

Appeal Decision

Site visit made on 4 October 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 October 2016

Appeal Ref: APP/R5510/W/16/3154992

34 Vine Lane, Uxbridge, Hillingdon, UB10 0BA

- 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 Purewal against the decision of The Council of the London Borough of Hillingdon.
 - The application Ref 71435/APP/2015/4488, dated 7 December 2015, was refused by notice dated 25 May 2016.
 - The development proposed is the demolition of the existing dwelling and the redevelopment of the site to provide two detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the living conditions of the occupiers of 32 and 36 Vine Lane in respect of outlook; and (ii) the character and appearance of the area.

Procedural Matter

3. Amended plans were submitted to the Council on March 10th 2016. These are the plans which form the basis of my decision.

Reasons

Living Conditions

4. The two storey element of the proposed dwelling next to No 32 would project beyond the rear elevation of No 32 by a small amount which would not cause a loss of outlook. The single storey element would project somewhat further but given that it would be a low structure and that there is a lot of mature planting on the boundary to screen it, I do not consider that it would adversely affect the outlook of the occupiers of that dwelling.
 5. The two storey element of the other proposed dwelling would project a significant amount beyond the rear of No 36. I note the appellant's comments that the proposed house would not encroach within the 45 degree line due to the garage on the boundary. That said, I must also consider the impact of the proposed dwelling upon the outlook from the garden area of the bungalow and, given that the two storey structure would be 1.8m away from the boundary, in my view, it would present a tall, large and dominant structure when viewed from the garden. I note that no neighbour objections
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were received but I have to consider the living conditions of both existing and future occupants.

6. I therefore conclude that the proposed development would have an overbearing effect upon the outlook from No 36 Vine Lane and would harm the living conditions of its occupiers. Consequently, it would conflict with Policies BE19, BE20, and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (UDP) and the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Layouts (SPD), which, in combination, seek to protect residential amenity. The Council has referred to UDP Policy BE24 but this relates to privacy rather than outlook and I find no conflict with it.

Character and Appearance

7. Vine Lane is characterised by dwellings of a range of different size, design and type. Many of the houses on the same side of the road as the appeal site are large and detached. There are smaller semi-detached houses on the opposite side of the road. Most dwellings have a generous gap between them at first floor level and the prevailing character of the street is of a pleasant, spacious appearance.
8. There would be about 1.6m between the two proposed dwellings. UDP Policy BE22 requires that there should be at least 1m between a 2-storey dwelling and a side boundary. Therefore, this implies that there should be at least 2m between the two dwellings (i.e. 1m to each boundary). The explanation to the policy indicates that this is to preserve the visually open gaps between properties. The proposed gap would be narrow in comparison to the established pattern of development and would erode the existing spacious character of the street-scene. I appreciate that the overall size of the plot would be generous as the dwellings would have deep front and rear gardens but this would not overcome the lack of space between the proposed houses.
9. I note the appellant's reference to other replacement dwellings in the area and the planning permission granted at No 40 for 2 taller dwellings which would have only 1.8m between them. However, I am not bound by other Council decisions and they do not provide justification for me to allow further harm.
10. I note the Council's concern that the proposed houses would be tall and narrow but whilst they would be narrower than many other dwellings nearby, given the large variety of size and style of surrounding buildings, I do not consider that their scale and mass would look out of place.
11. Due to their proximity to each other, I conclude that the proposed dwellings would harm the character and appearance of the area. Consequently, the proposal would conflict with UDP Policies BE13 and BE19 and the Council's SPD which seek to ensure that development complements or improves the character and appearance of the area and street-scene.

Conclusion

12. For the above reasons, the appeal is dismissed.

Siobhan Watson

INSPECTOR