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## Appeal Decision

Site visit made on 19 March 2019

**by Nick Davies BSc(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>nd</sup> April 2019**

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**Appeal Ref: APP/R5510/W/18/3218222**

**21 Victoria Avenue, Uxbridge UB10 9AQ**

- 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 J Popa-Tolontan against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 73784/APP/2018/1685, dated 3 May 2018, was refused by notice dated 23 July 2018.
  - The development proposed is a new build house to attach to the existing detached property including the demolition of an existing outbuilding.
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### Decision

1. The appeal is allowed and planning permission is granted for a new build house to attach to the existing detached property including the demolition of an existing outbuilding at 21 Victoria Avenue, Uxbridge UB10 9AQ in accordance with the terms of the application, Ref 73784/APP/2018/1685, dated 3 May 2018, and the plans submitted with it, subject to the conditions in the attached schedule.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area

### Reasons

3. The appeal property is a house that fronts Victoria Avenue, but it is on a corner plot, so it also has a boundary with Richmond Avenue. The plot is more spacious than most others in the locality, as there is quite a large side garden between the house and Richmond Avenue. It also has a fair-sized rear garden, although much of this is taken up by a large outbuilding. There is a 2-metre high close boarded fence along the back edge of the pavement on Richmond Avenue, and a planted trellis to the same height runs between this fence and the house, so the side and rear garden are fully enclosed. The front garden, which is mostly given over to car-parking, is open to view over a low brick boundary wall.
4. The house lies in a wholly residential area that is characterised by a very ordered layout of buildings arranged fronting long straight roads. The houses are generally set back from the road behind front gardens, which are mostly open to allow for off-road car-parking. There is a uniformity of roof height and materials and, although there are a range of house types, there is a consistency of architectural style, with gables, bays and tile hanging being

common features. The houses are generally arranged in short terraces or semi-detached pairs, but the gaps between groups are quite small and there is little planting in front gardens, so street vistas give the appearance of a continuous built form. Although the architecture and materials of the appeal property are in keeping with the surrounding area, its detached form and large side garden are not characteristic.

5. The spacious nature of the plot results from its corner location and the Council suggests that the openness of the corner is an important and characteristic feature of the area. I observed that the set back is repeated on the opposite corner of the junction, and it may have been an original intention of the layout of the area. However, the enclosure of the gardens on both sides of the junction with high fencing has reduced the openness in the street scene. Whilst there is still a gap in the developed frontage above the boundary fences on both sides of the junction, I observed that this did not result in the creation of a sense of place, or a definite feature that was worthy of retention. Overall, I observed that the side garden of the appeal property did not make a particularly important contribution to the appearance of the immediate locality.
6. My attention has been drawn to other corner plots in the locality and during my visit I looked at the junctions of Victoria Avenue with Merton Avenue, Ryefield Avenue and Regent Avenue. I also saw the junction of Ryefield Avenue and Windsor Avenue, where a dwelling is currently under construction. I do not have details of the planning history of all these sites, and I have considered the appeal proposal on its own merits. However, from my visit to the site and the surrounding area, I have found that spacious gaps in development around road junctions are not a characteristic feature of the area.
7. The Council's Committee Report says that its Supplementary Planning Document HDAS: Residential Layouts (the SPD) seeks to preserve the open character of corner plots. However, whilst Paragraph 5.6 of the SPD says that corners and junctions typically provide a much more complex set of constraints than simple lengths of street, it goes on to say that corner sites are very often highly visible, and give the opportunity to provide buildings that will improve the quality of the urban character for the area as a whole. Subject to suitable design therefore I see no guidance in the SPD that would preclude development of this corner plot.
8. The proposed house would be attached to, and symmetrical with, the existing dwelling, giving the appearance of a planned pair of semi-detached houses. Providing that matching materials were used it would therefore be entirely in keeping with the character and appearance of the existing house and the prevailing architecture of the locality. The size, scale, bulk and width of the house would be consistent with the other houses in the locality. Although the front corner of the proposed house would only be about a metre from the pavement, the rear corner would be about 5.5 metres away. The house would have gardens to the front, side and rear. It is only the front corner that would be close to a boundary of the site. The house would not therefore appear to be cramped on its plot.
9. The front elevations of the houses in Richmond Avenue are aligned on a distinct building line and the Council is concerned that the projection of the new house beyond that building line would result in a visual intrusion. I observed that the front corner of the existing house already projects beyond the Richmond

Avenue building line, but it reads quite separately in the street scene. The proposed house would project further, but its rear corner would roughly align with the Richmond Avenue building line and, as the house would be angled, it would not result in an abrupt end to the vista. I also observed that it is not unusual in the surrounding area for houses on one road frontage to break the building line of houses on another frontage. I therefore find that the angled projection of the new house beyond the building line of Richmond Avenue would not be harmful to the character and appearance of the area.

