

Report of the Head of Planning, Transportation and Regeneration

Address 4 WILLOW END NORTHWOOD

Development: Installation of timber staircase for access (Retrospective)

LBH Ref Nos: 70835/APP/2017/4023

Drawing Nos: Location Plan
VC/64/P-2/01
VC/64/P-2/02
VC/64/P-2/03
VC/64/P-2/05
VC/64/P-2/06
VC/64/P-2/04 Rev. A

Date Plans Received: 06/11/2017 **Date(s) of Amendment(s):**

Date Application Valid: 06/11/2017

DEFERRED ON 31st January 2018 FOR FURTHER INFORMATION ON

This application was deferred at the North Applications Committee Meeting on the 31st January.

The application was deferred to allow officers to negotiate with the applicant regarding the potential removal of the balustrades, changes to soft landscaping, the colour of the staircase, and the materials used in its construction.

Since the application was deferred, plan reference 'VC/64/P-2/04 Rev. A' was submitted providing details of the proposed floor plan including some landscaping details. This shows that the land adjacent to the existing staircase is to be landscaped and that four conifer trees are to be planted in order to screen the staircase. No detail was included to indicate that the balustrades were to be removed and the applicant confirmed, by email, that these were to be retained for safety reasons. Two photographs were also submitted of a tin of 'Hampshire Oak Anti-Slip Decking Stain' which appears to be a dark brown colour. It is, however, noted that no plan or statement was submitted to confirm that this staining was to be used for the existing staircase.

The following details were requested but were not submitted by the applicant:

- A statement detailing the staining of the stairs to include the specific colour to be used manufacturer and product details;
- A written specification of planting and cultivation works to be undertaken;
- A schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate; and
- A schedule for implementation.

If this application was to be approved, it is recommended that it is subject to conditions requiring further information regarding the planting and cultivation works, the schedule of plants and the schedule of implementation.

A site visit was conducted on the 13th July 2018. This confirmed that some form of landscaping works had been undertaken and that the staircase had been stained to a dark brown colour. However, the layout and type of landscaping did not match that which is shown on plan reference 'VC/64/P-2/04 Rev. A'. The plan shows that four conifer trees were proposed and only three were observed on site. From the site visit, it is evident that these trees are lined up immediately next to the staircase, whereas the revised plan indicates that these were to be positioned further away and more spread out. Turf has been laid next to the staircase as part of the landscaping works. As shown by the photographs, these do not appear to have bedded down and have not been sufficiently maintained, likely owing to the recent extreme weather conditions. Nonetheless, the works that have been undertaken do assist the determination of the application.

From the street scene, the staircase can still be seen but the mitigatory measures do serve to reduce any impact on visual amenity. It is considered that the staircase does not significantly harm the character and appearance of the subject property or the wider Area of Special Local Character. The proposal thereby accords with the requirements of Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Further, it is not considered that the staircase significantly harms the residential amenities of adjoining property occupiers by increased overshadowing, loss of sunlight, visual intrusion or over-dominance. Hence, the proposal complies with the requirements of Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Extensions.

This application is reported back to committee so a decision can be made.

RECOMMENDATION

This application is recommended for approval.

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a large detached two storey property situated on the North Western side of Willow End, a cul de sac, and occupies a corner position at the end, with the turning circle to the front. It has an integral garage projecting forward, which has a cat slide roof with dormer above, set at right angles to the main body of the building. To the rear there is similar feature facing the garden. The property also benefits from a single storey side extension. It has a suitably sized landscaped garden to the front and a large rear garden. It is set on a hillside, slightly higher than the road to the front, with the land to the North at a higher level.

The street scene is residential in character and appearance comprising similar detached properties.

The application site lies within the Gatehill Farm Estate Area of Special Local Character and the Green Belt as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). This site is covered by Tree Preservation Order (TPO) 433a

1.2 Proposed Scheme

This application seeks permission for the erection of an external timber staircase to the front of the side extension, leading to a gateway and giving access onto the pathway to the side of the property.

1.3 Relevant Planning History

70835/APP/2015/1528 4 Willow End Northwood
Single storey side extension

Decision Date: 22-06-2015 **Approved** **Appeal:**

70835/APP/2016/2265 4 Willow End Northwood
Single storey side extension

Decision Date: 15-08-2016 **Approved** **Appeal:**

Comment on Planning History

70835/APP/2016/2265 - Single storey side extension (approved)

70835/APP/2015/1528 - Single storey side extension (approved)

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 14th December 2017

3. Comments on Public Consultations

7 neighbouring properties were consulted for a period of 21 days expiring on the 5 December 2017 and a site notice was also erected on the gates at the entrance of the private road.

Three responses were received from nearby residents, raising the following issues:

- This will compromise the security of the houses in Willow End, if the gate is left unlocked for any reason, as it almost certainly will. Without the gate the cul de sac is more secure.
- Staircase is unsightly and out of keeping with Willow End and the whole Gateshill Estate.

A petition against the proposal has also been submitted by the Gateshill Residents Association with 28 signatures.

Northwood Residents Association - No response.

Northwood Hills Residents Association - No response.

