

TOWN & COUNTRY PLANNING ACT 1990

GAVACAN HOMES

PLANNING, DESIGN AND ACCESS STATEMENT

**5 FIRS WALK
NORTHWOOD
MIDDLESEX
HA6 2BZ**

**Erection of 3No. detached dwellings following demolition of the existing dwelling
(Outline application to consider access and layout)**

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- 1 APPEAL DECISION APP/R5510/W/19/3222609 (LPA REF:73874/APP/2018/2107)**

1. INTRODUCTION

- 1.1 This statement is submitted in support of a planning application by Gavacan Homes for the following:

‘Erection of 3No detached dwellings following demolition of the existing dwelling’

- 1.2 The application is made in outline, with approval sought for means of access and layout. Matters relating to scale, appearance and landscaping are reserved.

- 1.3 The Statement is divided into the following sections:

- Site and Surrounding Area
- Planning History
- Planning Policy Context
- The Proposal
- Design and Access
- Conclusion

- 1.4 The application submission follows an appeal on a larger site which also included No.6 Firs Walk and land to the rear of 25 Dene Road. This scheme was for 6No. detached dwellings, following the demolition of Nos. 5 & 6 Firs Walk. The appeal was dismissed in July 2019 (see appendix 1). The details of this are set out in Chapter 3 and it will be explained how this revised submission has dealt with the comments raised by the Inspector in their decision. Importantly, the appeal Inspector did not raise any objections to the principle of redeveloping the site.

- 1.5 This statement will set out how the proposal is consistent with local and national planning policy. In particular, it will demonstrate that the proposal fully respects the character and appearance of the surrounding area and would not result in harm to the living condition of future or existing occupants.

2 SITE AND SURROUNDING AREA

- 2.1 The application site comprises of No.5 Firs Walk which is a substantial property, sited within large grounds. The site itself is relatively open with few natural features of note. The site is currently accessed from Firs Walk which is a cul-de-sac that slopes down from Dene Road, before turning sharply to access Nos. 5 & 6 Firs Walk. No.6 Firs Walk is a substantial detached dwelling which lies immediately to the north of the site. This property is to be retained under the current proposal.
- 2.2 The surrounding area is characterised by detached residential dwellings of varying plot size. To the west, the properties in Firs Walk are generally larger and set within relatively generous plot sizes. However, to the east of the site are dwellings accessed from Foxdell which is also a cul-de-sac, comprising of newer houses which are more regularly sited within smaller plots with tighter spatial relationships.
- 2.3 The application site is located within a defined urban area where there is no objection to the principle of providing additional dwellings subject to meeting Development Plan policies. The site falls outside of the Dene Road Area of Special Local Character (ASLC) which lies to the north of No. 6 Firs Walk and includes the properties in Dene Road.

2 PLANNING HISTORY

2.1 The following application is of relevance:

2.2 Application Ref: 73874/APP/2018/2107 *'Demolition of 5 & 6 Firs Walk, 6 No. new dwellinghouses with associated car parking, new access arrangements from Foxdell and removal of existing access from Firs Walk at No's 5 & 6 Firs Walk and land to the rear of No. 25 Dene Road (Outline application with some matters reserved).'*
Application refused, appeal dismissed 22 July 2019.

2.3 In relation to the appeal referred to above (see site layout below), the Inspector considered there to be 2 issues:

- i) The character and appearance of the area;
- ii) The effect of the proposal on the quality of life of future occupants.

2.4 In respect to issue (i), the Inspector found that the *"proposed new houses would be more cramped on their plots than their neighbours, especially in terms of their appearance in the street scene. That factor would be reinforced by the regularity and uniform spacing of the plot frontages as proposed, especially along the southern frontage of the new road."* (Paragraph 12). At paragraph 13, the Inspector also comments: *"It is recognised that the planning application was made only in outline but the illustrative drawings show that the development would introduce a significant building bulk into the locality and that the streetscene would have a much more built up appearance. The numbers proposed and the likely building bulk overall would create an overpowering element in the streetscene and would detract from the character and appearance of the locality."*

2.5 In relation to issue (ii), the Inspector's concerns related to the relationship between the proposed new road and turning head to habitable windows in one of the new houses (plot 1):

"The access road and turning head that are shown to be required to serve the development of the size proposed would be of a significant scale. In

consequence, the new turning head would be close to windows of habitable rooms in one of the new houses, causing undue disturbance to the occupants. Thus, the tuning head would have a harmful effect on the quality of life of the occupants of the house to be built on plot 1, as shown on the submitted layout plan.”

