

Planning Appeal Statement of Case

2 ARLINGTON DRIVE, RUISLIP HA4 7RL



Introduction

1. This appeal relates to the decision of Hillingdon Borough Council to refuse planning permission for the erection of a detached dwelling with associated access, parking and landscaping. The application was refused on 10th September 2021 under Officer's delegated powers.

The Site

2. The site is located within the curtilage of the Grade II listed Little Manor House. The site is immediately bound by Arlington Drive to the north-west. To the south-west is 8 Arlington Drive, a mid-twentieth century residential property which has recently been extended. The other boundaries form the residual curtilage of Little Manor House. The site is made up of amenity grassland with a number of mature conifer trees positioned close to the boundary with Arlington Drive. The topography of the site is flat and sits at the same level as surrounding residential land.
3. Little Manor House is a timber framed building, which has largely been refaced with brick and painted white. There are some areas where the timber framing is externally visible, most notably on the first floor of the south-west elevation which faces the site. The building has a gabled roof, which is covered with plain tiles. The building is two storeys in height, except for a small north-eastern extension which is of one storey and attic.
4. The surrounding area is residential in character, with Arlington Drive being characterised by single and two storey detached dwellings constructed during the post-war period. These buildings are set back from the highway and predominantly constructed in brick and plain clay tile.

The Proposed Development

5. The appeal scheme is for the erection of a detached dwelling with associated access, parking and landscaping.

Decision Notice

6. The Council refused the planning application for three reasons. Each of these reasons is considered in detail below.

Refusal Reason 1

7. The first reason for refusal relates to the impact of the development on the character and appearance of the area.
8. The Council has referred to a number of local planning policies in this reason for refusal that it considers the proposed development does not comply with:

- Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (Nov 2012)

- Policies DHMB 1 & DHMB 2 of the Hillingdon Local Plan: Part Two – Development Management Policies (Jan 2020)
 - Policies D1, D3 & D4 of the London Plan (March 2021)
9. Policy BE 1 of the Hillingdon Local Plan Part 1 advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place 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, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk.
 10. DMHB 11 of the Hillingdon Local Plan Part 2 (Design of new development) requires all development to be designed to the highest standards and incorporate principles of good design, including harmonising with the local context for example through the scale of development, building plot size and width, building lines and setbacks, rooflines, streetscape rhythm and architectural composition, ensuring the use of high quality materials, protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets and their settings and considering landscaping and tree planting to protect enhance amenity, biodiversity and green infrastructure.
 11. Policy DMHB 12 of the Hillingdon Local Plan Part 2 (Streets and Public Realm)) advises that development should be well integrated with the surrounding area and accessible. It should ensure that public realm design takes account of the established townscape character and quality of the surrounding area. Design should include landscape treatment that is suitable for the location.
 12. Policy D1 of the London Plan is a requirement for boroughs to undertake area assessments in order to understand different areas' capacity for growth.
 13. Policy D3 of the LP 2021 (Optimising site capacity through the design-led approach) requires that all development must make the best use of land by following a design-led approach to optimise the capacity of sites. Development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness to the layout, orientation, scale, appearance and shape, with due regard to existing street hierarchy, building types, forms and proportions. Development should respond to the existing character of a place, utilise the heritage assets and architectural features to contribute towards the local character and be of high quality with high sustainability standards.
 14. Policy D4 encourages the use of masterplans and design codes to deliver high quality design and place making sought by Policy D3.
 15. The appeal site is experienced as part of a suburban residential street, which was laid out and developed during the mid-twentieth century. Whilst properties tend to front onto Arlington

Drive, there is some considerable variety in the form of the properties along the street, with a range of detached and semi-detached properties. The buildings also vary in height, with two storey properties interspersed by various bungalows. There is particular use of brick as a construction material, but externally there is also marked use of tile hanging, mock timber framing and rendering. There is a greater degree of consistency of form along the southern edge of the street, which mostly comprises of two storey dwellings in red brick, with forward projecting gables and areas of tile hanging. The northern side of Arlington Drive is much more varied in its form and includes bungalows, semi-detached and detached houses. Overall, whilst there is a broad regularity in date of the properties along Arlington Drive, there is this notable variety in their appearance which avoids any sense of visual monotony, particularly at the northern end of the street nearest Little Manor House.