Gatehill Residents Association - Willow End is a cul de sac of 9 detached houses built in the early 90's. All are of similar design and have been built with the same materials. The applicant has added a large timber staircase and landing to the front of his house. It protrudes in front of the house by 0.8 m. The spindles rise to almost the height of the eaves of the single storey it sits in front of. It sits across the frontage and covers 2.3 m. In addition, there is a large landing or platform area set above head height. This is contrary to policy. There are staircases made of timber, nor any other materials built in the frontage of properties in Willow End or the wider Gatehill Estate. External staircases are not a standard

feature of properties so this proposal cannot be considered in any way to harmonise with the building or the street scene.

The landing area could be used as an external seating area. Decking is required to be a maximum of 0.3 m above ground level so this large platform of 1.7 m by 0.8 m at a height of 1.7 m above ground level does not comply with policy.

This large erection is a visual intrusion on the street scene, which neither complements nor improves the amenity of the area. It is an absolute eyesore and the bright colours stand out rather than blend in with the rest of the houses. It dominates the street scene especially as the houses at the top of the cul de sac are higher than the surrounding area.

The owner advises he will use the staircase to access his back garden via the public footpath. He chose to extend his house right up to the boundary thus making a conscious decision to deprive himself of access to his back garden. His self imposed lack of access should not be used as an excuse for ignoring Council Policies when so much harm will be imposed on other residents.

Officer response: There is no specific policy requirement governing the height of a raised platform. Within the context of the Town and Country Planning (General Permitted Development) Order 2015 a "raised platform" is defined as a platform with a height greater than 0.3 m. Any platform exceeding this would require planning permission, having regard to adopted policy. All other issues raised are addressed within the report.

Trees/Landscaping - This site is covered by TPO 433a. This is a retrospective application involving the installation of an external timber staircase from the front garden leading via a gate into the woodland. It is not known what vegetation has been removed but no protected trees have been affected. The front garden close to the staircase has been damaged by the construction work and needs to be restored/replanted. No objection subject to a landscaping condition.

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.HE1 (2012) Heritage

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.

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LPP 3.5	(2016) Quality and design of housing developments
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and provision of acceptable residential amenity for the application property.

The National Planning Policy Framework states that the essential characteristics of Green Belts are their openness and their permanence and their fundamental aim is to "prevent urban sprawl by keeping land permanently open". Paragraph 90, the NPPF indicates that certain other forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE5, BE6, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area."

The relevant section of Policy BE6 states that;

Within the Areas of Special Local Character at Gate Hill Farm and Copsewood Estates, fencing should be unobtrusive and in materials appropriate to the character and appearance of the Estate.

The proposed staircase is situated immediately adjacent to the recently constructed side extension and in relation to the scale of the original dwelling is relatively minor. As such it is not considered that it would fundamentally reduce the openness of the Green Belt in this location.

The staircase extends to the height of the existing bank at the side of the property and is of wooden construction. It measures 1 m in width, a total of 2.55 m in depth including 5 steps leading up to a platform of 0.8 m in depth. This platform then widens to 1.7 m in width, which allows space for a person to stand to one side and open the gateway inwards. The staircase is then enclosed on either side by wooden railings of 1 m in height. In terms of visual appearance this is a new construction which stands out against the unplanted bank. It is set against the backdrop of a replacement fence and new gateway situated along the side

boundary of the property at a height of 1.85 m. This element of the proposal is visually more intrusive when viewed from Willow Close, as it is higher. However as this is permitted development it is outside the control of this planning application.

Concerns have been raised about the visual impact of the proposal with the GRA commenting that staircases are not a characteristic of the area, however Northwood is set on a hillside and quite a number of properties are set at differing levels. Although wooden steps are not generally seen at the front of properties, there are many examples of stone or brick steps. Wooden steps are also seen often to the side or rear of properties. The main visual impact is due to the bright colour of the new timber, which could be addressed with a dark brown staining to match the stained wooden features of the main dwelling. It is also noted that the Landscape Officer has advised that the bank should be replanted, which would also help mitigate any impact on the visual amenity of the street scene. These details could be conditioned to be submitted if all other aspects of the proposal were acceptable. Therefore, on balance, it is considered that the proposal would not significantly harm the character and appearance of the subject property or the wider Area of Special Local Character. Therefore the proposal accords with the requirements of Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy BE24 states that the proposal should protect the privacy of the occupiers and their neighbours and policy BE20 states that buildings should be laid out to allow adequate daylight to penetrate and amenities of existing houses safeguarded. Given the position away from the neighbouring properties, it is not considered that the proposed staircase would significantly harm the residential amenities of the occupiers of the adjoining properties from increased overshadowing, loss of sunlight, visual intrusion or over-dominance. It is noted concern was raised over the potential for the raised deck to be used for sitting out on, however given the scale of that area and the minimum distance of in excess of 23 m to the nearest property opposite, it is not considered this would result in any additional loss of privacy to that already existing from the road. Therefore the proposal complies with the requirements of Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Extensions.

The proposal would not compromise the provision of private amenity space or parking requirements.

