

Report of the Head of Planning, Transportation and Regeneration

Address 18A ELGOOD AVENUE NORTHWOOD

Development: Pergola to side (Retrospective)

LBH Ref Nos: 47802/APP/2017/4059

Drawing Nos: DD169-02-P1
DD169-03-P0
DD169-06-P0
DD169-01-P0
DD169-07-P0

Date Plans Received: 08/11/2017

Date(s) of Amendment(s):

Date Application Valid: 08/11/2017

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a prominent corner plot on the Southern side of Elgood Avenue, at the junction with Gatehill Road. The property is a two-storey detached dwellinghouse. The property has a gabled roof profile and is of a period build with a brick exterior. Elgood Avenue is a surfaced road with no pavements, but it has grass verges, although these are not included in the application site. The drive to the property firstly crosses the grass verge, and then provides a space in front of and in line with the existing garage door; alternatively the drive turns towards the house, so a vehicle could presently park parallel to Elgood Avenue, and be clear of the verge. (The existing drive is 5.06 m wide where it meets the surface of the road, and is 5.8 m wide at the back of the verge.) The present arrangement, including any use of the garage, allows at most for 2 cars to be parked within the applicant's ownership. Garden amenity space exists to the side and rear. The site benefits from an attached garage, a two story front extension and a first floor side extension.

The street scene is residential in character and appearance comprising predominantly detached dwellings.

The application site lies within the Gatehill Farm ASLC and the developed area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site lies within the area covered by Tree Preservation Order (TPO) 167.

1.2 Proposed Scheme

The development is a retrospective proposal for erection of a structure described by the applicant as a ' pergola' to the side of the dwelling. It is a substantial open sided covered patio which has been raised to the level of the house. It has a poly-carbon roof and timber grey painted supports, side rails and flooring with steps down to the lawn. It is 5 metres deep and 2.9 metres high with a gently sloping pitched roof.

1.3 Relevant Planning History

47802/APP/2016/3396 18a Elgood Avenue Northwood

Part two storey, part single storey side/rear extension, single storey front extension, installation of 3no rear rooflights, solar panels and alterations to driveway and drainage.

Decision Date: 24-04-2017 Approved **Appeal:**

47802/C/99/1083 18a Elgood Avenue Northwood

Erection of a two storey front extension and first floor front extension

Decision Date: 29-07-1999 Approved **Appeal:**

Comment on Planning History

Permission was granted for a part two storey, part single storey side/rear extension, single storey front extension, installation of 7 x rear rooflights, solar panels and alterations to driveway and drainage. This has not been constructed but is extant.

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

Neighbours were notified on 17/11/2017 and a site notice displayed on 20/11/2017.

By the end of the consultation period one objection was received raising the following issues-

((1) The proposal is substantial and harmful to the character of the area.

(2) It uses inappropriate materials.

(3) Believes the drawings are incorrect as a sycamore tree was removed to allow for the development.

A petition containing more than 20 signatures has now been received which supports refusal on grounds of its prominence and inappropriate design. The petition also refers to the recent planning permission which should lead to restriction of further development.

Officers note - these issues are considered below.

Trees and landscape - This site is occupied by a two-storey detached house at the junction of Elgood Avenue and Gatehill Road. The main garden area is to the South-East side of the property and is surrounded by a dense evergreen hedge. The site lies within the area covered by TPO 167. This is a retrospective application and no trees appear to have been removed to accommodate the structure. Although the site description refers to the structure as a pergola, a pergola is a garden feature, with an open-roofed structure, more or less decorative, designed to support climbing plants. The structure in question is a large steel-framed structure attached to the building and with a glazed / translucent polycarbonate roof. This has been added to form a sheltered outdoor room and is not designed to support vegetation. However, it is not particularly visible from the public realm, due to the existing hedge. RECOMMENDATION No objection and no need for landscape conditions.

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

Part 2 Policies:

AM14 New development and car parking standards.

BE5 New development within areas of special local character

BE6 New development within Gate Hill Farm and Copsewood Estates areas of special local character

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

LPP 3.5 (2016) Quality and design of housing developments

5. **MAIN PLANNING ISSUES**

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenity and light levels of the adjoining neighbours, areas of special local character, protection and long-term retention of valuable trees and provision of off-street parking provision. Given the existence of an extant planning permission for extensions, account must also be given to the cumulative impact of both the proposals.

Policy BE5 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires all new development within or on the fringes of the areas of special local character to be preserved. In addition, new development should be of a similar scale and reflect the materials, design features, architectural style and building heights predominant in the area.

Policy BE6 concerns fencing and new houses in the Gate Hill Farm and Copsewood estates.

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of extensions which should appear subordinate in scale to the original building.

There is a substantial hedge along the boundary with Elgood Avenue and Gatehill Road and any public views of the structure are limited by this. However, it is highly visible from the first floor windows of a number of dwellings where its large scale and unsympathetic materials are considered to be harmful to the character of the area. It is constructed with a polycarbonate roof and open sides. The pergola is disproportionate and does not relate well to the form of the existing house and utilised materials and it appears as an incongruous and unsympathetic addition. It is not considered to be subordinate to the existing dwelling and is detrimental to the wider character of the ASLC.

It is therefore considered to be contrary to Hillingdon Local Plan Part 2 policies BE5, 13, 15, 19 and inappropriate in terms of the HDAS.