- 2.6 The manner by which the current proposal meets these comments is set out within Chapter 5 of this statement.

Site layout of proposal dismissed at appeal



3 PLANNING POLICY CONTEXT

- 3.1 Relevant planning policy guidance falls within the National Planning Policy Framework (2019) and the Development Plan which comprises of the Hillingdon Local Plan: Part 1 – Strategic Policies (2012), Unitary Development Plan Saved Policies (2007) and The London Plan.

i) National Planning Policy Framework (2019)

- 3.2 The Paragraph 7 of the revised NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that in achieving sustainable development, this means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 3.3 Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way and that decision makers at every level should seek to approve applications for sustainable development where possible.
- 3.4 Chapter 11 is concerned with making effective use of land. Paragraph 117 states that planning policies and decision should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 118 states that the development of under-utilised land should be supported. Paragraph 122 states that planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) Local market conditions and viability;
 - c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

- d) The desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) The importance of securing well-designed, attractive and healthy places
- 3.5 Chapter 12 is concerned with achieving well designed places. Paragraph 124 states that the creation of high quality building and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

ii) The Development Plan

Hillingdon Local Plan: Part 1 – Strategic Policies (November 2012)

- 3.6 Relevant policies include H1 and BE1.
- 3.7 Policy H1 (Housing Growth) states that the Council will meet and exceed its minimum strategic dwelling requirement. In terms of implementing the policy, it states that the design and density of new homes should reflect the specific and different land use characteristics in the north and south of the borough.
- 3.8 Policy BE1 (Built Environment) requires all new development to improve and maintain the quality of the built environment. All new developments should:
- Achieve a high quality design;
 - Be designed to reflect the identity and context of Hillingdon's buildings, townscapes, landscapes and views and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings;
 - Be designed to include 'Lifetime Homes' principles;
 - Improve areas of poorer environmental quality;
 - Incorporate a clear network of routes;

- Improve the quality of the public realm;
- Create safe and secure environments that reduce crime and fear of crime;
- Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas;
- Maximise opportunities for all new homes to contribute to tackling and adapting to climate change;

London Borough of Hillingdon UDP Saved Policies (September 2007)

- 3.9 Relevant policies include BE13, BE19, BE23, BE24, BE38 and OE1.
- 3.10 Policy BE13 is concerned with the design of new development. It states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features considered desirable to retain or enhance.
- 3.11 Policy BE19 states that the Council will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.
- 3.12 Policy BE23 requires that new residential buildings provide adequate external amenity space which is usable in terms of shape and siting
- 3.13 Policy BE24 states that the design of new buildings should protect the privacy of the occupiers and their neighbours.
- 3.14 Policy BE38 states that development proposals will be expected to retain and utilise topographical and landscape features of merit.
- 3.15 Policy OE1 states that planning permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally.

iii) The London Plan 2016

- 3.16 Policy 3.4 – Optimising housing potential. States that taking account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimize housing output for different types of location within the density range shown in Table 3.2. Development which compromises this policy should be resisted.
- 3.17 Policy 3.5 – Quality and design of housing developments. Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this plan to protect and enhance London's residential environment and attractiveness as a place to live.
- 3.18 Policy 7.1 – Lifetime neighbourhoods. States that in their neighbourhoods, people should have a good quality environment in an active and supportive local community.
- 3.19 Policy 7.4 – Local Character. States that development should have regard to the form, functional structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

iv) Supplementary Planning Document – New Residential Layouts

- 3.20 The key points are as follows:
- Density is not the only means of assessing suitability. Other criteria include form, height, scale, massing and layout; the location of the site and quality of the area; and accessibility.
 - Daylight and sunlight available to adjoin properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained. The distance will depend on the scale and bulk of the building but generally 15m will be the minimum acceptable distance.

- The Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings.
- As a guide the distance between facing habitable room windows should not be less than 21m.
- The minimum amenity space for a 4+ bedroom house is 100m².
- Design and elevational treatment of a building should generally be in harmony with its surroundings and should aim to compliment and/or improve an area.