10. I am mindful that an appeal for a development on the opposite corner of the junction has been dismissed in the past. I am also aware that a different scheme has been approved, which involves a 2-storey side extension. I have not been provided with details of either of the proposed developments and must determine the appeal on its own merits.
11. I have found that the appeal site does not make a significantly positive contribution to the appearance of the area, and that spaciousness at junctions is not a notable characteristic of the area. The proposed house has been designed to exactly match the host dwelling and would therefore assimilate readily into the street scene. I therefore find that the development would not harm the character and appearance of the area. Consequently, the development would accord with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two – Saved UDP Policies (2012) and Policies 3.5 and 7.4 of the London Plan (2016). In combination these policies aim to maintain and improve the built environment, by ensuring that development is of high-quality design that harmonises with the existing street scene and complements the character of the area. The proposal also complies with the guidance in the SPD, which has similar aims.

### **Other Matters**

12. The impact of the development on the already limited availability of on-street car parking has been raised in representations. The existing and proposed dwellings would both have two off-road car-parking spaces and there would be no loss of on-street space. Consequently, the development would have little impact on the availability of on-street parking.
13. The impact of the proposed house on light and privacy for neighbouring properties has also been raised. However, the only property that is close enough to be affected by these issues to any degree is 1 Richmond Avenue, which has a blank side wall facing the site. The proposals would not therefore harm the living conditions of the occupants of any neighbouring dwellings.

### **Conditions**

14. In accordance with the legislation I have imposed a condition limiting the period within which the development must commence. I have also included a condition specifying the relevant plans as this provides certainty. The Council has submitted a schedule of suggested conditions to cover other matters. I have considered these against the advice in the Planning Practice Guidance. Where I have agreed that the conditions are necessary, I have altered some of them, in the interests of clarity and precision, to better reflect the guidance. To avoid unnecessarily delaying the development I have also ensured that the conditions do not require discharge prior to commencement.

15. To ensure that the proposed house complements the existing dwelling I agree that a condition requiring matching materials is necessary. Although an area for bin storage is shown on the submitted plans there are no details to show how the bins will be screened. I therefore agree that a condition is necessary to ensure suitable screening, and also to ensure provision and retention of the facilities. To meet the Council's adopted parking standards storage for two bicycles should be provided. No facilities are shown on the drawings, but there would be space for them, and I agree that a condition should be imposed to ensure such provision.
16. The appellant has stated that the boundary treatments will be kept low to maintain the openness of the side garden, however no details are shown on the submitted plans. The successful integration of the house on this corner plot into its surroundings depends to some extent on the means of enclosure. I therefore agree that a condition is necessary to ensure that suitable boundary treatments are provided.
17. The proposed house is not located in a particularly noisy area and it would be occupied as a single dwelling. I therefore see no necessity for a scheme of sound-proofing between the floors as this is a matter that can be addressed through the Building Regulations.

### **Conclusion**

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

*Nick Davies*

INSPECTOR

### **Schedule of conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 17/050\_S0; 17/050\_S1; 17/050\_S2; 17/050\_S3; 17/050\_S4; 17/050\_P1; 17/050\_P2; 17/050\_P3; 17/050\_P4; 17/050\_P5.
- 3) The materials to be used in the construction of the external surfaces of the house hereby permitted shall match those used in the existing house.
- 4) Construction work shall not proceed above ground floor level until full details of the facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. The house shall not be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.
- 5) Construction work shall not proceed above ground floor level until details of covered and secure cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be

provided in accordance with the approved details prior to the occupation of the house and thereafter permanently retained.

- 6) Construction work shall not proceed above ground floor level until a detailed scheme for boundary walls, fences or other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The boundary walls, fences or other means of enclosure shall be provided in accordance with the approved scheme before the house is occupied and shall be permanently retained thereafter.