

Appeal Decision

Site visit made on 2 February 2022

by **S Edwards BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 April 2022

Appeal Ref: APP/R5510/W/21/3274769

18 Linksway, Northwood HA6 2XB

- 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 Dusek Design Associates Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 2695/APP/2021/466, dated 5 February 2021, was refused by notice dated 12 April 2021.
 - The development proposed is 'erection of a detached 7 bed dwelling with basement and habitable roof space to include 4 rear dormers including demolition of existing dwelling, replacement new wrought iron gates and piers and removal of the front boundary brick walls'.
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Decision

1. The appeal is allowed, and planning permission is granted for erection of a detached 7 bed dwelling with basement and habitable roof space to include 4 rear dormers including demolition of existing dwelling, replacement new wrought iron gates and piers and removal of the front boundary brick walls, at 18 Linksway, Northwood HA6 2XB, in accordance with the terms of the application, Ref 2695/APP/2021/466, dated 5 February 2021, and the plans submitted with it, subject to the attached Schedule of Conditions.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) published on 20 July 2021 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties have had the opportunity to comment on this matter as part of the appeal process, and I have had regard to the updated Framework in determining this appeal.
3. The description of development as detailed on the application form has been amended in subsequent documents. I have adopted the description included on the appeal form, which reflects the extent of the proposal accurately.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises a large detached property dating from the 1930s, which is set within a large and landscaped plot. Whilst it has been substantially altered and extended, the existing building is defined by its traditional vernacular style. The appeal property lies within an established residential area known as the Copse Wood Estate (the Estate) is predominantly characterised by large, individually designed properties set back from the road frontage within spacious and verdant grounds. The Estate forms part of the Northwood Area of Special Landscape Character (ASLC), which the Council regards as a non-designated heritage asset.
6. The Council's submissions indicate that the dwellings were originally built in a similar manner in a traditional vernacular style with an Arts and Crafts influence. However, as I was able to observe as part of my site visit, it is clear that the area has evolved over the years, and includes a number of replacement dwellings, which appear to have been constructed relatively recently. Many of the newer properties are generally of a more modern design and larger scale. That said, and despite the variety of architectural styles which can be found throughout the Estate, the area retains a distinctly spacious and open character.
7. Planning permission¹ has previously been granted for the construction of replacement dwellings on the site, albeit of a lesser scale compared with the current proposal. Whilst the consents may no longer be extant, it is clear that the loss of the building has been considered acceptable by the Council. Having regard to the available information, there is no statutory protection for the building as it stands, and I have been presented with no substantive evidence to persuade me that the demolition of the existing property should now be resisted.
8. Policy DMHB 6 of the Hillingdon Local Plan: Part Two – Development Management Policies² (LPP2) sets out the requirements applicable to proposals for new houses within the Copse Wood Estate. The proposed development would be constructed on an existing building plot and although it would be larger than the existing property, the replacement dwelling would not extend across the full width of the plot. The new house would be constructed on a similar front building line to existing houses and have a similar footprint to the one that it would replace. This would ensure that the proposal sits comfortably within the appeal site, and does not appear as a disproportionate addition within the wider street scene.
9. The imposing scale and design of the proposal, which reflects the neo-Georgian influence of other properties in the locality, would give the building a relatively grand appearance. Whilst many of the properties have hipped roofs, the architectural variety which can be found within the Estate provides scope for alternative roof forms. In this context, and having regard to the scale of the proposal, but also the proportions and detailing which define the building's front elevation, I am satisfied that the crown roof would not unduly stand out as an incongruous feature.

¹ Local Planning Authority References 2695/APP/2015/3496 and 2695/APP/2016/79.

² January 2020.

10. There is no objection from the Council to the loss of the front boundary wall, which would be replaced with a hedge, but concerns have nevertheless been raised in respect of the proposed metal gates. However, and although metal railings may not have been an original characteristic of the area, the presence of such features is now evident throughout the Estate, and would therefore appear as an alien addition. Furthermore, the proposed hedging would, together with the retention of mature trees and additional planting, assist with softening the visual impact of the proposal and reinforcing the verdant setting which characterises the Estate.
11. Given the above, the proposal would not detract from the visual amenities of the street scene and would preserve the character and appearance of the surrounding Copse Wood Estate or the wider Northwood ASLC, as well as its significance as a non-designated heritage asset. Accordingly, I find no conflict with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 6, DMHB 11 and DMHB 12 of the LPP2, Policies D4 and HC1 of the London Plan (2021) and Section 12 of the Framework. These require new developments to be designed to the highest standards, notably by harmonising with the local context and ensuring the use of high quality building materials and, within ASLCs, to reflect the character of the area and its original layout.

