
Appeal Decision

Site visit made on 25 October 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2021

Appeal Ref: APP/R5510/W/21/3281455

5 Nicholas Way, Northwood HA6 2TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs Patel against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 2443/APP/2021/2382, dated 9 June 2021, was refused by notice dated 9 August 2021.
 - The application sought planning permission for a Two storey, 4-bed dwelling with habitable roofspace, railings and gates, parking and amenity space involving demolition of existing dwelling without complying with a planning condition attached to planning permission Ref 2443/APP/2019/4085, dated 14 April 2020.
 - The condition in dispute is No.2 which states that: The development hereby permitted shall not be carried out except in complete accordance with the details shown on drawing numbers 1326/P/1 Rev. C, 1326/P/2 Rev. C, 1326/P/3 Rev. C, 1326/P/5 Rev. B, 1326/P/7 Rev. A, Tree Protection Plan Rev. B and Arboricultural and Planning Integration Report dated 11 March 2020 and shall thereafter be retained/maintained for as long as the development remains in existence.
 - The reason given for the condition is: To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning approval has previously been granted for a two storey 4 bed dwelling at the site. This proposal seeks to substitute the approved plans for alternatives. Whilst various alterations are proposed, the concerns of the Council centre around the introduction of a gabled roof design to the forward projecting gables. The main issue therefore is the effect of the introduction of these features on the character and appearance of the area.

Reasons

3. The character of the area is defined by large, detached dwellings sitting on large plots within an attractive verdant and mature setting. The site falls within the Copsewood Estate, Northwood, Area of Special Local Character (ASLC). The evidence indicates that ASLC's in Hillingdon include areas that possess sufficient architectural, townscape and environmental quality to make them of considerable local value.

4. Despite the substantial nature of the dwellings at the northern end of Nicholas Way they do not over-dominate their plots, regularly exhibiting a quiet presence within the street-scene. The often-hipped roof form of many of the dwellings assists them in being able to do so.
5. The permitted dwelling would incorporate hipped roofs above the forward projecting elements at either end of the main body of the dwelling. The property would be substantial in size, occupying almost the full width of the plot and would incorporate accommodation on three levels. The inclusion of the hipped roof features helps to limit the bulk of the property.
6. I accept that gable features of varying size and scale are evident within the area. There is nothing within the character of the area that indicates the use of gable features on new dwellings is unacceptable in principle.
7. However, at the northern end of Nicholas Way gabled roof forms are often incorporated as secondary design features. They do form a more substantial design feature at No.17 Nicholas Way, which incorporates a double gable frontage. However, their impact here is limited given the set back from the street of the main body of that dwelling.
8. At the appeal site, the introduction of gable ends to the front roof-slopes of the projecting wings of the dwelling would add substantial bulk to the front of the property, which would be highly visible and therefore prominent within the street-scene, partly as a result of the limited set back that the property would have from the road.
9. This additional bulk would result in the dwelling forming an overly dominant feature within the street scene and would grant it an appearance and character which would contrast markedly with other dwellings at the northern end of Nicholas Way.
10. The proposal would therefore be detrimental to the character and appearance of the area and the ASLC. It would therefore conflict with policies BE1 and HE1 of the Hillingdon Local Plan Part 1 Strategic Policies (2012), policies DMHB 1, DMHB 5, DMHB 6, DMHB 11 and DMHB 12 of the Local Plan Part 2 Development Management Policies (2020) and policies D3 and D4 of the London Plan (2021) (LP).
11. Amongst other things these policies seek high quality design that is appropriate to the character of an area and local context and distinctiveness which protects the historic environment including locally recognised historic features such as Areas of Special Local Character. Policy D4 of the LP also requires the retention of design quality within schemes.
12. The National Design Guide¹ (NDG) advises that well designed development should amongst other things respond positively to the positive elements of local character including composition, form and proportions. However, the proposal fails to respond positively to local identity and context which form two of the ten characteristics that contribute to well-designed places. The proposal is therefore in conflict with the NDG.

¹ National Design Guide – Planning practice guidance for beautiful, enduring and successful places – Ministry of Housing, Communities & Local Government January 2021.

Planning Balance and Conclusion

13. The Framework² at paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design which includes the NDG. It also states at paragraph 126 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. This suggests that good design should form a necessary core of any scheme and I therefore afford this matter substantial weight.
14. There is no indication that the decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

TJ Burnham

INSPECTOR

² National Planning Policy Framework 2021.