4 THE PROPOSAL

4.1 The application is for the erection 3No. detached dwellings following the demolition of the existing dwelling.

4.2 The main points relating to this proposal are set out below and comprise of the following:

i) Principle of development;

ii) The impact of the proposal on the character and appearance of the surrounding area;

iii) Impact on living conditions of existing and future residents;

iv) Access and parking provision.

i) Principle of development

4.3 Policy 3.4 of the London Plan requires that residential developments achieve the maximum possible density commensurate with the character and context of the local area. The application site falls within a defined urban area where there are no objections to the principle of additional residential dwellings. The site is sustainably located and its redevelopment to provide additional dwellings (net increase of two) receives strong support from local and national policy guidance. In particular, the NPPF promotes the 'effective use of land'. Furthermore, the site is not restricted by any heritage assets (listed building or conservation area status) and the site does not fall within any designated Area of Special Local Character.

ii) The impact of the proposal on the character and appearance of the area

4.4 The revised layout seeks to overcome the concerns raised by the appeal Inspector relating to the impact on the character and appearance of the area in the following manner:

- The current proposal relates to a smaller site area. No. 6 Firs Walk is now shown as retained and the proposal no longer takes in part of the rear garden of No. 25 Dene Road. Accordingly, no part of the site falls within the ASLC which lies to the north of the site, beyond No.6 Firs Walk.
- The number of dwellings on the part of the site currently occupied by No.5 (i.e. to the south of the access) has been reduced from 4 to 3 dwellings. This significant reduction in built form enables a far more spacious layout to be provided which closely reflects the character and spacing of adjoining dwellings. The proposed 3No. dwellings would be spaciouly located within their plots, with generous separation distances between the dwellings themselves and to side boundaries. As such, the proposal would introduce less building bulk into the locality and the dwellings would not be an overpowering element in the street scene. The proposed new dwellings would assimilate into the street scene and would fully respect the character and appearance of the surrounding area. In addition, the proposal would introduce less hardsurfacing within the site layout.

- 4.5 The revised proposal would therefore respect the character and appearance of the surrounding area in terms of its layout. Matters relating the scale, appearance and landscaping would be for future determination at the reserved matters stage. The proposal would comply with Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two – Saved UDP Policies as well as Policies 3.4, 3.5, 7.1 and 7.4 of The London Plan 2016, insofar as they require development to be of a high quality and to respect local context and the character and appearance of the surrounding area.

iii) Living conditions

- 4.6 The revised layout would ensure that the living conditions of the future occupiers of the dwellings will not be harmed. In relation to the previous scheme, the Inspector identified a conflict between the access road and turning head in relation to habitable room windows on plot 1. No new dwellings are now proposed on the

northern side of the access, with No.6 Firs Walk and its existing access arrangement retained in its current form. The reduced number of dwellings together with the revised access arrangement with Plot 1 being accessed from Firs Walk and Plots 2 & 3 accessed from Foxdell, removes the need for a turning head, thus removing this conflict.

- 4.7 The Inspector did not raise any concerns relating to the living conditions of the occupiers of existing dwellings in relation to the previous appeal. The main front and rear elevations of the proposed dwellings would broadly be in line with the adjacent dwellings to the west and east and the proposed layout would not give rise to any material harm with regard to light or outlook.
- 4.8 The proposed development would not result in harm to the living conditions of existing residents or the future occupants of the houses and complies with Policies BE19, BE21 and OE1 of the Hillingdon Local Plan: Part Two – Saved UDP Policies which seek to protect amenity.

iv) Access and parking provision

- 4.9 Proposed Plot 1 would be accessed via the existing access from Firs Walk which will also continue to provide access to No.6 Firs Walk. There would be no intensification in the use of this access which currently serves both Nos 5 & 6 Firs Walk (No. 5 is to be demolished). Plots 2 and 3 would be served from Foxdell to the east. It should be noted that neither the Council or the appeal Inspector raised any concerns with the previous scheme where 6no. dwellings were proposed to be accessed from Foxdell. Each dwelling would be provided with garaging and driveway parking, in accordance with the adopted standards.

5 DESIGN AND ACCESS

- 5.1 Use: The use of the site remains unchanged (i.e. residential).
- 5.2 Amount: The application site currently comprises of 1 dwelling. This proposal provides for 3 No. dwellings (net increase of two) making effective use of urban land in accordance with the NPPF and The London Plan.
- 5.3 Layout: The site has a broadly rectangular shape. The proposed new dwellings would be sited so that their main two storey front and rear elevations are broadly level with the adjoining houses to the west (in Firs Walk) and to the east (in Foxdell). The proposal fully respects the street scene in this respect. The forward projecting garages would be single storey and would not be unduly prominent or harmful to the street scene. Generous spacing between the proposed dwellings and to the side boundaries of the site is proposed, and the spatial separation reflects other properties in the immediate vicinity.

