

## Report of the Head of Planning, Sport and Green Spaces

**Address** WOODBINE COTTAGE TILE KILN LANE HAREFIELD

**Development:** Retention of summerhouse and small shed in garden

**LBH Ref Nos:** 26852/APP/2014/3218

**Drawing Nos:** Location Plan (1:1250)  
HARE1402  
HARE1401  
Design and Access Statement  
001

**Date Plans Received:** 08/09/2014

**Date(s) of Amendment(s):**

**Date Application Valid:** 08/09/2014

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

Woodbine Cottage is a Grade II Listed Building located on the northern side of Tile Kiln Lane and is located within the Green Belt. The application property is a large detached unit located in the south of the plot and accessed via two entrances from Tile Kiln Lane to the west and south of the main property.

There are a number of outbuildings within the site. The timber outbuilding to the north of the host property was erected without planning permission and is the subject of this application. To the east of the main dwelling is a timber garage to the property and a concrete slab is evident to the south of this building which was installed some time ago in preparation for the erection of the approved detached garage at the site (application reference 26852/APP/96/1798). A further large single storey shed has been erected to the north of the existing garage, without the benefit of planning permission.

#### 1.2 Proposed Scheme

The proposal is for the retention of a summerhouse and a shed in the garden. The summerhouse and shed are constructed from dark stained timber with clay tiles. The summerhouse measures 7.8m wide and 5.5m deep, with a pitched roof of 4.7m at ridge height. A small loft space is served by an external staircase and an internal 'fireman's pole'. The shed measures 1.8m wide and 3m deep, with an approximately 2m high flat roof.

#### 1.3 Relevant Planning History

26852/APP/2003/1682 Woodbine Cottage Tile Kiln Lane Harefield

ERECTION OF A DETACHED BUNGALOW WITH DORMER WINDOWS (FOR USE AS A GRANNY ANNEXE)

**Decision Date:** 28-08-2003

Refused

**Appeal:**

26852/APP/2014/3215

Woodbine Cottage Tile Kiln Lane Harefield

Retrospective planning permission for the erection of replacement entrance gates from Tile Kiln Lane

**Decision Date:**

26852/APP/2014/894

Woodbine Cottage Tile Kiln Lane Harefield

Retention of summer house and shed in rear garden.

**Appeal:**

**Decision Date:** 16-05-2014

Refused

**Appeal:**

26852/APP/2014/895

Woodbine Cottage Tile Kiln Lane Harefield

Listed Building Consent for retention of summer house and shed in rear garden.

**Decision Date:** 16-05-2014

Refused

**Appeal:**

26852/N/96/1798

Woodbine Cottage Tile Kiln Lane Harefield

Erection of a detached block of three garages

**Decision Date:** 30-07-1997

Approved

**Appeal:**

**Comment on Planning History**

Planning application ref: 26852/N/96/1798 - Consent was granted in July 1997 for the erection of a detached block of three garages. The garages approved were approximately 8.9 metres in width, 6.9 metres in depth with a hipped roof approximately 5.7 metres in height overall. This garage was approved to replace the existing timber garage at the site, however was never constructed on the site. The consent is considered to have been implemented by virtue of a concrete slab that was installed for the foundations of the building.

Planning application ref: 26852/APP/2003/1682 - This application sought consent for the erection of a detached bungalow for use as a Granny Annexe. The building proposed, albeit marginally larger than that being considered within this submission, proposed a bungalow to the east of the main building. This was refused in September 2003 on its design and also for the following reason, which is of particular relevance to the consideration of this application

"The application by reason of it representing an inappropriate use within the Green Belt and by reason of its size, height and volume representing a disproportionate change in the existing buildings bulk and character, would result in a detrimental impact on the visual amenities and open character of the Green Belt, contrary to policies OL1 and OL4 of the Hillingdon UDP".

