
Appeal Decision

Site visit made on 15 September 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday 4 October 2021

Appeal Ref: APP/R5510/W/21/3269418

Land Adjacent to 33 Hazelwood Drive, Northwood HA5 3TU

- 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 Mr Robert Leslie against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 6342/APP/2020/1947, dated 25 June 2020, was refused by notice dated 8 September 2020.
 - The development proposed is to build a high quality, contemporary, two bedroom house upon the site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the existing property and the area, and
 - (ii) whether it would provide appropriate accessibility for disabled residents.

Reasons

3. The appeal site comprises of an open parcel of land at the side and rear of No. 33 Hazelwood Drive (No. 33), a two storey end-terraced property that occupies a prominent corner plot at the junction of Hazelwood Drive and Woodford Crescent.
4. It is located in a mature well-established residential area with a mixture of single and two storey properties of varied styles and character set back from the road behind a front garden/driveway. The two storey properties along the eastern side of Hazelwood Drive and immediately to the rear of the site are of comparable scale and form, with distinctive double projecting gabled front bay windows and hipped tiled roofs. Where garages and other structures exist between dwellings, these are very low, clearly subsidiary, and have little impact upon the sense of space and openness. No. 33 being situated on a corner plot has more expansive grounds, which add to the open character and appearance of the area.
5. The proposal would involve the construction of a single storey contemporary style dwelling that would project out from the side elevation of the property and would be set in from the roadside boundary running alongside the

property. The proposed dwelling would be set down within the rear of the site and would be separated from the road by a small amenity garden and a high boundary timber fence running along the side of the property. The external finish of the building would be predominantly red multi brickwork with dark grey/charcoal powder coated window frames and doors under a flat roof.

6. The closing of the gap between No. 33 and the public highway at the side would not appear out of character. From my site visit I noted a number of properties in the surrounding area that had modest scale extensions and garages that have been built to the side boundaries or in close proximity to such. The reduced space between the proposed dwelling and highway would be offset to some degree by the boundary treatment around the appeal site.
7. Whilst the contemporary design of the proposed dwelling has some merits, the scale and form of the proposed dwelling would nevertheless still be a significant addition in this location. Whilst it would be set back and stepped down, the narrow elongated and contrived layout of the building coupled with the awkward design and bulkiness of the flat roof over the proposed dwelling would be very much at odds with the older more traditional scale, form and appearance of the existing property and surrounding properties with their distinctive hipped roofs. Such positioning, on what would be an atypically narrow plot, would interrupt the established pattern of development and compromise the sense of space and openness in the area.
8. These shortcomings would be exacerbated by the proposal's position, which would be visible from a number of public vantage points along Hazelwood Drive and Woodford Crescent. I therefore consider that the proposed development, by virtue of its scale, layout and design, would fail to promote or reinforce the distinctive characteristic of the area and would adversely harm rather than positively contribute to the character and appearance of the area.
9. I have considered the appellant's arguments that the design and layout of the proposed development has been carefully considered and redesigned in response to the previously refused scheme at the site¹ in order to minimise any impacts on the area. Whilst the use of matching materials, fenestrations and the boundary treatment would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
10. Consequently, I conclude that the proposed development would adversely harm the character and appearance of the existing property and the area. It would be contrary to the overall design aims of Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 and Policies DMH6, DMHB11 and DMHB12 of the Hillingdon Local Plan Part 2 Development Management Policies (January 2020) (HLPP2), which I consider are relevant in this case. These policies, amongst other things, set out a presumption against residential development on garden land and seek to ensure that development proposals, including new buildings, will be of a high standard of design that should be well integrated with the character and quality of the surrounding area; harmonise with the local context and adjacent structures; and make a positive contribution to the local area in terms of layout, form, scale and materials. In addition, the proposal would not accord with the National Planning Policy Framework that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

¹ 6342/APP/2019/3796

Accessibility for disabled residents

11. The Council indicate that the internal design and layout of the proposed development on the submitted drawings fails to provide satisfactory wheelchair accessibility and adaptability for future disabled residents in accordance with the requirements of Part M4(2) of the Buildings Regulations.
12. However, the appellant's submissions provide revised proposals and supporting comments from the Council's Access Officer to indicate that these accessibility issues can be resolved, with some minor alterations and reconfiguration of the layout of the development, including a new sesame lift/staircase. If I had been minded to allow the appeal, then this could have been dealt with through an appropriate planning condition to ensure satisfactory wheelchair accessibility within the proposed development.
13. Consequently, I conclude that the proposed development would provide appropriate accessibility for disabled residents. The development would be consistent with the overall aims of Policy DMHB 11 of the HLPP2 which seeks to ensure that all developments provide the highest standards of design and the internal design and layout maximises sustainability and is adaptable to different activities.

Other Matters

14. I have noted the other developments in the area drawn to my attention by the appellant. However, the previous single storey side extension granted in 2014 at no. 33² and various extensions/alterations to the properties on Hazelwood Drive have different development characteristics to the appeal scheme. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases.
15. I note the appellant's comments regarding the historical development of the garage and extension to the side of the existing property on the appeal site. However, this is a different form of development that took place some time ago in a different policy context and should not be taken as an acceptable context for or justification of the appeal scheme.
16. I have noted the appellant's comments regarding the additional residential extensions and outbuildings that could be constructed on the site under the General Permitted Development Rights. Whilst this may be so, this does not set a precedent for such an inappropriate development in this location for the reasons set out above.
17. I have noted the issues raised by the appellant regarding the pre-application advice of the Council and the way in which the application was processed by the Council. However, the Council are not bound by the officer's pre-application advice in making their final decision and these are a material consideration to which I can attach only limited weight in making this decision.
18. I have considered the various benefits put forward by the appellant that the proposal would bring arising from the scheme's design, the additional dwelling contributing to the supply of housing in the area and making the effective and efficient use of the land on a small site within an accessible location. While I have given them some weight in favour of the appeal, these

² 6342/APP/2014/1315

benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR