

Appeal Decision

Hearing held on 19 April 2016

Site visit made on 19 April 2016 and 28 April 2016

by Alex Hutson MATP CMLI MArborA

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 June 2016

Appeal Ref: APP/R5510/W/15/3140882

82 Ducks Hill Road, Northwood, Hillingdon HA6 2SD

- 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 HSN Northwood Limited against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 39262/APP/2014/4357, dated 28 November 2014, was refused by notice dated 11 December 2015.
 - The development proposed is "Construction of a new build 3 storey plus semi-basement to provide 3 x 4 bedroomed flats for supported living for adults with profound and multiple disabilities."
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In March 2016, subsequent to the date of the Council's decision notice, the Mayor of London published the Housing Standards Minor Alterations to the London Plan (MALP). The MALP therefore forms part of the development plan for Greater London. I am satisfied that the adoption of the MALP does not materially alter the relevant policies of the London Plan- The Spatial Development Strategy for London- Consolidated with Alterations Since 2011 (March 2015) (London Plan) that were in place when the Council determined the original planning application. This view was confirmed by the main parties during the Hearing and I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the streetscape and area; and the effect of the proposal on highway safety.

Reasons

Character and appearance

4. The appeal site, located within a wider residential area, lies on the north-western side of Ducks Hill Road where the road slopes noticeably upwards from north-east to south-west and is currently vacant. Development along Ducks Hill Road in the vicinity of the appeal site typically comprises substantially sized two storey detached and semi-detached dwellings and blocks of flats, set a
-

considerable distance back from the road frontage and set within large plots. Many of these dwellings display rooms in the roof, adding a third storey element, apparent by virtue of modest sized dormer windows, including front dormer windows, which are generally set back from the eaves and appear considerably subordinate to their host buildings. The modest size of the front dormer windows and their setback from the eaves, tend to respect the hierarchy of these buildings and reduce their overall scale, bulk and massing. This, combined with the generous setback of buildings from the road frontage, provides a spatial quality along this part of Ducks Hill Road and positively contributes to the character and appearance of the streetscape and area.

5. In addition, buildings along the north-west side of Ducks Hill Road, in the vicinity of the appeal site, tend to incorporate a stepped front elevation, which adds a level of architectural interest to these buildings. I also observed that whilst there are a variety of roof forms in the area, they tend to be of a traditional appearance and the ridge heights of front gables, where these exist, tend to be set at or below the main ridgeline of their host buildings. These factors contribute to the character and appearance of the streetscape and area.
6. Trees and vegetation within front gardens and along front boundaries, adds a verdant quality to the wider streetscape of Ducks Hill Road. However, in the immediate vicinity of the appeal site, this is considerably less noticeable, as a result of the substantial levels of hard standing in front gardens, including in respect of 78, 80 and 80a Ducks Hill Road to the north-east of the appeal site and 84 and 86 Ducks Hill Road to the south-west.
7. The proposal would introduce a large, three storey building onto the appeal site that would be set back from the road frontage in line with the prevailing building line along this part of Ducks Hill Road. The ridge height would follow a logical stepping up from the ridge height of Nos 80 and 80a to the ridge height of No 84. In addition, the proposed front gable would be stepped forward to emphasise this feature and would, in my judgement, sufficiently emulate the stepping of the front elevations of other buildings in the vicinity of the appeal site.
8. I acknowledge that the frontage of the proposal would comprise a substantial level of hard standing for the parking of cars. Nevertheless, given the existing considerable levels of hard standing in the front gardens of dwellings in the immediate vicinity of the appeal site, I do not consider that the proposal would be wholly out of character with its surroundings in this respect. In addition, whilst the proposal would incorporate an area of hard standing to the rear for the parking of cars, a substantial area of garden and new landscaping would be provided that would assist in maintaining the verdant qualities of the area. Furthermore, I observed that the gardens of Nos 80 and 80a are given over to a considerable level of hard standing and a dwelling along the south-eastern side of Manor House Drive occupies an area of land to the rear of No 92.
9. The hard standing in the rear of the proposal would not, therefore, introduce a level of hard standing that would be entirely out of keeping with the character of the area. Moreover, a suitably worded planning condition in respect of boundary treatment, were I minded to allow the appeal, could assist in mitigating views of hard standing and associated parked cars from the public realm along Manor House Drive.