The pergola adjoins No. 19 Gatehill Road but otherwise there are no other immediate neighbours. There is a strong boundary treatment between the application site and that property. However, there is a small gap in the hedge at one point and the elevated extension gives some views of the rear windows of the neighbouring property. The neighbour has not commented on the proposal. The applicant explained on site that further planting is intended. In order to overcome this concern, amended drawings adding a modesty screen were submitted and this is considered to address neighbour amenity concerns. It is considered that the proposal would be in compliance with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Off street car parking is available on the driveway and in the existing garage. This proposal does not generate any car parking demand. The proposal and the extant permission both retain the existing parking spaces for two cars. The proposal therefore accords with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Over 100 sq.m of private amenity space would be retained, in accordance with paragraph 5.13 of the HDAS: Residential Extensions and Policy BE23 of the UDP saved policies (November 2012)

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

Overall it is considered that the development is unacceptable and is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The development by reason of its overall size, scale, bulk, height and design, would fail to

harmonise with the architectural composition of the adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character. Therefore the proposal is contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions (December 2008) and Residential Layouts (July 2006)

INFORMATIVES

- 1** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
 - 2** 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).
 - 3** 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.
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|------|--|
| AM14 | New development and car parking standards. |
| BE5 | New development within areas of special local character |
| BE6 | New development within Gate Hill Farm and Copsewood Estates areas of special local character |
| BE13 | New development must harmonise with the existing street scene. |
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| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |

HDAS-E) Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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- 4 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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).
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Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
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BE22	Residential extensions/buildings of two or more storeys.
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BE24	Requires new development to ensure adequate levels of privacy

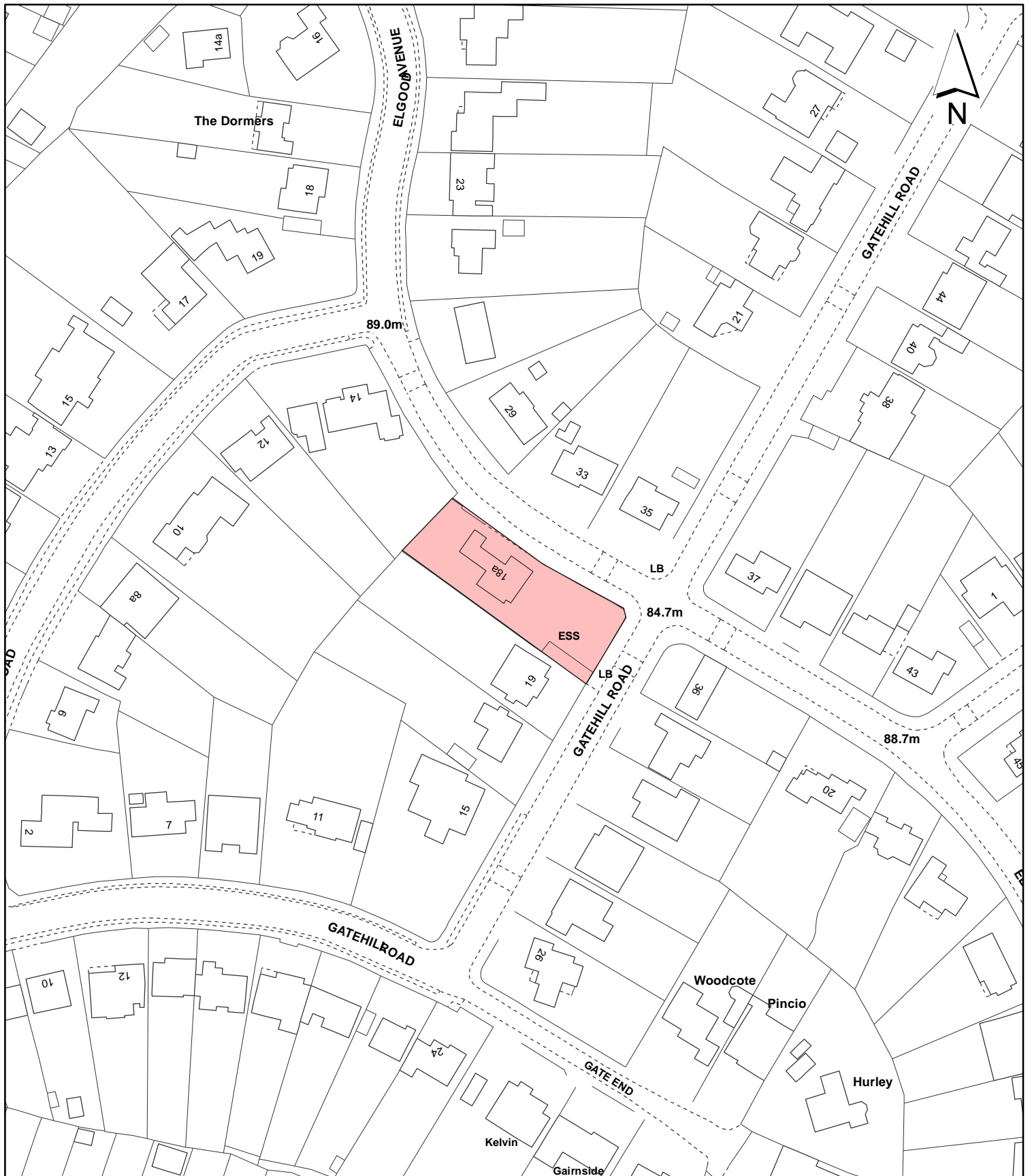
to neighbours.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,
Supplementary Planning Document, adopted December 2008

LPP 3.5 (2016) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

18a Elgood Avenue

Planning Application Ref:

47802/APP/2017/4059

Planning Committee:

North

Scale:

1:1,250

Date:

May 2018

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
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