Conditions

12. I have considered the conditions suggested by the Council, making minor amendments where necessary, to ensure compliance with the tests as set out within paragraph 56 of the Framework and the national Planning Practice Guidance³. I have also made minor changes where I found that it was not necessary to agree details with the Local Planning Authority prior to commencement of the development. The appellants have confirmed their agreement to pre-commencement conditions.
13. In addition to the standard time limit, I shall impose conditions specifying the relevant drawings which the development must accord with, in the interests of certainty and to provide clarity. A pre-commencement condition requiring the submission of a Construction Management Plan is considered necessary to minimise any disturbance as part of the construction phase. It is also considered necessary to add a pre-commencement condition to ensure that details of a scheme for the provision of sustainable water management and a Basement Impact Assessment are agreed upfront, to ensure that the development does not increase the risk of flooding and does not adversely affect the structural stability of nearby buildings.
14. Furthermore, I shall impose pre-commencement conditions requiring details of a landscape scheme and further information in respect of arboricultural protection measures, to protect existing trees and in the interests of the character and appearance of the area. Similarly, a condition regarding external materials is considered necessary to preserve the character and appearance of the site and its surroundings.
15. Conditions restricting permitted development rights for the creation of additional windows or other openings and requesting certain windows to be fitted with obscure glass are considered necessary to protect the living

³ Paragraph: 003 Reference ID: 21a-003-20190723.

conditions of neighbouring residents. I shall also impose a condition restricting the use of other permitted development rights, to preserve the character and appearance of the area and the amenities of neighbouring residents. Furthermore, conditions are considered necessary to ensure that the development remains inclusive and in the interests of sustainability.

Conclusion

16. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

S Edwards

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: 1366/P/2, 1366/P/3, 1366/P/4, 1366/P/5, 1366/P/6, 1366/P/7, 1366/P/8, 1366/P/9, 1366/P/10, 1366/P/11, 1366/P/1, 200 Issue A – Topographical Survey (all received on 05.02.2021) and 1366/P/1 (received on 07.04.2021) and shall thereafter be retained/maintained for as long as the development remains in existence.
- 3) Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:
 1. The phasing of development works;
 2. The hours during which development works will occur;
 3. A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing;
 4. Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities);
 5. Traffic management and access arrangements (vehicle and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours);
 6. Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process;
 7. The storage of demolition/construction materials on site;The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.
- 4) No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The

scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy SI5 of the Local Plan (2021) and will:

1. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. Include a timetable for its implementation; and
3. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

4. Provide details of water collection facilities to capture excess rainwater;
5. Provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

- 5) No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100);
 - 1.b Written specification of planting and cultivation works to be undertaken;
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate;
2. Details of Hard Landscaping
 - 2.a Refuse Storage;
 - 2.b Cycle Storage;
 - 2.c Means of enclosure/boundary treatments;
 - 2.d Car Parking Layouts (including 1 'active' and 1 'passive' electrical charging point);
 - 2.e Hard Surfacing Materials;
 - 2.f External Lighting;
3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years;
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

- 6) No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by the Local Planning Authority with respect to:
1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.
Thereafter, the development shall be implemented in accordance with the approved details.
The fencing shall be retained in position until the development is completed.
The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:
 - 2.a There shall be no changes in ground levels;
 - 2.b No materials or plant shall be stored;
 - 2.c No buildings or temporary buildings shall be erected or stationed;
 - 2.d No materials or waste shall be burnt; and
 - 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.
 3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meeting shall be submitted to the Local Planning Authority.
- 7) Prior to the commencement of any site clearance or construction work, a Basement Impact Assessment by a suitably qualified chartered engineer shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include the following details:
- a) A desktop study of geological and hydrological conditions of the site and the wider area;
 - b) Site specific investigations to assess local ground conditions, including trial pits and/or boreholes;
 - c) Identify suitable construction methods and mitigation measures for the basement, taking into account the stability of the host and neighbouring buildings and hydrology;
 - d) A method for monitoring local ground conditions, water movement and subsidence.
- The development shall thereafter be implemented in strict accordance with the approved details.
- 8) Prior to any works on site above damp proof course level, details of all materials and external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to make, product/type, colour and photographs/images.

- 9) The dwelling hereby approved shall not be occupied until it has achieved an energy efficiency standard of a minimum 10A% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).
- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the rear and side walls and roof slopes of the development hereby approved.
- 11) The first floor side windows facing numbers 16 and 20 Linksway shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.
- 13) Within 3 months of commencement of development, details of step free access via the principal private entrance shall be submitted to, and approved in writing by the Local Planning Authority. Such provisions shall be implemented in accordance with the approved details and remain in place for the life of the building.
- 14) The dwelling hereby approved shall be constructed to meet the standards for a Category 2, M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.
- 15) Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place. Or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position, and of a size and species to be first agreed in writing with the Local Planning Authority, and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS 3998: 2010 'Tree Work – Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard

Surfaces)'. The agreed work shall be completed in the first planting seasons following the completion of the development or the occupation of the buildings, whichever is the earlier.

END OF SCHEDULE