



Appeal Decision

Site visit made on 1 March 2022

Decision by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2022

Appeal Ref: APP/R5510/W/21/3286382

34 Acacia Avenue, Ruislip, HA4 8RG

- 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 Panoramic Developments Ltd against the decision of London Borough of Hillingdon Council.
 - The application Ref 1788/APP/2021/3141, dated 12 August 2021, was refused by notice dated 25 October 2021.
 - The development proposed is 1no. detached 4-bed dwelling house and 2no semi-detached 4-bed dwelling houses.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the local area;
 - The effect on the living conditions of future occupants with regard to internal and external space; and
 - Whether or not the proposal would provide accessible housing.

Reasons

Character and appearance

3. The character of the area is one of suburban residential houses and bungalows flanking both sides of the main road. The properties in general vary in their form, proportion, and appearance although the wider locality is consistent in that the properties benefit from sizable rear gardens and are set back from the road. The appeal site is a detached bungalow set amongst other bungalows on this particular stretch of the road. The proposal entails the demolition of the bungalow and subdivision of the plot to create a pair of semi-detached houses and a single detached house, all two-storey.
4. Many properties on Acacia Avenue occupy the full width of the plot, or have narrow passages to the side of the dwelling allowing access from the front to rear gardens. I find that the layout of the proposal would follow this general arrangement. In addition, the widths of plots and width and depths of houses vary along the avenue, and this is one of the widest plots. The dwellings would appear characteristic of other semi-detached and detached two storey houses seen locally. The houses would thus not appear pinched in this environment.

5. The design of the houses is intended to respect the broad appearance of the neighbouring two-storey dwellings with hipped roofs, fenestration pattern and corresponding palette of materials. As a combination, the proposed dwellings in this dense suburban area would appear characteristic in this location.
6. Furthermore, it is apparent that there are various heights of dwellings along Acacia Avenue, with bungalows sandwiched between two-storey houses where ridge lines contrast. Overall, and despite an objector's concerns, I find that the proposed houses would integrate with and respect the character and appearance of the locale.
7. To conclude on this main issue, the proposal would comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020, and Policies D3 and D6 of the London Plan 2021 in their combined design aims. In addition, the proposal would adhere to the objectives of the National Planning Policy Framework to achieve well designed places.

Living conditions - internal space

8. The London Plan 2021 sets out the minimum internal space standards for new dwellings within London. The houses in plots two and three have bedrooms that do not comply with the standard. I attach great weight to this Plan.
9. The appellant may consider these houses would provide more generous overall footprint, and larger than other new builds within the local area. Nonetheless, these matters are not sufficient justification as to why their scheme cannot meet these standards, which are minimum standards. Even if the dwellings would be built to Building Regulations requirements, and they may be more energy efficient than the existing bungalow, these matters would not off-set room sizes that do not meet policy requirements, and the adverse consequence of such on the living conditions of future occupiers.
10. In addition, Plot 1 provides a study on the ground floor. I have taken into account the Council's stance on the potential use of this space as a bedroom. If taken as such, the size of which would fall below the minimum standards set down within the London Plan. This alone would not be determinative to lead me to find the proposal would fail on living conditions grounds. However, as a combination of factors, it adds to my overall consideration of the scheme on this main issue, and leads to my conclusion on the matter.
11. Therefore, to conclude on this main issue, due to the identified below minimum room size standard, the proposal would not meet the policy requirements of D6 of the London Plan 2021 to ensure housing quality and standards.

Living conditions - external space

12. Specific Council policy guidance refers to external space size for occupants. A four bedroom dwelling requires a minimum standard of 100sqm although the dwelling on Plot 3 has been specified on the submission to provide approximately 91sqm of private amenity space for future occupants.
13. The appellant points to other houses on the same road that they consider to be commensurate in rear garden space size. However, the precise size is not before me to compare and in any case, the proposal at appeal is for a new

build development and I afford considerable weight to the requirements of meeting the policy.

14. Given the size of external space for future occupants that fails to meet the required level, the proposal would not comply with Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020 that aims to provide quality external space.

Accessibility

15. The London Plan 2021 reinforces the need for accessible housing within London, in particular Policy D7. As the ground floor would be otherwise fully accessible, the limited size of the W/C would be a significant obstacle to a less mobile person.
16. The proposal is for full planning permission whereby approval is sought for the layout, with the floor plans before me. The appellant may point to the proposal conforming to Building Regulations when the time comes. However, without the information before me, I am not convinced that the proposal would meet the required accessible standards to provide access for everyone.
17. To conclude on this main issue, due to the lack of inclusive design, the development would therefore not comply with Policy D7 of the London Plan 2021 in its objectives to provide accessible housing.

Balance and Conclusion

18. I have found that the proposal would not lead to harm arising to the character and appearance of the local area to which I apportion significant weight. There may be an additional net gain of dwellings within the Borough as a consequence of the proposal and it could be built to modern standards with reasonable access to local services, employment providers and local amenities. These are benefits that weigh in favour of the proposal although, in the totality of matters, I apportion only moderate weight to them.
19. Bringing all matters together, in the planning balance, the overall weight I apportion to these things would not be sufficient to justify or outweigh the adverse effects the proposed development would cause to the living conditions of future occupants, and would not amount to inclusive design.
20. Therefore, in light of my assessment of the main issues, it would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, the appeal is dismissed.

Alison Scott

INSPECTOR