

RAISINS HILL AREA OF SPECIAL LOCAL CHARACTER- PETITION REQUESTING AN ARTICLE 4 DIRECTION

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Cabinet Member for Planning, Transportation and Recycling
Officer Contact(s)	Ian Thynne, Mark Butler, James Rodger, Emma Lauze Residents Services Directorate
Papers with report	N/A

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that the Council has received a petition from residents who live within the Raisins Hill Area of Special Local Character.
Contribution to our plans and strategies	This report supports the Council's objectives of: Our People; Our Built Environment; Our Natural Environment and Our Heritage by considering these in the context of the petition.
Financial Cost	The cost of preparing an Article 4 Direction can be met from existing planning service revenue budgets.
Relevant Policy Overview Committee	Residents', Education and Environmental Services
Ward(s) affected	Northwood Hills

2. RECOMMENDATIONS

Meeting with the Petitioners, the Cabinet Member:

1. Listens to the concerns outlined and reasons put forward by residents for an Article 4 Direction.
2. Notes that Council's Conservation Officers have considered in detail what makes Raisins Hill an Area of Special Local Character, as explained in the body of this report.
3. Notes that the Council needs to consider very carefully whether there are any circumstances particularly relevant to Raisins Hill Area of Special Local Character which justify withdrawing permitted development rights for roof conversions and agreeing an Article 4 Direction.
4. Considers the wider implications of imposing an Article 4 Direction on Raisins Hill Area of Special Local Character.

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5. Subject to the outcome of the above, decides if the request for an Article 4 Direction should be agreed and if so added to the Council's Cabinet Forward Plan.

Reasons for recommendations

The petition hearing will provide a valuable opportunity to hear directly from the petitioners of their concerns and suggestions.

Alternative options considered / risk management

None at this stage.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A petition with 100 signatures has been received by the Council from residents:

"requesting an Article 4 Direction to limit roof extensions and/or roof alterations within the ASCL of Raisins Hill."

The petition is described as being in response to a number of loft extensions that have been carried out under permitted development rights, which are considered to have resulted in harm to the ASCL (Area of Special Local Character). The petition has been signed by over half of the property owners in the Area of Special Local Character.

2. In 2012 the Cabinet Member received requests for an Article 4 Direction to control HMO's (Houses in Multiple Occupation) from residents around Brunel University. This was subsequently agreed via Cabinet and Full Council in light of the particular issues faced by residents in Brunel and Uxbridge South Ward's. There is therefore a precedent for the Council creating an Article 4 direction to respond to a major issue of concern to residents.
3. Permitted development rights are rights to make certain changes to a building without the need to apply for planning permission. These derive from a general planning permission granted by Parliament, rather than from permission granted by the local planning authority. These rights have been regularly reviewed by Parliament since they were first created in 1947. They exist to enable a balance between freedom for property owners to extend their properties and the need to control certain forms of development for the greater good. In some circumstances local planning authorities can suspend permitted development rights in their area, under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Local planning authorities have powers under Article 4 of the 2015 Order to remove permitted development rights. While Article 4 directions are confirmed by local planning authorities, the Secretary of State must be notified, and has wide powers to modify or cancel most Article 4 directions at any point. Paragraph 53 of the NPPF states that:

The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the well-being of the area (this

could include the use of Article 4 directions to require planning permission for the demolition of local facilities).

Successive Governments have maintained a process whereby consent for Article 4 Directions has to be agreed by the Secretary of State, this is put simply because Article 4 directions are a power which Councils are supposed to use rarely and where there is robust justification. If the Cabinet Member agrees with the petitioners', it is suggested that the matter is then placed on the Council's Cabinet forward plan. There would be a requirement to fully advertise the Article 4 direction for 12 months and seek both Full Council and Secretary of State's authorisation. During the 12 month consultation period existing permitted development rights would continue to exist.