Concern has also been raised over the potential for a compromise of security to the properties in the area as a result of the proposal. The actual gate providing access to the cul de sac from the footpath is permitted development. Although the staircase under consideration does lead to the gateway, even if this proposal was refused and the staircase removed, steps set into a restored bank would not require consent and could be provided. As such it would be unreasonable to refuse permission on this basis.

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.

6. RECOMMENDATION

APPROVAL subject to the following:

1 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, numbers VC/64/P-2/04; VC/64/P-2/05 and VC/64/P-2/06.

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 (2016).

2 RES7 Materials (Submission)

Within 3 months of the date of approval for this proposal details of a stained finish for the staircase shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

3 RES9 Landscaping (car parking & refuse/cycle storage)

Within 3 months of the date of approval for this proposal details of a landscape scheme shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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.HE1	(2012) Heritage

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
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LPP 3.5	(2016) Quality and design of housing developments
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

- 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.

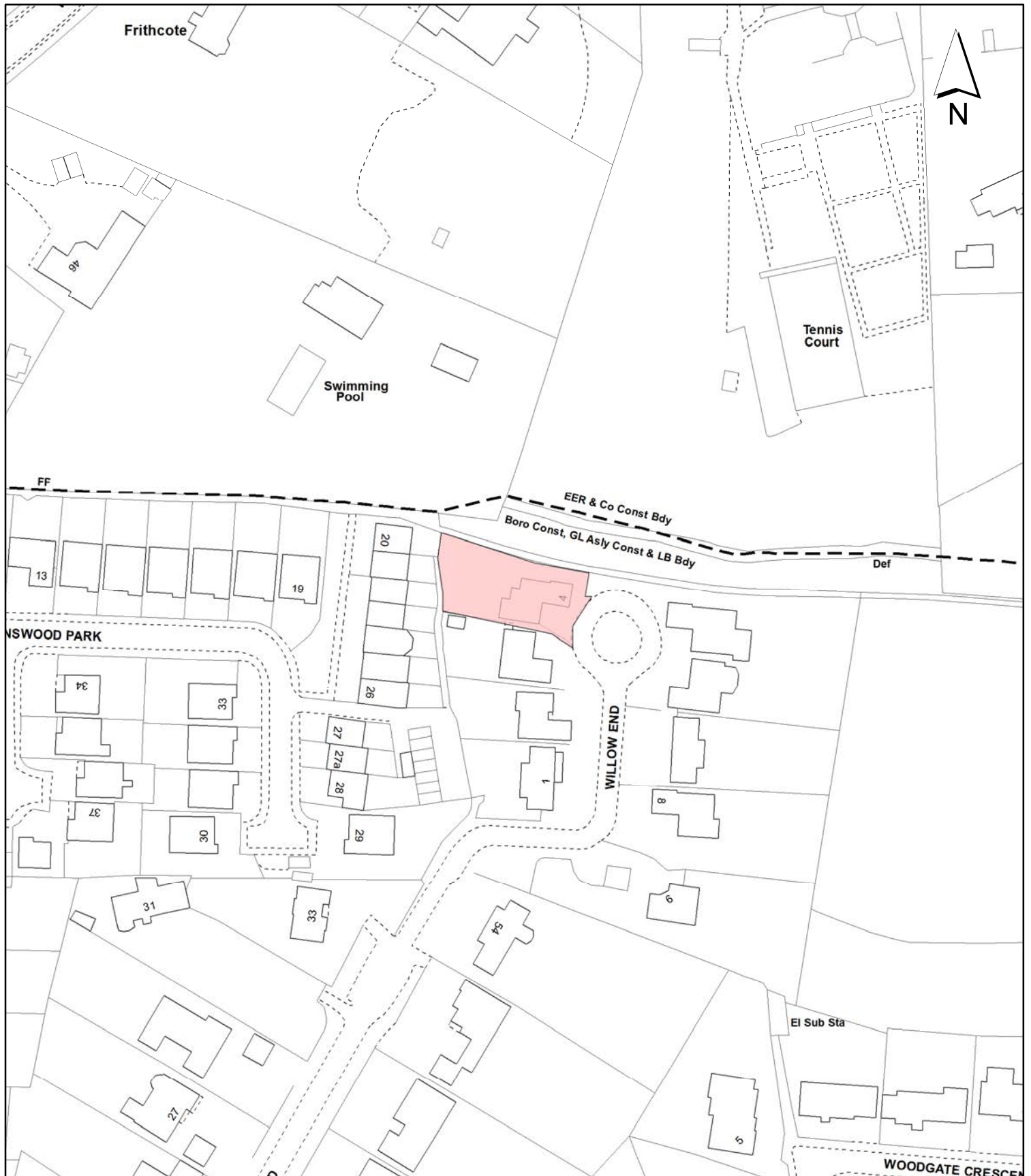
D) No bonfires that create dark smoke or nuisance to local residents.

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: Michael Briginshaw

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**4 Willow End
 Northwood**

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

Planning Application Ref:
70835/APP/2017/4023

Scale:
1:1,250

Planning Committee:
North

Date:
July 2018

