



**Decision Date:****Appeal:****Comment on Planning History**

Planning permission was granted on 23 July 2009 for the change of use of the property from (Class C2) elderly care home to (Class C3) single family dwelling

**2. Advertisement and Site Notice**

**2.1** Advertisement Expiry Date:- Not applicable

**2.2** Site Notice Expiry Date:- Not applicable

**3. Comments on Public Consultations****EXTERNAL CONSULTEES**

21 neighbouring occupiers, including Northwood and Northwood Hills Residents Associations were notified of the application. 3 replies have been received raising the following objections:

1. The wall is oversized and fails to harmonise with the existing boundary fencing in the street. Kewferry Road has distinct architectural features and the wall is out of place in this road.

2. Danger to traffic and pedestrians. The vehicular access at the junction with Langton Grove is hazardous to traffic entering and leaving Langton Grove.

3. Application is retrospective and structural work has been completed.

4. Development involves the provision of a new vehicular access at the junction of Kewferry Road and Langton Grove.

5. Two trees have been felled and laurel bushes have been removed to facilitate the construction of the wall. These appear to have been within the public highway.

A reply has been received from the Northwood Residents Association commenting as follows:

'The dropped kerb at the junction with Langton Grove is six feet wide whereas the one at the legitimate vehicular entrance is twelve feet wide. Any motor car using the Langton Grove entrance would impose weight upon kerb and pavement stones with the risk of damage thereto. Even whilst most cars are less than six feet in width, the angle at which the drive would usually be approached would require a wider dropped kerb to avoid damage to vehicle suspension and the pavement.

If the owner cannot be compelled to change the wall to a pedestrian gate I suggest the installation of bollards would prevent motor vehicles using that entrance.'

**OFFICER COMMENTS**

1. The impact of the wall on the street scene in Kewferry Road is dealt with in the body of the report.

2. and 4. The issue of highway and pedestrian safety is dealt with in the body of the report.

3. Whilst the application is retrospective, it must be considered on its individual merits.

5. Condition 8 of planning permission ref. 29369/APP/2009/946 for the change of use of the property to a single family dwelling requires a landscaping scheme for the site to be

submitted to and approved in writing by the Local Planning Authority. A scheme has been submitted and is currently under consideration. The erection of the wall does not prejudice the implementation of a satisfactory landscaping scheme for the front garden area in compliance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INTERNAL CONSULTEES

HIGHWAY ENGINEER

Objects on the grounds that the vehicular entrance at the junction of Kewferry Drive and Langton Drive is prejudicial to highway and pedestrian safety.

#### **4. UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

AM7 Consideration of traffic generated by proposed developments.

#### **5. MAIN PLANNING ISSUES**

IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain or enhance.

The front boundary treatment on this part of Kewferry Drive generally comprises hedges or low walls, some with piers, with hedges behind. The wall is significantly higher than other front boundary walls in Kewferry Road and is considered to be unduly intrusive and visually dominant in the street scene. Whilst its visual impact could be softened by the planting of a hedge to the rear, it is still considered that the size of the wall, and in particular its height, is out of keeping with the character of the street scene in Kewferry Road. Accordingly the scheme fails to comply with Policy BE13 and it is recommended that planning permission be refused for this reason.

TREES AND LANDSCAPING

Condition 8 of planning permission ref. 29369/APP/2009/946 for the change of use of the property to a single family dwelling requires a landscaping scheme for the site to be

submitted to and approved in writing by the Local Planning Authority. A scheme has been submitted and is currently under consideration. The erection of the wall does not prejudice the implementation of a satisfactory landscaping scheme for the front garden area in compliance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## PEDESTRIAN SAFETY

The front boundary wall allows for the provision of a carriage drive to the front of the property with one of the vehicular entrances located on the bellmouth at the junction of Kewferry Drive and Langton Grove. Whilst there is a pavement crossover at this point, this was constructed by the Council to provide pedestrian access across the junction particularly for people in wheelchairs and using pushchairs. The Highway Engineer is concerned that the provision of a vehicular entrance at this point would prejudice highway and pedestrian safety. In this regard Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states, amongst other things, that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the free flow of traffic or conditions of general highway or pedestrian safety. Accordingly it is recommended that planning permission also be refused for this reason.

## 6. RECOMMENDATION

### REFUSAL for the following reasons:

#### 1 NON2 Unduly intrusive and visually dominant

The wall, by reason of its size and siting and in particular its height is unduly intrusive and visually dominant in the street scene and therefore fails to accord with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 2 NON2 Detrimental to highway and pedestrian safety

The proposed vehicular entrance at the junction of Kewferry Road and Langton Drive would be detrimental to highway and pedestrian safety and therefore fails to accord with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

### Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14

(prohibition of discrimination).

