable in terms of the second main issue but the harm to character and appearance means it would not accord with development plan policies when read as a whole. There are no benefits or other factors of sufficient weight to justify granting planning permission contrary to the development plan. As such, I conclude that the appeal should be dismissed.

*Jonathan Edwards*

INSPECTOR