

Appeal Decision

Site visit made on 17 June 2019

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 19th July 2019

Appeal Reference: APP/M5450/W/19/3225825

Land at 106 Uxbridge Road, Hatch End, Pinner HA5 4DS

- 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 D Patel against the decision of Harrow Council.
 - The application (reference P/5694/18, dated 22 December 2018) was refused by notice dated 22 March 2019.
 - The development proposed is described in the application form as: *"the demolition of an existing house and erection of a new 3-storey residential building housing 1 replacement dwelling and 5 new dwellings with associated bins and cycle store"*.
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Decision

1. The appeal is dismissed.

Main issues

2. There are two main issues in this appeal. The first is the effect of the proposed development on the character and appearance of the surroundings, while the second is its effect on flood risk.

Reasons

3. Uxbridge Road is a busy through route, intersected by roundabouts, and the appeal site is located adjacent to the roundabout at the junction of Uxbridge Road with Rowlands Avenue. Open spaces adjoin the roundabout on its north-east and south-west quarters, with predominantly residential development on the north-west and south-east quarters. The appeal site lies to the north-west of the roundabout, on the north side of the main road, and the Hatch End Baptist Church adjoins the eastern boundary of the site, having its main frontage in Rowlands Avenue. Some other facilities, including a pre-school building, appear to be associated with the church. To the west and north of the appeal site there is an extensive residential area.
4. The northern frontage of Uxbridge Road is characterised by substantial houses in traditional styles. Indeed, the houses that are closest to the appeal site are decidedly "Tudor" in style, with decorative timber framing on their street elevations. The existing house on the appeal site is a detached house on a larger plot than its neighbours with a more restrained "classical" character.

Prior approval has been granted for a single storey rear extension to the house but this has not yet been constructed.

5. It is now proposed that the existing house at number 106 Uxbridge Road should be demolished and a new building, comprising six flats, should be erected in its place. The new building would be on a larger footprint than the existing house and would have a distinctly contemporary appearance.
6. The 'National Planning Policy Framework' has the aim of making effective use of land and encouraging economic activity but it also emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12). In achieving this aim, paragraph 131 of the Framework affords special support to "outstanding or innovative" designs that "fit in with the overall form and layout of their surroundings".
7. Section 14 of the Framework deals specifically with the issue of flood risk and the need for suitable assessments to be prepared.
8. Various Policies in the Development Plan also promote good design, including Policies 3.5A, 7.4B and 7.6B of 'The London Plan', Policy CS1 of the 'Harrow Core Strategy' (adopted in February 2012) and Policy DM1 of the 'Harrow Council Development Management Policies' (adopted in July 2013).
9. In relation to the flood risk issue, Policy 5.12 of 'The London Plan' and Policy DM9 of the 'Harrow Council Development Management Policies' are especially relevant. Policies are intended to minimise risks, but in a sustainable and cost effective way.
10. The Council's 'Supplementary Design Document: Residential Design Guide' (dating from 2010) is also relevant, though it does not have the same force as Policies in the Development Plan.
11. The proposed new building would be located in a prominent position, adjacent to the roundabout at Uxbridge Road and Rowlands Avenue. It would be especially visible from the road frontage and from the east, where it would be viewed across the lawn in front of the Baptist Church. Indeed, the Baptist Church itself, with its distinctive pyramidal roof, is an important feature in the streetscene.
12. The new building would be very different in style from its neighbours, designed in a modern style with flats roofs. The topmost flat roof would be lower than the ridge lines of houses facing Uxbridge Road but it would be significantly higher than their eaves lines. The new block would be built up closely to its boundaries and the bulk and scale of the new building would give it a much more substantial appearance overall. The proposed materials would create distinctive elevations in the short term but would need conscientious maintenance to preserve the crispness of the design.
13. The frontage of the new development would be dominated by hard landscaping and by the new bin stores, even though only four parking spaces would be provided (for the six new flats). The visual impact of the building in the townscape could not be disguised by additional landscaping (including the proposed green roof).

14. Thus, the building would not be in harmony with its surroundings and it would conflict with planning policies that are intended to promote good design, both in the Development Plan and in the 'National Planning Policy Framework'.
15. On the other hand, since the building would stand at the end of its frontage, it could be perceived as a "landmark" feature, independent of its neighbours in some sense and creating a new element in the streetscene. For this approach to be successful architecturally, however, the scheme would need to respond much better to the design opportunity that presents itself and it may not be achievable. As proposed, the flat roofs and stepped elevations would be awkward and the design, though striking, would not be particularly innovative or architecturally interesting. The view of the new landmark building from the east would be especially important and, although the proposed design does make some concession to the location with the treatment of the eastern elevation, this does not sufficiently overcome the basic defects in the design, which would be visually intrusive without being uplifting.
16. In short the proposed new building would fail to harmonise with its surroundings while, on the other hand, it would also fail to achieve the high level of architectural design quality that would enable it to stand out as a landmark feature in the streetscene.
17. Turning to the flood risk issue, the appellant has submitted a convincing Flood Risk Assessment, which concludes that the appeal site is situated within Flood Zone 2. Provided that the necessary prevention and mitigation works were to be carried out, it ought to be possible to develop the appeal site, in principle, without creating a new risk of flooding or exacerbating the risk of flooding elsewhere. In relation to flood risk, matters of design detail could properly have been dealt with by the imposition of suitable conditions (as suggested by the appellant). Hence, it cannot be concluded that the project would have an unacceptable effect on flood risk and the scheme would not be in conflict with national or local planning policies that address this issue. Flood risk considerations do not justify a refusal of planning permission, therefore.
18. In themselves, the proposed flats would meet technical standards in relation to the accommodation to be provided and, thus, would add to the stock of housing in the locality. The appellant has "raised concerns" about the five-year housing supply but the assertion that the Council is failing to meet housing requirements is not persuasive and the evidence that has been submitted in this appeal does not justify the application of a "tilted balance" in determining the appeal. Even so, the provision of additional housing would amount to a significant public benefit in itself.
19. The contribution that the appeal scheme would make to economic activity and the additional residential units that would be created both weigh in favour of the appeal. Nevertheless, I am convinced that the proposed development would cause unacceptable harm to the character and appearance of the surroundings and that this objection outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with the Development Plan (notably with those specific policies that have been identified) and with the 'National Planning Policy Framework'. It follows that the proposal ought not to be allowed and, although I have considered all the

matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR