
Appeal Decision

Site visit made on 21 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 19th December 2016

Appeal Ref: APP/R5510/W/16/3152708

10 Jackets Lane, Northwood, Hillingdon HA6 2SH

- 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 David Holmes against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70543/APP/2016/154, dated 11 January 2016, was refused by notice dated 13 June 2016.
 - The development proposed is redevelopment of site to provide 4 detached dwellings with associated car parking, landscaping and vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the plot 4 dwelling on the living conditions of the neighbouring occupiers of 4 Glynswood Place, with particular regard to outlook.

Reasons

3. Jackets Lane runs off the main A4180, within a built-up area to the south of Northwood. For a relatively short distance this lane is a made-up road and serves housing in Iveagh Close to the south-west and, further along, the dwellings in Hurst Place to the north-east. Jackets Lane continues from its junction with Hurst Place as a narrow, unmade road, serving the appeal property at No 10 and dwellings to either side. Housing development along Jackets Lane currently ends at No 12, the listed house immediately beyond the appeal property, although permission has recently been given for a pair of large detached houses to its rear. Jackets Lane becomes a public bridleway beyond No 12 which continues into the Metropolitan Green Belt countryside.
 4. The redevelopment would replace No 10 with two detached houses (plots 1 and 2) facing onto and served from a widened and improved Jackets Lane. A second pair of detached dwellings (plots 3 and 4), orientated at ninety degrees to the first pair, would be sited at the end of the large back garden to No 10. These would front onto, and gain access from, Hurst Place.
 5. The Council's refusal relates only to the dwelling proposed on plot 4 and the effect this would have on the living conditions of the occupiers of 4 Glynswood Place. The front building line of the existing four houses along the south-east side of Hurst Place aligns approximately with the rear building line of the adjacent houses along Glynswood Place. 4 Glynswood Place is immediately
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- adjacent to No 5 Hurst Place although, due to the position of their respective streets, they face in opposite directions.
6. The side boundary to the rear garden of No 4 runs alongside the end of Hurst Place. The dwellings proposed on plots 3 and 4 would occupy the north-west side of this cul-de-sac and face the existing dwellings opposite. The front garden to plot 4, sited at the end of Hurst Place, would run alongside the back garden to No 4. The front of the new house would align approximately with the rear boundary of No 4 and its front corner would be sited close to the adjacent corner of this neighbouring back garden.
 7. From my inspection I found No 4 to have a modestly-sized, well-maintained back garden with a pleasant, open aspect. It would not be reasonable to expect the planning process to preserve an unchanged view from this property. However, it is a principle, as set out in paragraph 17 of the National Planning Policy Framework (the Framework), that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.
 8. The dwellings proposed in this scheme are all very substantial four or five bedroom houses, with tall ridge heights and roofspace accommodation, and are of a deep plan. The dwelling proposed on plot 4 is no exception to this. A dwelling of the scale proposed would loom very large in the rear aspect from No 4. A house of this scale and proximity would have an unduly overbearing and visually intrusive impact on the outlook from this neighbouring property. The landscaping proposed along the boundary with the neighbour would soften the impact of the development. However, this would not be sufficient to prevent the new house from having a materially adverse effect on the living conditions of the occupants of No 4, due to its impact on their outlook.
 9. A very recent appeal¹ dismissed on 11 October 2016, in respect of a similar development at 10 Jackets Lane, is a material consideration. The Inspector considered the effects on the living conditions of the occupants at No 4 of a similarly scaled and positioned dwelling on plot 4. In this decision the harm found related principally to the loss of privacy to the rear patio and garden caused by potential overlooking from a first-floor bedroom front window. However, the Inspector held that this harm would be exacerbated by the somewhat overbearing effect of the new dwelling and the loss sunlight it would cause.
 10. This proposal was accompanied by an overshadowing assessment based on Building Research Establishment (BRE) guidelines. The report found that the plot 4 dwelling would not result in a notable worsening in the amount of overshadowing of, or reduction in sunlight to, the neighbouring back garden of No 4. Whilst this report demonstrates that any loss of sunlight would not exceed BRE guidelines, there would nonetheless be some overshadowing to the rear part of the neighbouring garden. The degree of overshadowing might not alone support a conclusion of material harm to living conditions. However, this lends no weight in favour of this proposal as some degree of overshadowing would still arise, exacerbating the harm already found in respect of outlook.
 11. Compared to the previous appeal scheme, the plot 4 house has been moved slightly away from the side boundary, and appears to be set back marginally within the plot. Given the oblique angle of view and the distances between the

¹ APP/R5510/W/15/3138790

proposed first-floor bedroom front window and No 4, the Council has not found the proposal to result in a significant loss of privacy. This is the Council's balanced conclusion when assessing this proposal against the guidelines in the Hillingdon Design and Accessibility Statement Supplementary Planning Document. However, as with the matter of overshadowing, this lends no weight in favour of this proposal. The potential for overlooking would be reduced by the dwelling being slightly further away from the boundary, such that it might not result in material harm as a single consideration. However, the residual degree of overlooking that would remain would still serve to exacerbate the main harm found in respect of outlook.

