

Appeal Decision

Site visit made on 11 August 2020 by S Witherley CIHCM MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/R5510/D/20/3252332

88 Vine Lane, Uxbridge UB10 0BE

- 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 & Mrs Sahota against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 39894/APP/2020/346, dated 31 January 2020, was refused by notice dated 2 April 2020.
 - The development proposed as described on the application form is: Refurbishment and extension to an existing dwelling. Works include re-modelling of existing front dormers to the front of the property and a new rear extension. Work also includes improvements to the build fabric including windows and new render.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Council confirmed, at my request, that the front boundary wall of the appeal site is locally listed and have stated that the proposal would not have any effect on this wall. From my site visit and from the submitted drawings I do not have any reasons to think otherwise.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the appeal property, the surrounding area and the Hillingdon Court Park Area of Special Local Character (ASLC).

Reasons for the Recommendation

5. The appeal property is a large detached traditionally built dwelling. The front elevation appears as single storey with three dormer windows within the front roof slope and to the rear are two projecting two-storey additions each with a crown roof. The property sits behind a large attractive and imposing brick wall pierced by pedestrian and arched vehicle entrances. This wall is locally listed.
 6. The appeal site sits within the ASLC. I saw at the time of my visit that the area contained a number of traditionally built properties of various styles and sizes along this part of Vine Road. The appeal property with its traditional character,
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appearance and modest form makes a positive contribution to the character and local importance of the ASLC.

7. The proposal would see the removal of the three modest and well-proportioned roof dormers from the front roof plane and replaced with one elongated box dormer. Due to its design, size, and continuous form, it would appear as an overly dominant and disproportionate addition. Moreover, given that the front elevation presents as a single storey element, it would appear as a top-heavy structure creating an imbalance in the overall appearance of this traditional and well-proportioned front elevation, thus significantly undermining the original design, form and massing of this elevation.
8. At the rear, the existing rear elevation presents as a two-storey elevation with a number of interesting architectural features including the roof profile of the two rear additions. The two-storey proposal would, as a result of its flat roof and box like design, present as a domineering, disproportionate and incongruous addition which undermines the original design and scale of the dwelling.
9. The proposed extensions upon the front and rear elevations would not be in harmony with the existing character, form and proportions of the original dwelling and would result in a mismatch of two contrasting designs; with the traditional form and proportions of the original character being overlaid and consumed by the disproportioned and juxtaposed elements of the proposal. Thus, the somewhat contrived form of the development would be at odds with the original design, form and character of the dwelling and would cause significant harm as a result.
10. I accept that there are restricted views of the extensions from Vine Lane and only limited views of the rear from neighbouring properties, nonetheless, the proposals would remove entirely the original character of the dwelling which is situated within the ASLC. Policy DMHB 5 of the LP2 seeks extensions to respect the original symmetry of buildings and expects extensions to remain subservient, neither of which the proposal achieves. The supporting text to Policy DMHB 5 sets out that ASLC are non-designated heritage assets that the Council wishes to preserve or enhance because of their local architectural, townscape, or historic merit. Although the supporting text does not form part of the Policy, it sets out how that Policy is to be implemented.
11. The National Planning Policy Framework requires that the effect of an application on the significance on a non-designated heritage asset should be taken into account in determining the application. The Framework states that a balanced judgment is required having regard to the scale of any harm or loss and the significance of the heritage asset. Whilst the proposal would have limited visibility it would result in near total loss of the existing architectural character of the building and would fail to preserve or enhance the ALSC. There are some small-scale private benefits arising from the provision of additional living accommodation within the dwelling but this would not justify the degree of harm to the existing building and the ALSC resulting from the loss of the architectural character.
12. For the above reasons, and having taken all other relevant matters into account, the proposal as a result of its overall design, scale and form would be in conflict with the aims of Policies BE1 and HE1 of the, A Vision for 2026, Local Plan: Part 1, Strategic Policies (2012), Policies DMHB 1, DMHB 5, DMHB 11 and DMHD 1 of the London Borough of Hillingdon Local Plan: Part Two - Development

Management Policies (2020), Policy 7.8 of the London Plan (2016) and the National Planning Policy Framework which collectively seek development to achieve high quality design that respects the character and appearance of the original dwelling and which enhances the local distinctiveness of the area.

Other Matters

13. The appellant has provided photographs and details of other developments that they state set design precedents. However, the characteristics of each site and proposal appear different to those that are before me. In particular, the dormers at Sylvana Close are appended to chalet style properties of a notably different design, and the dormers at 136 Vine Lane are smaller than those proposed here and on a much larger dwelling. Other examples of less than sympathetic dormers on properties at Blossom Way and Vine Lane would appear to be historic and it is not clear if or when approval was granted for those alterations. The original design of the properties is also different to the dwelling in this case. Nevertheless, the existence of harmful examples elsewhere does amount to justification for further harmful development.
14. I also note reference to a number of new build properties. However, consideration of such proposals is different to the consideration of a proposed extension where the character and appearance of the original dwelling needs to be considered. As a result, reference to other examples does not lead me to alter my recommendation and I am unable to give significant weight to the issue of precedent.
15. I acknowledge the appellant's willingness to install close boarded gates to reduce the impact of the proposal on street views, however, this would not reduce the overall harm that the proposal would cause to the design, scale and form of the original dwelling. For the reason stated above, the proposed extensions would undermine and would materially detract from the character and appearance of the host dwelling and the street scene. This harm would outweigh any benefits for the Appellant that would result from the proposed front and rear extension and is not a matter that could be satisfactorily addressed through the imposition of conditions.

Conclusion

16. I have found that the proposed development would harm the character and appearance of the appeal property, the surrounding area and the ASLC and would irrevocably harm the non-designated heritage asset. The proposal conflicts with the most relevant policies in an up to date development plan. It is not suggested by the appellant that the development plan is not up to date and no material considerations have been identified which would warrant granting planning permission for the proposal which does not comply with the development plan.
17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

18.I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, agree that the appeal should be dismissed.

Chris Preston

INSPECTOR