



Appeal Decision

Site visit made on 25 June 2019 by Amanda Sutton BA(Hons) DipTP DMS MRTPI

By R C Kirby BA (Hons) DipTP MRTPI

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

Decision date: 8 July 2019

Appeal Ref: APP/R5510/D/19/3228443

1 Rose Cottage, Kewferry Road, Northwood, HA6 2WA

- 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 A Dutt against the decision of London Borough of Hillingdon.
 - The application Ref 66920/APP/2018/4363, dated 14 December 2018, was refused by notice dated 26 April 2019.
 - The development proposed is described as 'two storey side extension and new hard landscaping works'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application included proposed works for a new access and dropped kerb forming a crossing on to Kewferry Road. This aspect of the proposal was removed as a result of the Highway Authority raising objections on the grounds of highway safety. The Council determined the application on this basis, and I have considered the appeal accordingly.

Main Issue

3. The main issue is the effect the proposed development would have on the character and appearance of the property as a non-designated heritage asset and the surrounding area.

Reasons

4. It is agreed by the appellant and Council that the appeal property is a locally listed building. Locally listed buildings are included within the definition of heritage assets as set out in the Glossary to the National Planning Policy Framework (the Framework). Although not identified as designated heritage assets, such buildings are identified as non-designated heritage assets.
5. Paragraph 184 of the Framework requires heritage assets to be conserved in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 197 states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6. The appeal property was originally constructed as two worker cottages in the 19th Century, which were merged to create one dwelling house in the mid-20th Century. The key original features are most evident at the front of the property, in particular the distinct twin gables and two matching date stones (1861). The entrance door is located towards the rear of the appeal property.
7. I acknowledge that certain elements of the proposal including the proportions, roof alignment and spacing of the proposed extension and the retained garden are in general compliance with advice set out in the Hillingdon Design & Accessibility Statement Residential Extensions Supplementary Planning Document 2008.
8. It is also noted that the appellant has sought to incorporate features to reflect the historic features of the original building. However, by doing so the new extension would visually compete with the proportions and symmetry of the existing property. This would significantly detract from the building's historic character and its significance as a non-designated heritage asset. This heritage asset would not be sustained or enhanced as a result of the extension and harm to the character and appearance of the host property would result.
9. The appeal property is located on a corner plot between Rickmansworth Road and the residential street of Kewferry Road. Rickmansworth Road is a busy classified road with a mix of residential flats (opposite the property) and single dwellings (to the south). Although the surrounding area is of a mixed character, the appeal property is in a prominent location and viewed in the context of other historic buildings in the locality, including the School House, and to a lesser extent, the nearby church, particularly from Merrors Close and the pedestrian crossing on Rickmansworth Road close to the frontage of the appeal property.
10. Given the harm that I have identified above, the contribution that the property makes to this part of Northwood would be significantly diminished. The proposal would not make a positive contribution to local character and distinctiveness and harm to the character and appearance of the area would occur as a result. Although the harm caused would be localised, this does not provide justification for harmful development.
11. The appellant's suggestion of a planning condition modifying the design of the extension is noted. However, I do not have detailed drawings of an alternative design so am unable to consider this matter as part of this appeal.
12. The appellant submits that the extension is required so that he can care for his elderly mother and reference has been made to the Human Rights Act 1998 and Article 8 of the European Convention on Human Rights (ECHR). Article 8 of the ECHR is a qualified right for respect for privacy and family life. I have concluded that the proposed extension would have a harmful effect on the character and appearance of the original property and surrounding area. There is no evidence to suggest that this unduly prevents the existing property being used and enjoyed for family life by the appellant. Moreover, there is no suggestion that the principle of an extension upon the property is unacceptable.
13. Having regard to the well-established planning policy aims to conserve heritage assets and protect the character and appearance of the area a refusal of permission would be proportionate and necessary. It would

not unacceptably violate the family's rights under Articles 1 and 8. The protection of the public interest cannot be achieved by means that are less interfering of the appellant's rights.

14. I note the concerns raised about the Council's procedures, both at application and pre-application stages. However, such concerns should be raised with the Council in the first instance. These matters have had no bearing on my consideration of this appeal.
15. Having considered the matters advanced by the appellant in support of the proposals I find that they do not outweigh the harm identified.
16. I conclude therefore that the proposal would be harmful to the host property and its significance as a non-designated heritage asset, and the character and appearance of the area. Accordingly the proposal conflicts with Policies HE1 and BE1 of the Hillingdon Local Plan Part 1 Strategic Policies and Policies BE8, BE13, BE15 and BE19 of the London Borough of Hillingdon Unitary Development Plan which collectively seek to conserve and enhance locally listed buildings and require new development to complement and improve the character of the area and be designed to be appropriate to the identity and context of Hillingdon's buildings.

Conclusion and Recommendation

17. For the reasons outlined above, and having regard to all other matters raised, it is recommended that this appeal should be dismissed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and I concur that the appeal should be dismissed.

R C Kirby

INSPECTOR