
Appeal Decision

Site visit made on 8 June 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 23rd June 2017

Appeal Ref: APP/P1940/W/16/3160949

Brackenhill House, The Woods, Northwood, Middlesex HA6 3EX

- 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 Brackenhill Developments Limited against the decision of Three Rivers District Council.
 - The application Ref 16/0866/FUL, dated 7 April 2016, was refused by notice dated 25 July 2016.
 - The development proposed is described as an amendment to permission ref: 11/2352/FUL to provide an additional 8th new detached 2-storey dwelling on the site - resubmission from previous refusal ref: 15/0439/FUL which now proposes a reduced sized dwelling from that previously refused, provides sufficient car-parking to the property, and also reaffirms the proposed turning head for refuse vehicles in the site.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The appeal site occupies land that has been approved partly for a turning head in relation to residential development that has already occurred on the wider Brackenhill House site. The relocated turning head needs to be large enough to cater for refuse collection and emergency vehicles which are up to 11m long. In a previous scheme dismissed at appeal¹, it was noted that no evidence had been submitted demonstrating that the new turning head could cater for such vehicles.
3. The turning head proposed in the application that is the subject of this appeal was not amended. At appeal stage a revised drawing was submitted (ref 5030/PL/81 Rev G) showing a swept path for an 11m long refuse vehicle. The depth of the turning head in the revised drawing has been increased extending slightly further into an area of trees. This does not amount to a material change in the type of development, and the nature of concerns of those who would normally have been consulted are clear from consultation on the original set of plans. As a consequence, I do not consider that their interests would be prejudiced if I was to take this amendment into account. My consideration of the case and my decision therefore takes into account this amended plan.

Main Issues

4. The main issues in this appeal are;

¹ Appeal ref APP/P1940/W/15/3051130

- the effect of the proposed development on the character and appearance of the area; and,
- whether or not the proposal would provide an adequate turning head for refuse collection and emergency service vehicles.

Reasons

5. The appeal site is located within Eastbury, where the Three Rivers Core Strategy advises that residential development on appropriate infill sites is acceptable in principle.

Character and appearance

6. The appeal site is located within the Brackenhill House site which in recent years has been developed for housing. The majority of houses within the wider site, along with the appeal plot, are accessed off a private gated access drive, Brackenhill Close. Although set back the appeal site is visible in public views close to the entrance to the Oxhey Woods car park. It is also visible to residents and visitors in views from Brackenhill Close and Oxhey Drive South.
7. As a whole development on the wider site is characterised by large detached dwellings set well back from the access drive in a sylvan setting. Bracken Cottage at the entrance to the access drive is significantly smaller than the other houses on the wider site and is set far closer to the access drive. However, it has a wide and spacious plot. As a result, it is in keeping with the coarse grain of development that characterises housing development on the wider site. Furthermore, as it is located at the entrance to the access drive it appears as a lodge rather than one of the main houses on the site. Ferndale is a house next to the main road on the northern side of the wider site. Whilst it is set close to the road, its flank wall, rather than its front elevation addresses the highway and its plot is significantly larger than the appeal site. As a consequence, it also has a coarse grain of development.
8. Reference has been made to The Wentworth and Blythe Wood. However, as they are located beyond Brackenhill Close further to the south and are out of view they do not form part of the context in which the appeal site should be assessed.
9. The proposed house would be positioned on a plot of land immediately to the south of Bracken Cottage. As the proposal would be located at the southern end of the plot furthest away from the Cottage, and face southwards it would relate more to larger detached houses to the south than Bracken Cottage to the north. These larger houses are located on particularly wide, long plots. Whilst they occupy most of the width of their plots, the height of development on the site tends to reduce towards the side boundaries. In combination with the large setback of the houses from the access drive this results in a spacious character of development. In contrast, the appeal site is particularly narrow and the proposed dwelling would be set far closer to the drive. As a result, the proposed house would have a far finer grain of development and with the two storey house set close to the sides of the plot it would appear cramped.
10. I recognise that the proposed dwelling would differ from the two storey house that was the subject of the previous appeal in a number of ways; it would be smaller; it would be orientated to face the south rather than the east; parking to the rear would be provided; and, it would be set back slightly into the plot, rather than sitting on the back edge of the access drive. Nevertheless, for the

reasons given above these modifications would not result in a dwelling that would complement the character and appearance of the area.

11. The trees on the appeal site and wider site are protected by a Woodland Tree Preservation Order. As part of the scheme, an Oak (T44) and a Lawson Cypress (T36) would be felled due, respectively, to declining condition and poor specimen quality. These trees contribute to the sylvan character of the area, but I agree with the previous Inspector that their condition and poor quality justifies their removal. In the scheme before me, a Douglas Fir (T33) would additionally be felled. At 21-22m in height and with the long term potential to be significantly taller this tree is one of the best trees on the appeal site. Whilst not readily visible from public vantage points, it contributes to the dense canopy of trees that gives the area its sylvan character and so makes a positive contribution to the group value of trees on the wider site.
12. In views from Brackenhill Close, the tree is a prominent specimen for residents and their visitors. It is also visible for those who use the private gated road, Oxhey Drive South. The loss of this tree would therefore have an adverse effect on the sylvan character of the area.
13. Bracken Hill House as a locally listed building is a non-designated heritage asset. The Inspector in the last appeal found that the proposed dwelling would not harm its setting. As the proposed house in this appeal would be set further back from this building and would be smaller its setting would also not be harmed.
14. Taking all these matters into account, I therefore conclude that the proposed development would unacceptably harm the character and appearance of the area. It would therefore be contrary to policies CP1, CP3 and CP12 of the Core Strategy and policies DM1 and DM6 and Appendix 2 of the Three Rivers Development Management Policies Local Development Document (DMP). These policies and the Appendix, among other matters, require the protection of the character and appearance of a locality through high quality design that respects local features.

Turning head provision

15. The amended plan submitted at appeal stage demonstrates that with a short extension to the southern limb of the turning head it is capable of catering for 11m long refuse and emergency vehicles. In my judgement, whilst on the basis of the submitted plan this would result in the turning head encroaching slightly further into a belt of protected trees, this would not have a further material adverse impact on them. The proposed development would therefore comply with policies CP1 and CP10 of the Core Strategy and policy DM10 of the DMP which require that safe and suitable access is provided for all vehicles, including in relation to refuse collection.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, the appeal should be dismissed.

Ian Radcliffe

Inspector