16. The proposed dwelling has been consciously orientated to face Arlington Drive to be in keeping with other residential properties on the street. The design of the proposed property draws upon the local character established by mid-twentieth century housing along Arlington Drive, as well as the form, position and scale of the listed building. The front elevation has a part hipped, part gabled roof. The front gable, positioned on the far side from the listed building, forms the tallest element, with a lower hipped roof projecting from the gable towards Little Manor House. The chosen materiality for the dwelling includes a buff/white brick with rustic brown plain clay roof tiles, as well as zinc clad dormer windows and grey framed aluminium windows.
17. The design of the proposed dwelling reflects and complements the heritage sensitivities of Little Manor House as well as the existing surroundings of Arlington Drive. The proposed dwelling would sit below that of Little Manor House and would therefore maintain a subservient relationship with the listed building. The dwelling would also be subservient in height when compared to other properties along the southern side of Arlington Drive. The materiality of the proposed building would distinguish it as a later addition to the streetscape but given the existing variety to the built environment along Arlington Drive, particularly at the northern end nearest Little Manor House, there is no overall unity to the built form and the building would not appear incongruous.
18. The substantial plot size enables the dwelling to be set back from the road frontage, so that the siting is in keeping with the relatively uniform building line along the southern side of Arlington Drive whilst preserving longer distance views towards the listed building from either direction. The development would also provide a very generous rear curtilage, which has a maximum depth of 30 metres whilst the subdivision of the curtilage of Little Manor House would still retain a residential curtilage to that property that is significantly larger than other dwellings along Arlington Drive. The dwelling would therefore sit comfortably within the street scene.

19. Overall, it is considered that this four-bed dwelling would assimilate with the general form, scale and massing of dwellings within the street and would therefore be in keeping with and support the character and appearance of the area.

Refusal Reason 2

20. The second reason for refusal relates to the impact of the proposed dwelling on the character, appearance and setting of Little Manor House. A Built Heritage Appeal Statement (BHAS) is submitted with this Statement of Case. The full report is provided in appendix 1.
21. The BHAS has been prepared specifically to respond to this reason for refusal and assess the potential impacts arising from the proposed development on the setting and significance of Little Manor House. There is no merit in repeating the content of the BHAS in this grounds of appeal statement other than to confirm that the BHAS concludes that there would be a small degree of “less than substantial harm” to the setting and significance of the Grade II listed building arising from the appeal scheme. The BHAS demonstrates that the degree to which the setting of Little Manor House contributes to its significance is very limited and so any perceived harm would sit at the very lowest end of “less than substantial harm”.
22. It should also be noted that whilst the refusal reason refers to the loss of sections of the historic boundary wall, the appeal scheme does not result in any loss of the boundary wall, although this matter is covered within the BHAS.

Refusal Reason 3

23. The third reason for refusal states that the applicant has failed to demonstrate that trees at the site will be unaffected by the development and no provision has been made for their long term protection.
24. A Tree Statement has been prepared to respond to this refusal reason. This Statement, which is provided in appendix 2 includes the following supporting information:
- Tree Survey and Impact Assessment
 - Tree Schedule ref 1781-KC-XX-YTREE-Schedule-Rev0
 - Tree Constraints Plan ref 1781-KC-XX-YTREE-TCP01Rev0
 - Tree Protection Plan ref 1781-KC-XX-YTREE-TPP01RevA
 - Tree Planting Plan ref 1781-KC-XX-YTREE-TP01Rev0
25. The Tree Statement confirms that the proposed development would require the loss of some conifer trees along the roadside boundary. These trees are described as being low quality examples of a ubiquitous species, with no exceptional merit. The loss of the trees is proposed to be mitigated by the planting of five native field maple and hawthorn, to be selected at semi-mature size so that they have an immediate impact, complementing the existing tree cover and preserving the verdant character of the location.
26. It is acknowledged that the appeal decision dated 12th October 2018 for various applications for two houses fronting Arlington Drive within the curtilage of Little Manor House referred to

the loss of trees that make a positive contribution to the open and green character and appearance of the area and replacement with open areas of hardstanding for car parking. This appeal decision is provided in appendix 3. There is a clear distinction between the proposed development and the previous appeal in that the applications the subject of that appeal proposed a much more substantial amount of hard standing that prevented any replacement tree planting along the Arlington Road frontage. That is not the case with the proposed development and the Tree Statement confirms that the proposed development allows for the opportunity for replacement tree planting with semi-mature native trees that will be compatible with their setting and will enhance the landscape character of the area as well as contributing to biodiversity. The site layouts for the development subject to this previous appeal are provided in appendix 4 and appendix 5.

27. The officers report states that a major concern is that the plans confirm that trees along the boundary with 8 Arlington Drive have already been removed since the last application was refused. It should be noted that the reason why these trees have been removed is that the owner of 8 Arlington Drive had requested the appellant to remove the existing trees along the boundary adjacent to that property as they were causing damage to a brick wall and path adjacent to this boundary. Appendix 6 includes an e-mail trail from late 2019 between this resident and the appellant. The appellant duly removed these trees, although not before checking with the Council that there were no planning restrictions preventing this.

Conclusion

28. The above analysis demonstrates that the appeal scheme would assimilate with the general form, scale and massing of dwellings within the street and would therefore be in keeping with and support the character and appearance of the area. In addition, whilst the development will result in a small number of conifer trees, the appeal scheme is proposing replacement tree planting with native species that will enhance the landscape character of the area.
29. The Heritage assessment concludes that the appeal scheme will result in a small degree of “less than substantial harm” to the setting and significance of the Grade II listed building, with any perceived harm to the setting of Little Manor House sitting at the very lowest end of “less than substantial harm”.
30. Nevertheless, having identified this level of harm paragraph 202 of the NPPF is engaged, which requires that where development proposals would result in less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
31. A main public benefit of the proposal is considered to be the provision of an additional housing unit. In determining the previous applications for this site, the Inspector considered that the contribution to the supply of housing to be made by the appeal would be a very minor one, to which limited weight was accorded. However, since that appeal, it is considered that there has been a material change in planning circumstances that accentuates the significance of the delivery of housing from small sites such as the appeal site.

32. Specifically, the London Plan 2021 sets out a challenging growth agenda for London with a main underlying objective of this growth agenda being to significantly increase the contribution of small sites to meeting London's housing needs. This is a distinct change in focus within the strategic plan for London with the Plan now providing minimum targets that boroughs are to meet for net housing completions on small sites. The figure for LB Hillingdon is set at 2,950 dwellings from 2019/20 – 2028/29, which is a considerable target against which each individual dwelling will make an important contribution. The delivery of an additional dwelling from this appeal will therefore make a relevant contribution towards achieving this target.
33. The development will also create economic benefits from its construction, which would stimulate employment. Moreover, the development of a single dwelling aligns with the Government's objective of promoting self-build housing and supporting small and medium sized housebuilders, as evidenced for example through the Levelling Up Building Fund. A single building plot can provide an excellent construction opportunity for a start-up business, enabling that business to gain experience in the construction industry and to grow.
34. As the level of harm to Little Manor House is less than substantial and at the lowest end of that wide spectrum of harm, it is reasonable to conclude that the public benefits capable of outweighing the harm will also only be at the lower end of the spectrum. Whilst the public benefits arising from the development may be fairly limited in their scope due to the limited scale of the development, they are nevertheless material and will make an important contribution to delivering the growth objectives of the London Plan and to promoting employment and growth within the construction industry. As such, these public benefits are considered to outweigh the very limited harm to the heritage asset generated by the development, thereby satisfying para 202 of the NPPF.
35. Accordingly, the proposed development is therefore considered to be in accordance with the development plan. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. There are not considered to be any material considerations to suggest this planning application should be determined other than in accordance with the development plan and it is therefore considered that planning permission should be granted.
36. For the above reasons, it is respectfully requested that the appeal be allowed.