

S.78 Town and Country Planning Act 1990

Appeal

by Messrs KUMANAN and THEVARAJAH

the refusal of Listed Building application ref. 71084/APP/2017/3604

by the London Borough of Hillingdon on 12th December 2017

Site: Land forming part of 2 Arlington Drive, Ruislip, HA4 7RL

Appeal Statement

Site description

1.The appeal site comprises an area of undeveloped garden land to the western side of 2 Arlington Drive in the Ruislip suburban area of Hillingdon Borough. No.2 is a two storey detached house “Little Manor Farm” this being a Grade II Listed Building set on an axis at a right angle to the other houses in the same street. It is characterised by white elevations and half timbered walls with clay roof tiles, brick chimney stacks and other historic features. It has a more contemporary extension of its northern side. The land subject to the Appeal is defined by lawned flat open ground and bounded by a long white rendered brick wall along the road and numerous common tree species, including conifers of recent eras but including some individual specimens such as fig, apple and willow. A well is located within the land of no. 2 Arlington Drive.

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Application site land at 4 and 6 Arlington Road

2. The ‘grounds’ of the listed building serve as an impromptu garden. The land is otherwise under separate legal title and numbered 4 and 6 Arlington Drive as confirmed by the accepted Location Plan that delineates the application site in red and the adjoining land in the ownership of the applicant in blue. The overall area extends to a rectangular space of over 900m².



West elevation of neighbouring Listed building

3. The wider area is characterised by dwellings of a range of styles but within Arlington Drive, semi detached and detached houses of inter-war age and design.



View towards southern grounds of Listed Building

Proposed Development

4. The proposed development is the erection of a pair of semi-detached 2-storey 4-bed dwellings. The scale will equate to the existing houses in the same road and the materials will comprise brick and rendered elevations under clay tiled roofing, canted bays, covered twin porches and fully hipped gables and roof formations. Windows will be of pvcu. Full details of the proposal are as set out in the application form, Design & Access and Heritage Statement and drawings as submitted.

5. The overall effect of the development would be one of harmonisation in terms of scale and design with the predominant and prevailing form and appearance of the existing buildings in the locality.

Development Plan Policy

6. The relevant development plan policies in the context of which the appealed application has been composed are:

Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Policies BE8 BE9 BE10 LPP 7.8 (2016) Heritage assets and archaeology

The National Planning Policy Framework (NPPF) (2012)

Reason for Refusal

7. The reason for refusal as set out within the Council's Decision Notice is:

The proposed development, by reason of the location, design and layout of the dwellings, the loss of historic features and the loss of the existing open garden aspect of the site, would have an unacceptable impact on the character, appearance and setting of the Grade II Listed Little Manor House, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE8, BE9, BE10 and BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.8 of the London Plan (2016), the adopted Supplementary Planning Document HDAS: Residential Layouts and the NPPF.

Grounds of Appeal

8. The reason for refusal is fundamentally flawed in that the plot chosen for the proposed dwellings is, in fact, legally separate from that occupied by the listed building. The submitted title documents (appended) demonstrate that not only

are the sites legally distinct but therefore that the alleged garden as claimed within the officer report does not form part of the grounds of 2 Arlington Drive, it is “borrowed” land. It necessarily follows that the proposal is not within the curtilage of the listed building. This changes the whole perception and basis assessment of the application as submitted. It is unclear also therefore, why a Listed Building application had been required by the Local Planning Authority in this instance. Notwithstanding this anomaly, the application merits appraisal on its own basis as if it were to be erected on any plot neighbouring a heritage asset and not as if it were within the grounds of a listed building. In this sense, its shortcomings would need to be so severe as to warrant refusal and in this instance, it is submitted below that they are not, and moreover, that the design and scale of the proposal will be more than adequately harmonious as to protect the setting of the neighbouring listed building and the prevailing street scene.

9. Any design choice to be made when developing near a heritage asset can go one of two ways. A solution that reflects and borrows from the feature building may be one option. The alternative approach is to opt for a complete contrast in style. In this instance, the style of the proposed pair of semi-detached dwellings would avoid imposing any sort of design conflict upon Little Manor Farm, the modesty of its form and appearance allowing the latter to continue to ‘speak for itself’ and stand as a dominant and remarkable feature within this otherwise

quite ordinary street scene. Furthermore, the proposed houses would reflect and be informed architecturally by the inter-war styles and forms of many of the existing dwellings in Arlington Drive. In this manner, the proposed development would achieve consistency in built form and a visual harmony that would maintain the street scene.

10,. As set out in the sister appeal against refused of Planning Permission as submitted, a gap of at least 8 metres would be allowed between the eastern side elevation of the proposed easternmost dwelling on the appeal site and the west elevation of the listed building. The listed building plot itself enjoys an overall garden area of over 400 square metres most of it being open land albeit in part occupied by relatively contemporary structures added on its southern side. The retention of the well is assured given its position within the legal demise of no.2 and any effect upon this or the boundary wall outwith the curtilage of the site are not of themselves in any event of sufficient significance historically or architecturally to outweigh the benefits of providing two new dwellings. The overriding factor is that the main listed building will be fully preserved. The officer assessment is considered unduly harsh as it does not adequately recognise that the application will avoid harm to Little Manor House.

11. It would be within the powers of the Council to attach conditions to Listed Building Consent to ensure due protection of the well and the length of wall fronting Little Manor House, although significantly, it ought to be noted that neither the wall nor the well are cited in the 1957 listing notice. Therefore, they are not necessarily considered essential historic features of the plot.

Conclusion

12. In summary, it is submitted that:

- The plot subject to the appeal is separate from that occupied by the Grade II listed building and is not within its curtilage.
- The proposal would avoid any harm or detriment to the Listed Building and would preserve the integrity of its setting to a degree sufficient to warrant grant of consent;
- The proposed dwellings would be of worthy design and form with materials and features that reflect those in the same road and that would, overall, blend well in the street scene; and
- The proposal would not thereby, represent any material conflict with the relevant policies of the Hillingdon Local Plan, the London Plan or the NPPF.

13. The inspector is therefore respectfully requested to look favourably upon this submission and allow the Appeal.



Street side view of Appeal site