

Report of the Head of Planning, Sport and Green Spaces

Address WOODBINE COTTAGE TILE KILN LANE HAREFIELD

Development: Proposed replacement entrance gates from Tile Kiln Lane

LBH Ref Nos: 26852/APP/2015/3699

Drawing Nos: Heritage, Design and Access Statement (Revised January 2016)
Proposed Gates (Revised January 2016)
Location Plan
HARE1401 Site Survey

Date Plans Received: 06/10/2015 **Date(s) of Amendment(s):** 26/01/2016

Date Application Valid: 12/11/2015 05/10/2015

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.

1.2 Proposed Scheme

The proposal is for replacement entrance gates from Tile Kiln Lane. The proposed gates would be constructed from Iroko Hardwood timber and set between two 1.55m high piers constructed from red reclaimed bricks. The gates would be 3.3m wide with a height of 1.4m at either end and 1.2m in the middle. The gates would comprise of 0.66m high closed vertical boarding with open timber railing above.

The proposed gates are similar in design to the entrance gates to Crow's Nest Farmhouse on Breakspeare Road South (located 0.2m north of the application site).

1.3 Relevant Planning History

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: 18-11-2014 Refused **Appeal:**07-AUG-15 Dismissed

Comment on Planning History

The application site is currently the subject of an enforcement investigation regarding the erection of two detached outbuildings and an entrance gate and posts; an enforcement notice was served in September 2014. An appeal against the enforcement notice was dismissed in August 2015 and the enforcement notice was upheld (Planning Inspectorate ref: APP/R5510/C/14/3000107).

An application for retrospective planning permission (ref: 26852/APP/2014/3215) for the erection of replacement entrance gates from Tile Kiln Lane was submitted in September 2014. The applicant appealed against non-determination of the application in November 2014 (Planning Inspectorate ref: APP/R5510/A/14/3000447).

The application was refused in November 2014 as it was considered that the height and design of the replacement gates would detrimentally impact on the character, appearance and setting of the Grade II Listed Building (Woodbine Cottage) and the street scene, and detract from the openness of the surrounding Green Belt.

The appeal was dismissed in August 2015 as the Planning Inspector considered that the proposed replacement gates would have "an overbearing and alienating effect in what is otherwise a generally open laneway. That it significantly limits public views of the listed cottage and appears as an incongruous addition which fails to preserve the setting of the heritage asset adds to the harm". The Inspector also stated that satisfactory levels of security could be achieved without the erection of gates that would harm the character of the area and the setting of the heritage asset.

The current application seeks to regularise the unauthorised entrance gates which remain an outstanding enforcement issue following the removal of the two unauthorised detached outbuildings.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 14th December 2015

3. Comments on Public Consultations

EXTERNAL

Consultation letters were sent to 3 local owners/occupiers and a site notice was displayed. The application was also advertised in the local press, which expired on the 16th December 2015.

No responses have been received.

Ruislip Residents Association:
No response has been received

Historic England:
On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

INTERNAL

Conservation Officer:
The current proposals are an improvement on the existing gates, whilst their design is now generally acceptable, although still rather elaborate; they are nevertheless, still too tall. They need to be lowered in height and the brick piers either simplified i.e. without the stone capping and detailing, or the gates preferable hung from chunky timber posts similar to

those on the other access gate.

Revisions required. The gates should be no higher than 1.2m in the middle and 1.4m at either end. The brick piers should be no higher than 1.6m.

Officer comments:

Amended plans have now been received amending the gates and reducing the height in line with the Conservation officer's comments.

Highways:

Subject to the gates being located at the same distance from the highway as the previous ones and the gates opening inwards no objections are raised on highway grounds.

Officer comments:

The agent has confirmed that the replacement gates would open inwards and are to be located the same distance from the highway as the existing gates. A condition is recommended to ensure these details are secured in perpetuity.

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
- BE10 Proposals detrimental to the setting of a listed building
- 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
- 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 highway safety, the impact on the Grade II Listed Building and the impact on the surrounding Green Belt.

Policies BE8 and BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to protect the character, appearance and setting of Listed Buildings. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new development to harmonise with the existing street scene. Paragraph 4.26 of HDAS: Residential Layouts states that high gates will normally be resisted by the Council as they can present an alienating frontage.

Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not permit developments in the Green Belt that would injure the visual amenity of the Green Belt by the siting, materials and design.

The overall height and design of the existing entrance gate presents an alienating frontage to the site as the gate creates a sense of enclosure that detracts from the openness of the surrounding Green Belt and harms the setting of the Grade II Listed Building.

In their amended form, the Council's Conservation Officer considers the proposed entrance gates to be acceptable in regards to its design as the open timber railing along the top of the gates would reduce the current sense of enclosure of the site and allow for public views of the Grade II Listed Building, thereby reducing the impact on the character, appearance and setting of the Listed Building and the street scene. The reduction in height of the proposed entrance gates, particularly in the middle of the gates, also assists in reducing the sense of enclosure around the Listed Building and retaining the rural openness of the street scene and surrounding Green Belt.

The proposed replacement gates are considered to comply with Policies BE8, BE10, BE13 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions.

In regards to highways safety, the proposed gates would open inwards and would be located the same distance from the highway as the existing gates, which are to be removed. It is recommended that these elements are secured by way of condition.