Proposed Site Layout



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- 5.4 Each dwelling would be provided with a private rear garden area, commensurate with the size of the dwellings proposed.
- 5.5 Plot 1 would be accessed from Firs Walk whilst Plots 2 and 3 would be accessed from Foxdell. Parking is proposed to be located within integral garages and driveway parking.
- 5.6 Ample space exists within the site layout for additional landscaping to be provided.
- 5.7 Scale and Appearance: The application seeks outline planning permission with only means of access and layout to be formally determined at this stage. Scale and appearance are reserved for future determination. However, the dwellings will be designed to be of an appropriate scale and appearance having regard to local context and the prevailing character and appearance of the surrounding area.
- 5.8 Landscaping: The landscaping of the site is also reserved for future determination. However, it is evident from the proposed site layout that ample space exists within the site for new landscaping to be provided.
- 5.9 Access: The proposed means of access would not give rise to any highway safety issues. Plot 1 would be accessed from Firs Walk. As Nos 5 & 6 Firs Walk are already served by this access, there would therefore be no intensification in its use (as No.5 is to be demolished). Plots 2 and 3 are proposed to be accessed from Foxdell to the east. The previous application was found to be acceptable on highway grounds; that application proposed 6No. dwellings to be accessed via Foxdell.
- 5.10 Each dwelling will be provided with a private driveway with garaging and surface parking spaces.

6 SUMMARY AND CONCLUSIONS

6.1 The application should be supported for the following reasons:

- i) The application site is located within the urban area of Northwood. The site is not restricted by any heritage assets (listed building or conservation area status) and the site does not fall within any designated Area of Special Local Character. The proposal makes more efficient use of the land in accordance with Policy 3.4 of the London Plan and the National Planning Policy Framework (2019). The previous Appeal Inspector did not object to the principle of redeveloping the site.
- ii) The revised site layout takes into account comments made by the Inspector in relation to an earlier appeal regarding character and appearance. The application site no longer includes No.6 Firs Walk or land to the rear of No. 25 Dene Road, which forms part of the ASLC. The proposal is now for 3 No. dwellings and the amount of built form on the site has been significantly reduced. The proposed dwellings are sited on the southern side of the access and fully respect the spatial separation distances prevalent in the area as well as the siting of adjoining dwellings.
- iii) The revised layout overcomes the Inspector's concerns regarding the relationship between the proposed new road and turning head to habitable windows in one of the new houses (plot 1). The reduced number of units and the revised access arrangement removes the need for a turning head thus removing any potential for conflict.
- iv) The proposed means of access would not give rise to any highway safety issues. Plot 1 would be accessed from Firs Walk. Nos 5 & 6 Firs Walk are already served by this access and there would therefore be no intensification in its use (as No.5 is to be demolished). Plots 2 and 3 would be accessed from Foxdell to the east. The Council and the appeal Inspector raised no issues in relation to the previous scheme which proposed 6No. dwellings to be accessed from Foxdell.

APPENDIX 1



Appeal Decision

Site visit made on 17 June 2019

by **R C Shrimplin** MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2019

Appeal Reference: APP/R5510/W/19/3222609

Land at 5 & 6 Firs Walk and 25 Dene Road, Northwood HA6 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Gavacan Homes against Hillingdon Council.
 - The application reference 73874/APP/2018/2107 is dated 5 June 2018.
 - The development proposed is described in the application form as: *"demolition of existing 2 no. dwellinghouses (Class C3) and the erection of 6 no. new dwellinghouses (Class C3) with associated car parking, new access arrangements from Foxdell and removal of existing access from Firs Walk at Nos. 5 & 6 Firs Walk and land to the rear of No. 25 Dene Road; outline application with means of access and layout in detail and appearance, scale and landscaping reserved"*.
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Decision

1. The appeal is dismissed.

Preliminary point

2. The application is made in outline, with some matters reserved. Approval is sought for "access" and "layout", however.

Main issue

3. There are two main issues to be determined in this appeal. The first is the effect of the proposed development on the character and appearance of the surroundings, while the second is the effect of the proposed layout on the quality of life of future occupants of the development.