Planning application ref: 26852/APP/2014/894 - This application sought consent for the retention of the summer house and small shed in the rear garden. The application was refused in May 2014 in regards to the impact on the Green Belt and the Grade II Listed Building. The development was also considered to be capable of independent occupation from the main dwelling.

Planning application ref: 26852/APP/2014/895 - This application sought Listed Building Consent for the retention of the summer house and small shed in the rear garden. The application was refused in May 2014 in regards to the impact on the Grade II Listed Building.

The application site is currently the subject of an enforcement investigation and an

enforcement notice has been served in regards to the unauthorised summerhouse and the unauthorised large single storey shed.

## **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

Consultation letters were sent to 5 local owners/occupiers and the Ruislip Residents Association. A site notice was also displayed. One response has been received:

- i) the summerhouse is in keeping with the style and size of the property.
- ii) the bulk, size and scale of the large chalet type shed is completely out of character
- iii) the large shed could set a precedent

English Heritage:

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

INTERNAL

Conservation Officer:

This is the advice given to the case officer when the last application to retain the summer house was submitted, given that the situation appears to remain unchanged, the Conservation and Design comments on this matter are the same:

Woodbine Cottage is Grade II Listed, it is part timber framed and its core dates from the 16th century. The house is set within mature and fairly extensive grounds, and lies in the Green Belt. There are no objections to retaining the outbuilding subject of this application, as it is located away from the house, and it is of a design and construction that reflect the traditional character of this building.

At the last site visit it was noted that a large chalet type structure of inappropriate design had been built adjacent to the house, it seems that this is still on site and its removal is noted (as before) on the application documents. This building is unauthorised and considered to be detrimental to the setting of the cottage and its wider Green Belt setting. Its removal, therefore, needs to be secured.

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

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

Part 1 Policies:

|         |  |
|---------|--|
| PT1.BE1 | (2012) Built Environment                                   |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |
| PT1.HE1 | (2012) Heritage  |

Part 2 Policies:

|          |   |
|----------|---|
| BE8      | Planning applications for alteration or extension of listed buildings |
| BE13     | New development must harmonise with the existing street scene.        |
| BE19     | New development must improve or complement the character of the area. |
| OL4      | Green Belt - replacement or extension of buildings                    |
| LPP 7.16 | (2011) Green Belt   |
| NPPF9    | NPPF - Protecting Green Belt land                                     |
| NPPF12   | NPPF - Conserving & enhancing the historic environment                |

## 5. MAIN PLANNING ISSUES

The main planning issue relates to the impact the proposal would have on the Grade II Listed Building and on the surrounding Green Belt.

Policy BE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) will not permit applications to alter or extend Listed Buildings where damage may be caused to the historic structure. External and internal alterations should harmonise with their surroundings. Policy BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) will not grant permission for proposals that are detrimental to the setting of the Listed Building.

The Conservation Officer does not object to retaining the summerhouse and the small shed, as it is located away from the house, and it is of a design and construction that reflect the traditional character of the main building. As such, the retention of the summerhouse and the small shed would not have a detrimental impact on the character and appearance of the Grade II Listed Building.

In regards to residential amenity, the summerhouse and small shed is located at the northern end of the site; fields adjoin the property boundary to the north and east and the closest residential properties to the west is sited approximately 47 metres from the summerhouse and to the south, 67 metres. Given the separation between the summerhouse and shed and the closest residential properties, the proposal is not considered to have an unacceptably oppressive or overbearing impact upon neighbouring properties.

However, although the summerhouse and small shed are acceptable in regards to their appearance, impact on the Grade II Listed Building and impact on residential amenity, it is important to take into account the impact of the development on the Green Belt.

Policy OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) will

not permit developments that significantly increase the built up appearance of the site and that would injure the visual amenity of the Green Belt by the siting, materials and design.

The National Planning Policy Framework (NPPF) indicates that new buildings are inappropriate development within the Green Belt; however it sets out an exception for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. With regard to the original building it is made clear within Annex 2 of the NPPF that the original building is a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built.

The issue is thus whether the proposed retention of the existing outbuilding would be disproportionate. No definition of disproportionate is given in the Framework, or in local policy. Therefore, assessing proportionality is primarily an objective test based on the increase in size. Whether the proposal is a disproportionate addition is fundamentally a matter of the relative increase in overall scale and bulk of the original building.

Having looked through the planning history for the site, there have been a number of extensions and additions within the curtilage of the property in the past. It would appear that the original building had a floor plan of circa 93.7sq.m Gross External Area (GEA). The Council's records indicate that the following extensions and additions have been added to the property, some without the benefit of planning permission:

- Two storey extension (permitted in 1986) was assessed on the basis of a circa 52.5sq.m increase in the floor space of the building;
- Conservatory extension (permitted in 1986) to the north of the main building added approximately 14sq.m to the floor area;
- Garage (permitted in 1986) to the east of the main dwelling added approximately 25.9sq.m in floor area,
- Triple garage to the east of the site added 61.8 sq.m to the floor area. Although the building itself has not been constructed, the consent has been implemented through the addition of a concrete slab for the foundations;
- Large single storey shed to the east with a floor area of approximately 101.6sq.m. This has been erected without planning permission.

The summerhouse and small shed, subject of this application, would add a further 65.27sq.m of developed floor space to the site.

While there is no set definition within the NPPF of what constitutes a proportionate extension, it has been considered through appeals and case law that extensions in the green belt are normally only considered to be proportionate where they result in less than a 50% increase in floor space and/or footprint from the original building, depending on which is more appropriate in the circumstance. Given height is involved it is considered that floor space would be more appropriate in this case.

On the basis of the information before the Local Planning Authority, the original building (main dwelling house) had a footprint of 93.7sq.m. The retention of the summerhouse and

shed would represent a 69.7% increase over the floor space of the original building. This combined with the other outbuildings and additions to the building would constitute an overall increase of 342.7% over the original footprint of the building.

The proposed retention of the summerhouse and shed would therefore represent a disproportionate addition to the original building when considered cumulatively with the previous extensions to the original building and curtilage additions, including the unauthorised large single storey shed. The scheme is therefore considered detrimental to the visual appearance of the site and open aspect and visual amenity of the Green Belt.

The proposal does not comply with Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and is therefore recommended for refusal.

## 6. RECOMMENDATION

### REFUSAL for the following reasons:

#### 1 NON2 Non Standard reason for refusal

The retention of the summerhouse and shed, in conjunction with previous additions to the building and the addition of other buildings within the curtilage, represents a disproportionate change in the bulk and character of the original building and increases the built-up appearance of the site, thereby impacting on the visual appearance of the site and open aspect and visual amenity of the Green Belt. The development is thereby contrary to Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan and the National Planning Policy Framework (NPPF).

## 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

#### Part 1 Policies:

- |         |  |
|---------|--|
| PT1.BE1 | (2012) Built Environment                                   |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |

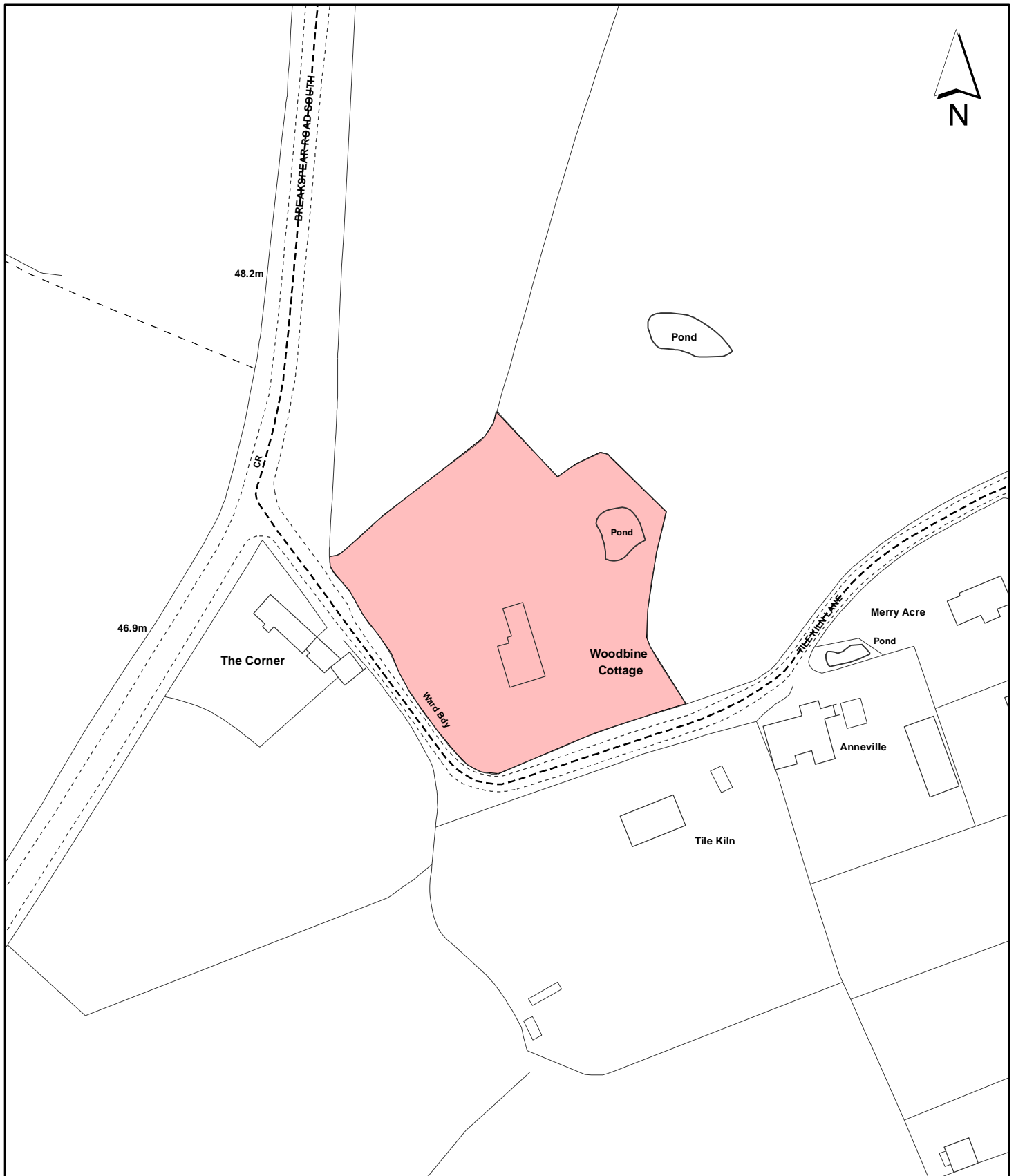
PT1.HE1 (2012) Heritage

Part 2 Policies:


|          |   |
|----------|---|
| BE8      | Planning applications for alteration or extension of listed buildings |
| BE13     | New development must harmonise with the existing street scene.        |
| BE19     | New development must improve or complement the character of the area. |
| OL4      | Green Belt - replacement or extension of buildings                    |
| LPP 7.16 | (2011) Green Belt   |
| NPPF9    | NPPF - Protecting Green Belt land                                     |
| NPPF12   | NPPF - Conserving & enhancing the historic environment                |

**Contact Officer:** Katherine Mills

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Woodbine Cottage  
Tile Kiln Lane  
Harefield**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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

Planning Application Ref:

**26852/APP/2014/3218**

Scale

**1:1,250**

Planning Committee

**North**

Date

**November 2014**



**HILLINGDON**  
LONDON