4. Raisins Hill ASLC is located in the north east of the Borough. It is bounded by Caitlins Lane to the west, Chamberlain Way to the north and Cuckoo Hill to the east and the Caitlins Lane open space to the south. In the centre of the ASLC is Raisins Hill, a horse shoe shaped road linking at either end to Chamberlain Way. The general topography of the area slopes up from south to north with Raisins Hill rising up in the centre from Chamberlain Way. In 1946 a proposal was made to build seventy-seven houses by Comben and Wakeling Ltd, a building company from Wembley. The estate had already been built by the time of the 1959 Ordnance Survey map (1:2500). Also included in the ASLC are the building group on Cuckoo Hill that centres around Eastcote Point. These pre-date the planned estate and are included for their architectural quality and the more general historical development of the area. Eastcote Point along with The Thatched Cottage and Little Mead are locally listed.
5. The planned estate largely preserves its original character and layout. There is a uniformity to the building styles, materials and architectural detailing which encompasses the variety of housing types, detached, semi-detached and maisonettes. The "horseshoe" nature of Raisins Hill ensures that there is no through traffic and the road preserves a quiet tranquil character. The rising ground of first, Caitlins Lane and Cuckoo Hill and then Raisins Hill in the centre, with its curving road, produces interesting views, both short and long, within the area. Cuckoo Hill is an historic road while Caitlins Lane is an extension of an historic lane where it becomes part of the ASLC. Combined with the open spaces and green front gardens, the winding roads contribute to the leafy rustic character of the area.

To the south are the conservation areas of Eastcote Village and the adjoining Eastcote Park Estate. Along Caitlins Lane and Raisins Hill the houses are semi-detached with a mixture of brick and tile hung elevations and smaller areas of render (on Caitlins Lane) under tiled hipped roofs. At the curved top end of Raisins Hill the houses are detached with pyramid hipped roofs over brick and tile elevations. The cumulative effect of the rising ground and the pyramid hipped roofs, stepping up the hillside, is a key feature of the ASLC. The houses along Chamberlain Way are maisonettes with projecting gables at either end, with an alternate palette of yellow and red brick and central first floor rendered sections. The repetition of the building forms and materials creates a rhythmic effect all along the road. The houses at Eastcote Point are not part of the planned estate and are individually styled, dating from the 1890s to the 1950s. The area is green and leafy leading to its characterisation above as a "Garden Suburb". It has two areas of open space, Raisins Hill on Cuckoo Lane and Caitlins Lane open space to the south. Raisins Hill open space has a triangular extension linking it to the road, Raisins Hill while the Caitlins Lane open space has many mature trees. These form an important part of the character of the estate, in effect working as an "edge" to the estate. The front boundaries are often hedged and many of the houses retain their front gardens with lawns, although some have been lost to hard surfacing. There are street trees, particularly on Chamberlains Way. The combined effect of these different aspects of the area is a green and verdant setting for the planned estate whose road layout and

gentle topography combine with the planting to create an attractive street scene. The spacing between the houses, landscaping and views all contribute to the special character of the area.

6. Raisins Hill is one of fifteen Areas of Special Local Character (ASLC) in the Borough of Hillingdon. There are also 31 Conservation Areas. Some of these were designated as part of the Unitary Development Plan and others more recently as areas have been reviewed. These have been identified on the basis of their local architectural, townscape or historic significance. As all of these areas have their own unique characteristics, they cannot be generalised or combined into a single grouping.
7. The criteria for selecting Conservation Areas and ASLC's is set out in a document entitled "Proposed eligibility criteria for designation of Conservation Areas and Areas of Special Local Character" (Appendix 1). Each criteria of significance has a maximum of three points and a combined total of nine points. 0-2 is to de-designate or not to designate, 3-5 is to designate as an ASLC and 6-9 is to designate as a Conservation Area. Raisins Hill was designated as an ASLC on 19 December 2012. Following assessment under the above criteria, it scored a total of 4 points with the highest number of 2 points scored for townscape significance. In its recommendation the assessment states that Raisins Hill has:

A distinctive consistency of architectural style and materials and a carefully considered, spacious layout which is almost "Garden Suburb" in character.

