



Appeal Decision

Site visit made on 29 November 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2023

Appeal Ref: APP/R5510/W/22/3300846

2 Hilliard Road, Northwood HA6 1SN

- 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 Dr Mukesh Pandya against the decision of London Borough of Hillingdon.
 - The application Ref 34684/APP/2021/3092, dated 9 August 2021, was refused by notice dated 9 March 2022.
 - The development proposed is described as the demolition of existing outbuildings and erection of part 1-storey part 2-storey 2-bedroom detached dwelling with associated garden and bins and cycle storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area;
 - The living conditions of the occupiers of 2-8 Hilliard Road with particular regards and outlook and privacy; and,
 - Whether or not the appeal scheme would be at risk of flooding

Reasons

Character and Appearance

3. I saw at the site visit that the appeal site sits at the junction of two areas with distinctly different characters and subsequently appearances. The properties located to the south of the appeal site accommodate a mixture of residential and commercial uses often with large single storey extensions to the rear, resulting in a dense form of development. Conversely to the north of the appeal site, the rear gardens of residential properties on Hilliard Road and Addison Way combine to create a spacious and verdant character with a typically suburban openness. On the basis of my observations at the site visit I am satisfied that the appeal site sits within the latter area.
4. The submitted plans show that the appeal scheme, while replacing existing outbuildings, would significantly increase the scale and amount of development on the site, subdividing the rear garden of 2 Hilliard Road and creating a new independent dwelling and as a result the site would be of a noticeably different

character and appearance to that found elsewhere in the Hilliard Road and Addison Way area.

5. The appellant has identified a number of planning policies and parts of planning policies that support the creation of new dwellings, including on small sites, and that the local character of an area evolves over time.
6. It is nonetheless reasonable for the Council to have considered the effect of the proposed development on the character and appearance of the area in accordance with the development plan read as a whole.
7. While the proposed building in itself appears to be of a good standard of design, as a result of the siting and scale of the proposed property in what is shown on the submitted plans as a small site, the appeal scheme would appear as an incongruous addition to the area. Thus the appeal scheme would result in harm to the character and appearance of the area.
8. I therefore find that the appeal scheme is contrary to Policies HE1 and BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies DMH 6, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies, Policies D3 and HC1 of the London Plan that amongst other matters seeks to ensure that new development harmonises with the local context, maintain local character and enhance local distinctiveness.

Living Conditions

9. The appeal scheme consists of a part single and part two storey unit set at the rear of the appeal site only a short distance from the rear elevation of 2 Hilliard Road and those of the neighbouring properties.
10. The facing elevation of the proposed dwelling, as shown on the submitted plan, consists of large window serving the ground floor bedroom and an almost full height window serving the ground floor living space and first floor bedroom. Also shown on the plans is a roof terrace partially enclosed by an obscurely glazed balustrade. As a result, future residents would be afforded views towards the neighbouring properties from within the property and from the outside space.
11. The Officer's report details that the existing and proposed properties would be separated by just "14metres". The submitted plans show the appeal site being separated by a boundary fence shown to be 1.7m high.
12. On the basis of the evidence before me and my observations at the site visit, I am not convinced that the proposed boundary treatment would adequately protect the privacy of the occupiers of the neighbouring properties. Therefore, as a result of the height of the proposed windows and roof terrace in close proximity to the rear elevations and rear outdoor space of the neighbouring properties I find that the appeal scheme would harm the privacy of the occupiers of 2-8 Hillard Road.
13. Furthermore, as a result of the close proximity of the proposed dwelling to nos. 2-11 in combination with the scale of the proposed dwelling, I find that the appeal scheme would appear overbearing and would also harm the outlook of the occupiers of those neighbouring properties.

14. For the reasons detailed above I find that the appeal scheme would result harm to the living conditions of the occupiers of 2-8 Hilliard Road and neighbouring properties with particular regards to outlook and loss of privacy. Therefore, the appeal scheme is contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies that amongst other matters seeks amongst other matters to protect the living conditions of the occupiers of adjacent properties.

Flood Risk

15. The appellant details that the appeal site is in flood zone 1 as per the Environment Agency (EA) online map, of which the appellant has provided an extract. However, the Council states that, on the basis of their mapping which relates to surface water flooding, the site is at risk of flooding. I note that the EA map does not refer to surface water flooding. The appellant has not submitted a Flood Risk Assessment or any mitigating measures.
16. Therefore, because the site is identified as being at risk of surface water flooding and in the absence of any meaningful assessment by the appellant, I find that the appeal scheme is thus contrary to Policies DMEI 9 and 10 of the Hillingdon Local Plan Part 2 - Development Management Policies, Policies SI12 and SI13 of the London Plan and the National Planning Policy Framework with regards flooding.

Other Matters

17. The appeal scheme is shown as being sited on a small urban site with access to services and facilities and would deliver an additional dwelling. These are material considerations that weigh in favour of the appeal scheme but do not outweigh the harm I have identified earlier.

Conclusion

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

Mr M Brooker

INSPECTOR