10. However, the considerable size, positioning and design of the proposed front third floor windows would not appear sufficiently subordinate to the host building and would considerably emphasise its overall scale, bulk and massing. These windows would therefore fail to respect the typical hierarchical appearance of dwellings along this part of Ducks Hill Road and would result in a building that would appear considerably out of proportion within its context. This would be exacerbated by the side and rear dormer windows that would also not be set back from the eaves in a manner typical of other buildings in the area.
11. In addition, the considerable variation in the ridge height from the front of the proposal to the rear, where the ridgeline of the proposed front gable would noticeable step up from the main ridgeline, would appear discordant in the context of other buildings in the area, notably in views from along Ducks Hill Road to the north-east and south-west of the appeal site.
12. I acknowledge the Appellant's claim that the design concept of the proposal sought to reflect the arts and crafts characteristics of No 76. However, from my observations, this has not been achieved. The excessive scale, bulk and massing and window detailing of the proposal does not, in any meaningful way, resemble No 76, which is a much smaller, 2 storey building, which includes some modest dormer windows set back from the eaves at first floor level. I therefore attach limited weight to this argument.
13. I therefore consider that by virtue of its uncharacteristic scale, bulk and massing, the proposal would result in an incongruous form of development that would result in significant and demonstrable harm to the character and appearance of the streetscape and area.
14. The proposal would therefore be contrary to saved Policies BE13, BE19, BE38 and OE1 of the London Borough of Hillingdon Unitary Development Plan 1998 (UDP) and Policy BE1- Built Environment, of the Hillingdon Local Plan Part 1- Strategic Policies 2012. These policies require, amongst other things, development to respect, complement or improve the character of an area, to achieve a high quality of design which enhances the local distinctiveness of the area, to harmonise with the streetscene and to provide new landscaping where appropriate. The policies are consistent with the broad aims and principles of the National Planning Policy Framework, that seek planning to secure high quality design and to take account of the different roles and character of different areas.
15. The proposal would also be contrary to Policy 3.5- Quality and Design of Housing Developments, of the MALP and Policy 7.4- Local Character, of the London Plan. These policies require development to provide a high quality design, to enhance the quality of local places and to respect the character of the area.
16. The proposal would also be contrary to guidance set out in the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document- Residential Layouts 2006, which advises, amongst other things, that development should harmonise with its surroundings, compliment and/or improve an area and respect the wider streetscene.

Highway safety

17. Ducks Hill Road is a busy distributor road with a 30 mile per hour speed limit. Dwellings in the area generally benefit from off-street parking, minimising the requirement for parking along Ducks Hill Road. Saved Policies H10(ii) and AM14 of the UDP require new development to accord with the Council's parking standards as set out in Annex 1 of the UDP. In addition, saved Policies AM7 of the UDP requires, amongst other things, development not to prejudice the free flow of traffic.
18. The proposal would accommodate 12 residents and would provide employment for up to 30 members of staff, who would work in shifts throughout the daytime and at night. The proposal would provide six on-site parking spaces; four to the front, accessed from Ducks Hill Road and two to the rear, accessed from Manor House Drive. This level of parking provision would comply with the Council's parking standards as set out in Annex 1 of the UDP in terms of providing one parking space per two residents. Nevertheless, the Council raises a concern, notwithstanding that the traffic generation associated with the proposal has been assessed by the Council to be low, regarding the adequacy of off-street parking provision for staff and visitors, which could displace vehicle parking onto Ducks Hill Road and Manor House Drive, with resulting detrimental effects on highway safety. I share the Council's concern that the provision of six off-street parking spaces would be insufficient, notwithstanding that the residents would unlikely own a car due to their physical health, given that there would be an overlap between shifts during the day where up to 24 members of staff would be present, some of whom would likely drive to work.
19. Nevertheless, the Council considers that by increasing the number of parking spaces at the front of the proposal to eight, this would mitigate their concerns in respect of highways safety. Furthermore, the Council agrees, as set out in their Appeal Statement and the agreed Statement of Common Ground, that this additional level of off-street parking provision could be secured through a suitable worded planning condition. The Appellant has confirmed that this would be agreeable to them.
20. The appeal site is located within very close proximity to bus stops along Ducks Hill Road that provide a regular daily bus service throughout the daytime and late into the evening with links to the London Underground network at Northwood and Ruislip underground stations. According to the evidence, the bus journey time to these underground stations would be less than 10 minutes and less than 20 minutes respectively. In my judgement, notwithstanding the relatively low PTAL level in the vicinity of the appeal site, these regular bus services and the short time it would take to reach Northwood and Ruislip underground stations by bus, would offer a real alternative for staff and visitors to access the proposal by public transport and would greatly reduce the reliance on a private motor vehicle.
21. Therefore, based on the evidence before me, and without any substantive reasons to conclude otherwise, I would concur that 10 parking spaces would be a sufficient level of off-street parking to serve the requirements of the proposal and any associated staff and visitors.
22. I acknowledge the concerns raised by the Council's Highways Officer on the second site visit, in respect of the likely requirement for a retaining wall due to