As such, the proposal is considered acceptable in highway terms and the Council's Highways Engineer raises no objection to the proposed replacement gates. The development therefore accords with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2015).

6. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; Location Plan, HARE1401 Site Survey, Heritage, Design and Access Statement (Revised January 2016) and Proposed Gates (Revised January 2016).

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part

Two - Saved UDP Policies (November 2012) and the London Plan (2015).

3 H13 Installation of gates onto a highway

The proposed gates hereby approved shall be inward opening only and positioned as per the approved plans and no closer to the highway than the existing gates which are to be removed. Thereafter the gates shall be retained as approved in perpetuity.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2015).

4 NONSC Non Standard Condition

The exterior finish of the gates hereby approved shall be completed in accordance with the details shown in the Heritage, Design and Access Statement (Revised January 2016); appendix 1 Wentworth Gates specification and shall thereafter be maintained in perpetuity.

REASON:

To protect the setting of the Grade II listed Building and Green Belt in accordance with policies BE8, BE10, BE13 and OL4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

Standard Informatives

- 1 The decision to GRANT 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 GRANT 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
BE10	Proposals detrimental to the setting of a listed building
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
NPPF9	NPPF - Protecting Green Belt land
NPPF12	NPPF - Conserving & enhancing the historic environment

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal

agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.

8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

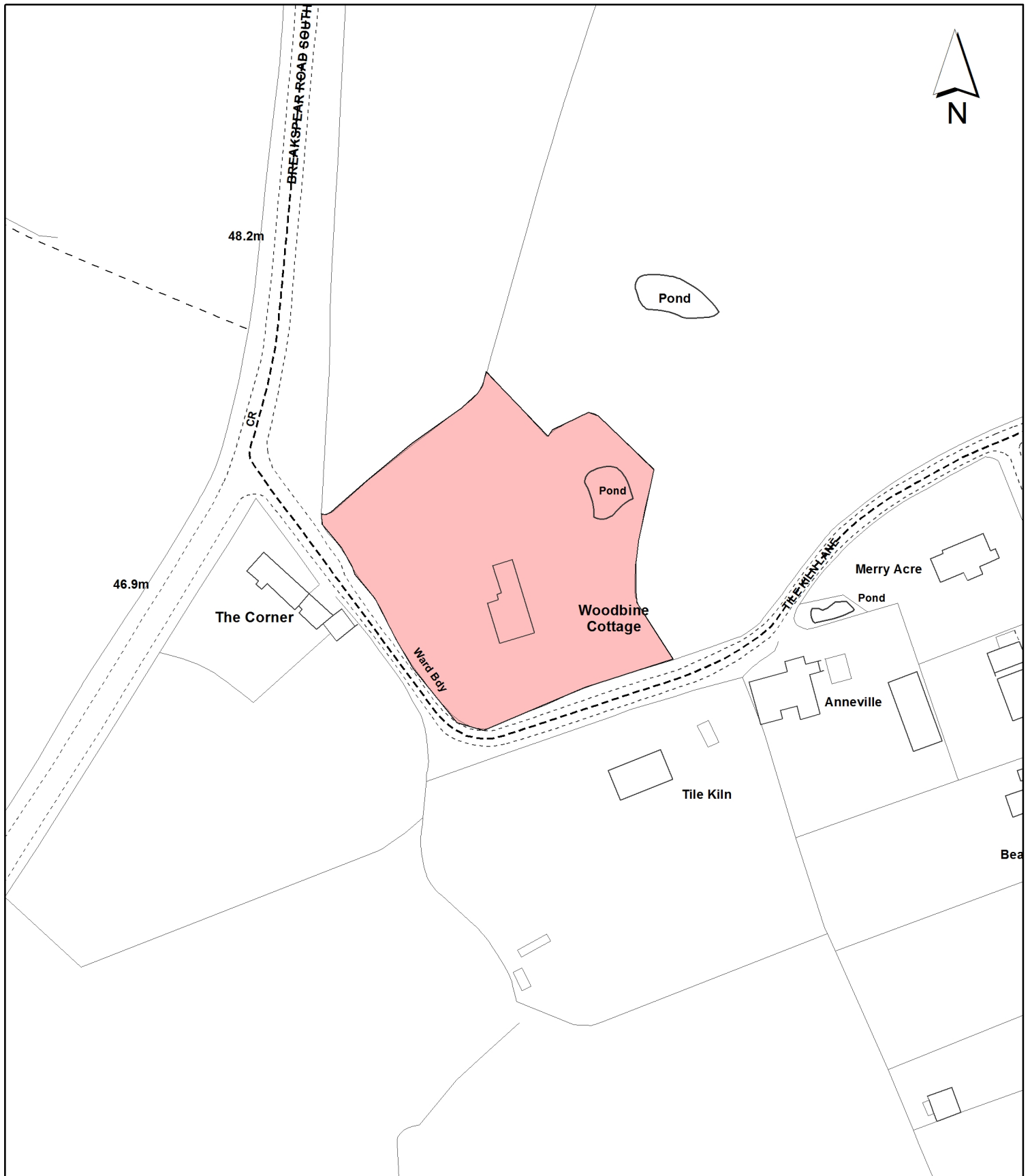
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Katherine Mills

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address: **Woodbine Cottage
 Tile Kiln Lane
 Harefield**

Planning Application Ref:
26852/APP/2015/3699

Planning Committee:
North

Scale:
1:1,250

Date:
February 2016

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