In 2017, local residents requested that the ASLC be considered for upgrading to a Conservation Area, this was unsuccessful, the fact that the ASLC does not meet the scoring criteria for a Conservation Area is important, as such decisions are based on sound methodology applied uniformly across the Borough when assessing heritage designations.

8. In the initial assessment of the ASLC, the townscape significance scored two points. The area scored a point for the character and hierarchy of spaces and varied topography providing interesting vistas along streets and views between buildings. There was an additional point for the demonstrable landscape quality including trees, planting and other green features of quality. Together, these account for half of the points allotted to Raisins Hill in its assessment. Under architectural significance it scored one point for the coherence of architectural designs in the area and significant groupings of buildings. Under historical significance there is one point for the layout of property boundaries, roads and pathways. On balance the greatest significance of the area is therefore its townscape significance. This is defined as its green setting, varied topography, character and hierarchy of spaces and views. The architectural and historical significance are of lesser importance.
9. The planned estate is well preserved. There have been alterations to doors and windows and the hard surfacing of front gardens, but in general the street scene remains broadly as intended. The maisonettes along Chamberlains Way have undergone very little external alteration perhaps precisely because they are multiple-occupancy. On a site visit (July 2018) there appeared to be no rear loft conversions and no roof alterations at all. There are a number of side extensions on the estate but these are set back from the main façade and have matching materials. They replicate the original hipped roof form at a lower level and do not require alterations to the original roof form. There are examples at 88 and 94 Caitlins Lane and 4, 25 and 33 Raisins Hill. The original house form remains clearly legible and although they introduce an element of potential asymmetry, the impact on the ASLC as a whole is fairly neutral.
10. There have been several loft extensions constructed under permitted development regulations which have prompted the petition for an Article 4 Direction. The hipped roofs are a standard form

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for metroland semi-detached houses and are not of particular interest in them-selves and Raisins Hill does not have any particularly unusual examples. The issue with extending the loft of the semi-detached houses is that they require the alteration of the hipped roofs, building up the side elevation into either a gable or a small half hipped roof. There are 5 properties (No's 11, 36, 39, 60 & 70) with such roof alterations undertaken dating back to 2001 (re: Over a 17 year period). There is a case law which states that where the whole roof is re-tiled that this means the Council cannot dispute whether matching materials are used (re: It is within the permitted development rules to use different roof tiles if the whole roof is replaced). The result of this is that where the whole roof is replaced under permitted development it is possible to do this with a different tile from that used on neighbouring properties (No.60 Raisins Hill is an example of this). The effect of such material contrasts causes more visual harm than smaller scale loft conversions where matching materials are used.

11. It should be noted that loft conversions are widely recognised to be one the most cost efficient ways of expanding properties to cater for growing families. As such successive Government's have allowed a degree of flexibility within permitted development rights so as not to overtly restrict such building operations.
12. The significance of the area and, therefore, its special interest has been shown to lie more in its green setting, topography and hierarchy of spaces rather than the individual interest of the buildings or the area's history. Although some individual loft conversions are unattractive they do not directly affect a large part of the reason that the area was designated an ASLC. That is, the landscape setting, the topography or the hierarchy of spaces, these remain unaffected. There is also no impact on the historical significance of the property boundaries, roads and pathways which contribute to the character of the area. Where there is some impact from roof conversions is to the coherence of design and external appearance to buildings. However, this only constitutes one out of the four points allotted in the ASLC assessment.

Financial Implications

There would be no cost if the Cabinet Member does not agree an Article 4 Direction. The cost of preparing a single Article 4 Direction can be met from existing planning service revenue budgets.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member an opportunity to discuss in detail with petitioners their concerns.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report, noting that the costs of preparing a single Article 4 direction could potentially be managed within existing service budgets. The extension of this approach to other areas of the Borough would require additional investment not included in the latest iteration of the Council's Medium Term Financing Forecast.

Legal

In considering any informal consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account.

Corporate Property and Construction

There are no corporate property and construction implications arising from the recommendations in this report.

Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

Petition received.