varying levels within the appeal site, which in his opinion, could reduce the amount of space available for parking. However, I was not provided with any detailed evidence to demonstrate there are no suitable engineering solutions that could solve this perceived problem.

23. I therefore have no substantive reasons before me that would lead me to conclude otherwise to that of the Council's prevailing view, as clearly agreed in the Statement of Common Ground and during the Hearing proceedings, that a suitably worded planning condition could secure the required level of off-street parking to satisfy the requirements of saved Policies H10, AM7 and AM14 of the UDP. However, even if the Appellant could provide the Council's required level of off-street parking, this would not outweigh the harm I have found to the character and appearance of the area.
24. The Council's Decision Notice also makes reference to an insufficient level of cycle storage to meet the needs of the proposal, in conflict with saved Policy AM9. Nevertheless, they clearly set out in their Officer's Report that the required level of cycle storage could be secured through a suitably worded planning condition to meet the requirements of Policy AM9. I have no substantive evidence before me that would lead me to a different conclusion. However, this would also not outweigh the harm I have found to the character and appearance of the area.

Other matters

25. I acknowledge that the proposal would provide a considerable economic benefit through the provision of up to 30 jobs. I also acknowledge the considerable social benefit that the type of housing proposed would provide for those people that need it. These benefits clearly weigh substantially in favour of the proposal. Nevertheless, in light of my findings on the main issue in respect of the character and appearance of the area, the proposal would not accord with the development plan as a whole.
26. A number of concerns have been raised by third parties, including in respect of noise and disturbance, flood risk, trees, inadequate external amenity space for any future residents, business use in a residential area, property devaluation and neighbour living conditions matters relating to outlook, privacy and light. However, property devaluation is not a material planning consideration to which I can afford any significant weight. With regard to the other matters, these did not form part of the Council's reasons for refusal. Based on the evidence before me and my own observations of the appeal site and the surrounding area, I have no substantive reasons to conclude otherwise.

Conclusion

27. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

Alex Hutson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Jack Goulde	HSN Care Limited
Leon Lenik	HSN Care Limited

FOR THE LOCAL PLANNING AUTHORITY:

Stephen Volley	Appeals Officer, London Borough of Hillingdon
MSc, DipTP, MRTPI	
Charlotte Goff	Planning Officer, London Borough of Hillingdon
Shreekant Patel	Highways Officer, London Borough of Hillingdon
Manmohan Ranger	Highways Officer, London Borough of Hillingdon

INTERESTED PERSONS:

Martin Coffey	3 Manor House Drive, HA6 2UJ
Nina Dieppe	71 Ducks Hill Road, HA6 2SQ
William Dieppe	71 Ducks Hill Road, HA6 2SQ
Kenneth Karlstrom	84 Ducks Hill Road, HA6 2SD
Shilpa Karlstrom	84 Ducks Hill Road, HA6 2SD
Prasul Malde	15 Manor House Drive, HA6 2UJ
Howard Cohen	3 Teal Drive, HA6 2PT
Rohini Rauheru	16 Manor House Drive, HA6 2UJ
Shahin Chaudary	7 Manor House Drive, HA6 2UJ
Chanela Laka Rai	80a Ducks Hill Road, HA6 2SD
Jeffrey Bailey	10 Manor House Drive, HA6 2UJ

DOCUMENTS SUBMITTED AT THE HEARING

1. Northwood Residents Association representations
2. Extract of the Housing Standards Minor Alterations to the London Plan March 2016
3. Policy 7.4- Local Character, of the London Plan- The Spatial Development Strategy for London- Consolidated with Alterations Since 2011 (March 2015)
4. Signed Statement of Common Ground