
Appeal Decision

Site visit made on 6 November 2017

by S Jones MA DipLP

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

Decision date: 19 December 2017

Appeal Ref: APP/R5510/W/17/3180767
45 Dene Road, Northwood HA6 2DD

- 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 B Shah against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 2030/APP/2017/176, dated 17 January 2017, was refused by notice dated 21 March 2017.
 - The development proposed is proposed demolition of an existing 4 bedroom detached dwelling and the erection of a new 5 bedroom detached dwelling with a habitable roof and associated integral garage, refuse and recycling and amenity space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of 43 Dene Road with regard to overbearing, light and outlook.

Reasons

3. The appeal property is a large two storey detached dwelling in a development of similar properties off a private road in suburban Northwood. A replacement dwelling is proposed onsite with a larger footprint and different design features.
4. The design proposed would project a good distance deeper than at present along the boundary with the adjacent property at No 43. The resulting development would create a roughly 10m wall running next to No 43. No 43 has a rear conservatory here which projects roughly 1-2m beyond the current rear line of No 45. Although the proposal is for a new dwelling rather than an extension, the London Borough of Hillingdon Design and Accessibility Statement (HDAS): Residential Extensions provides useful guidelines, which are intended to help prevent unacceptable impacts from new development on existing properties. In assessing the effect of the proposed flank wall upon the neighbouring property, the Council took into account that at this side the properties would be roughly parallel, and there would be effectively no change where the new two storey dwelling replaced like for like. However, the full length of the new development would infringe the line of sight guidelines in the HDAS.

5. Compared to the existing situation the new proposed flank wall would be roughly double the length of the existing one. The bulk of the rear development in terms of a two storey plus dormer section would also run alongside the rear. Its impact would then be slightly attenuated by the single storey section, but the development would nevertheless markedly project beyond the rear elevation and conservatory to No 43 and have an overbearing and dominant effect at this boundary overall. The bulk of the development and its substantial depth enclosing the rear of No 43 would be all the more evident if the conservatory were not in place. The south easterly aspect in particular together with the relatively narrow separations at the boundary where the conservatory is close by would mean that the proposed further depth of wall would enclose the rear of No 43 and give a poor outlook from the rear. As a consequence the proposed development would significantly harm the living conditions at No 43.
6. I appreciate that the appellant states there is already an extant planning permission in place. However, based on the information that I have about it, I note that the design is different and it would not relate to No 43 in exactly the same way. The appellant also suggested a number of mitigating factors, including the drop in land levels and the existing planting on the boundary. Having said that, I note the slight drop in land levels is currently only about 1m at the boundary between No 43 and No 45, and this would not be significantly increased by the proposed development. Indeed, the existing fence and retaining wall would remain. There were no proposals for further boundary treatments other than the existing, and nothing to secure the existing planting so that I can only give this limited importance in terms of any mitigation of the new development.
7. Therefore I conclude that the harm identified to the living conditions of No 43 is not outweighed by any other factors with regard to the proposed development, and that it would conflict with Policy BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two-UDP Saved Policies and the Hillingdon Design and Accessibility Statement: Residential Extensions which together amongst other things seek to protect residential living conditions.

Conclusion

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

S Jones

INSPECTOR