12. This scheme has been revised in respect of the design of the dwellings proposed, mainly in respect of omitting the crown roof features. These four houses show no material reduction in their general height, scale and footprint when compared to the previous appeal. The housing to the north-east of Jackets Lane is predominantly of similarly large, detached houses and this proposal would reflect the prevailing density of this.
13. However, the layout of the housing in this area is of a spacious nature, with the separation of housing generally providing for reasonably open outlooks to the rear. The large house proposed on Plot 4 would contrast with this spacious pattern of housing by virtue of its siting close to the rear of No 4. The overbearing impact this new dwelling would have on the outlook from the rear of this neighbouring dwelling, coupled with the residual degree of overshadowing and loss of privacy caused, would conflict with the aims of saved Policy BE21 of the Council's Unitary Development Plan 2007. This requires that planning permission not be granted for new buildings which, by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Other Matters

14. Regard has been given to the concerns raised by interested parties, at both the application stage and in response to this appeal. Other than in respect of 4 Glynswood Place, the proposal would not result in material harm to the living conditions of the occupiers of any other nearby dwelling, in respect of outlook, privacy or loss of light.
15. Subject to the improvements proposed to Jackets Lane, the dwellings would be served by satisfactory access arrangements and the proposal would not give rise to significant concerns in respect of the safety and convenience of highway users or of emergency vehicle access. The increased vehicular traffic arising from four additional dwellings, and the associated levels of noise and pollution, would not substantiate a further objection to the proposal. On-site parking provision for the dwellings proposed would be adequate and meet the Council's adopted standards.
16. There is no evidence to conclude that this proposal would be provided with inadequate means of drainage or give rise to flooding. Notwithstanding any concerns over previously removed vegetation, this scheme would preserve the protected trees on this site.

17. The site is within the 'Developed Area' as identified in the Hillingdon Local Plan², and outside the Green Belt. As part of an existing residential area I can find no objections to the principle of further housing in this location. As all the plots would have a road frontage this proposal is not considered to be objectionable on the grounds of being a backland development.
18. Regard has been given to the previous appeal decision and the Inspector's conclusions over the effect of the development on the character and appearance of the area, including the setting of 12 Jackets Lane, a grade II listed building. Whilst this previous appeal decision was made after the Council's determination of this proposal, I cannot assume that the reasons for refusal would have been any different in the light of this.
19. In the previous appeal the Inspector considered that the narrow gaps that would be left between the new and remaining houses along Jackets Lane would harm the spacious and rural character of the street scene. Aligned to this were concerns over design where, in particular, the Inspector considered the crown roofs added to the perceived bulk of the new dwellings and resulted in their alien appearance.
20. Whilst the spacing of the dwellings has not changed materially from the previous scheme, the designs have been amended as recommended by the Council's Conservation Officer. In the Council's report it states that the elements previously considered unacceptable, such as the crown roof details, have been removed. The cat-slide roof to the side of the plot 1 dwelling is considered to create a suitable gap between it and the listed No 12. This lessens its bulk and dominance, such that this house would be more harmonious in the street-scene.
21. This proposal makes amendments which materially improve the design of the dwellings when compared to the proposals considered in the previous appeal. Taking into account the Council's officer report, and the previous Inspector's conclusions, I consider that this altered scheme would not result in significant harm the character and appearance of the street scene and would preserve the setting of the grade II listed building at No 12 Jackets Lane.

Conclusion

22. The house proposed on plot 4 would be of a size and proximity that would have a dominating and intrusive impact on the outlook from 4 Glynswood Place. The large and spaciouly arranged houses in this area generally provide for good quality living conditions, which include relatively secluded and open rear aspects. The large dwelling on plot 4 would not provide a reasonable level of separation from No 4 when considered in the context of this spacious residential area. The harm caused to the living conditions of these occupiers, relative to what might reasonably be expected in this location, would be contrary to the Council's development plan policy and the principles in the Framework. Therefore, having taken into consideration all other matters raised, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR

² Hillingdon Local Plan: Part One – Strategic Policies – November 2012.