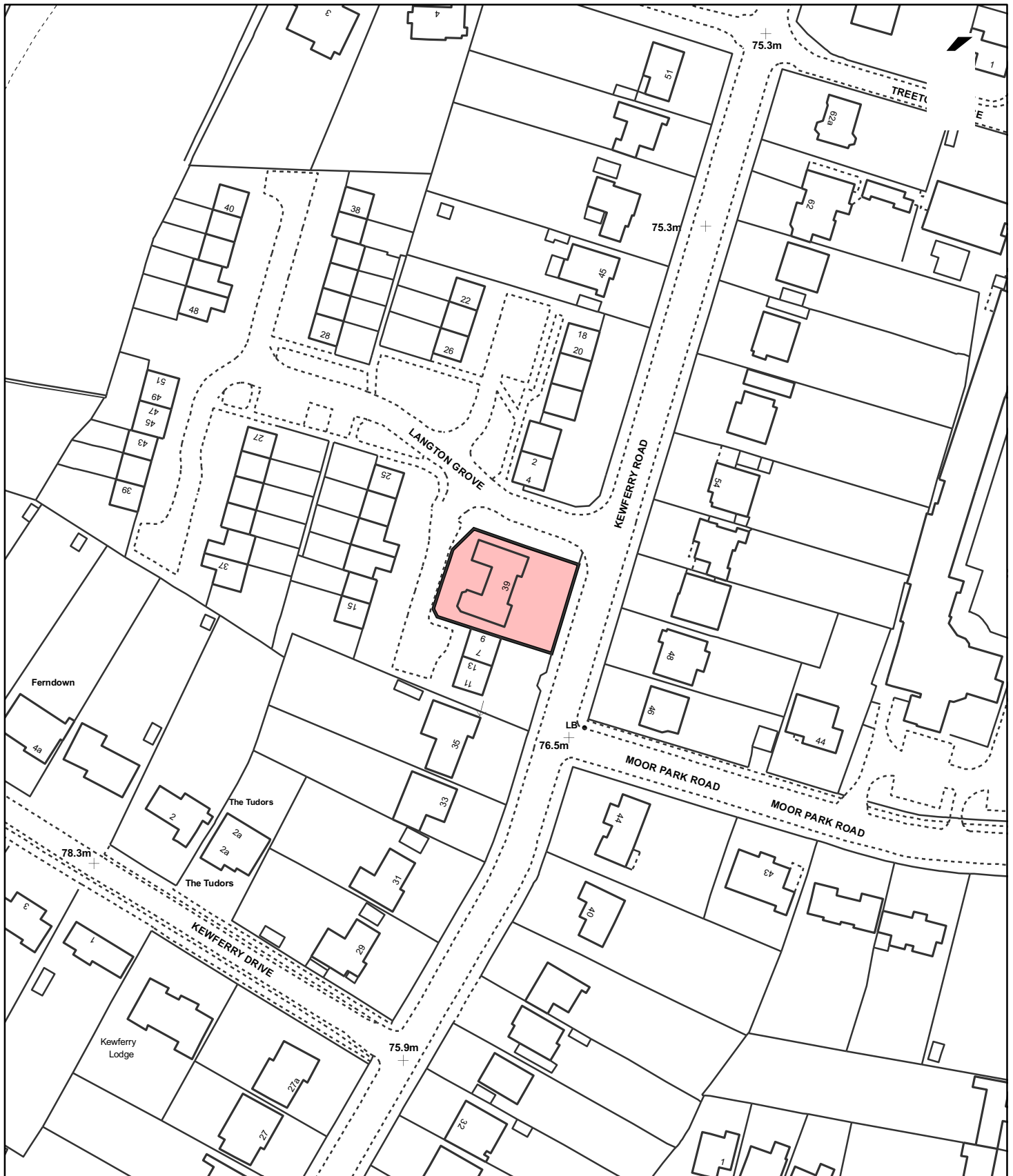
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

**Policy No.**


- |      |   |
|------|---|
| BE13 | New development must harmonise with the existing street scene.  |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| AM7  | Consideration of traffic generated by proposed developments.  |

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**37 Kewferry Road  
Northwood**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref:  
**29369/APP/2011/156**

Planning Committee  
**North**

Scale  
**1:1,250**

Date  
**April 2011**