Reasons

4. Firs Walk is located in a pleasant residential area of Northwood that is characterised by substantial homes in relatively large plots, in the vicinity of the appeal site. The location is within easy reach of local facilities and of Northwood Underground Station.
5. Firs Walk is a cul-de-sac that slopes down from Dene Road, turning sharply to the east before it reaches numbers 5 and 6. The roadway is narrow and its layout is awkward in some respects, not meeting more demanding modern highway standards. The two existing houses on the appeal site are substantial

<http://www.gov.uk/planning-inspectorate>

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and attractive properties (though they cannot be said to be especially distinguished architecturally), standing in irregular plots with the benefit of mature gardens. The appeal site comprises these two plots together with part of the garden of number 25 Dene Road, which backs on to number 6 Firs Walk. The garden of number 6 Firs Walk also has a boundary with Foxdell, an adjoining cul-de-sac that is set with newer houses and which is laid out and constructed to meet more modern highway standards.

6. It is now proposed that the existing houses at numbers 5 and 6 Firs Walk should be demolished and that six new houses should be built on the combined and expanded site. Access to the new composite site would be taken from Foxdell, which would provide better accessibility to the wider highway network. The planning application was made in outline and approval is sought to the "access" and "layout" of the proposed development, whereas "appearance", "landscaping" and "scale" are matters that are reserved for future consideration.
7. The submitted layout shows six proposed dwellings (as described in the application form and appeal form), with a new access to Foxdell. The illustrative streetscene drawing shows six detached houses in a traditional style.
8. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
9. These aims also underpin local policies in the Development Plan for the area. In particular, Policy BE1 of the 'Hillingdon Local Plan: Part 1 - Strategic Policies' (which was adopted on 8 November 2012) is concerned to achieve high standards on design in the built environment. Similarly, "saved" design oriented policies BE5, BE13, BE19 and BE21 in the 'London Borough of Hillingdon Unitary Development Plan (which was adopted in 1998) underpin the general approach and emphasise that new development should harmonise with the existing streetscene as well as protecting residential amenities.
10. Again, 'The London Plan' identifies the need to achieve good standards of design generally, for example in Policies 3.5, 7.1 and 7.4, while it also points out the need to build more homes.
11. It should be noted that qualities of the locality have been specifically identified by the designation of the 'Dene Road, Northwood, Area of Special Character', which adjoins numbers 5 and 6 Firs Walk to the north (and within which lies the garden of number 25 Dene Road).
12. The proposed new residential development would provide six new dwellings in a location in Northwood that would be accessible to transport links and local services and which can be described as a "sustainable" location in planning terms. The immediate locality is varied in terms of plot size but the proposed new houses would be more cramped on their plots than their neighbours, especially in terms of their appearance in the streetscene. That factor would be reinforced by the regularity and uniform spacing of the plot frontages as proposed, especially along the southern frontage of the new road.

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13. It is recognised that the planning application was made only in outline but the illustrative drawings show that the development would introduce a significant building bulk into the locality and that the streetscene would have a much more built up appearance. The numbers proposed and the likely building bulk overall would create an overpowering element in the streetscene and would detract from the character and appearance of the locality.
14. The cramped and overly developed nature of the scheme in its setting also generates an unsatisfactory relationship between the proposed new road and future residents. The access road and turning head that are shown to be required to serve a development of the size proposed would be of a significant scale. In consequence, the new turning head would be close to windows of habitable rooms in one of the new houses, causing undue disturbance to the occupants. Thus, the turning head would have a harmful effect on the quality of life of the occupants of the house to be built on plot 1, as shown on the submitted layout plan.
15. In short, the scheme would harm the character and appearance of the surroundings generally and would, moreover, create an unacceptable living environment for the occupiers of the proposed new house on Plot 1. Thus the scheme would be contrary to both the Development Plan and the 'National Planning Policy Framework', notably those Policies in the Development Plan that have been identified above.
16. Evidently, the appeal site lies within an established urban area, while the proposed development would make a useful addition to the housing stock. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the streetscene and the surroundings, as well as the poor quality of the living conditions that would be created for certain of the new residents, outweigh the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed.
17. I have considered all the matters that have been raised in the representations, (including the limited comments that have been made concerning the ownership of access roads) but, on the basis of the evidence that has been presented, I have found nothing to cause me to alter or add to my decision.

Roger C Shrimplin

INSPECTOR