

Report of the Head of Planning, Transportation and Regeneration

Address 11 WOODGATE CRESCENT NORTHWOOD MIDDLESEX

Development: New retaining walls to rear and sides and levelling of garden, involving demolition of existing retaining walls (retrospective)

LBH Ref Nos: 61044/APP/2018/1825

Drawing Nos: Design and Access Statements
1106/1/01
1106/1/6
BRP-11WC-05
1106/1/5
1106/1/4
1106/1/03
1106/1/02

Date Plans Received: 16/05/2018 **Date(s) of Amendment(s):**

Date Application Valid: 29/05/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey detached dwellinghouse located on the northern side of Woodgate Crescent. The site is located within the Gatehill Farm Estate Area of Special Local Character (ASLC).

The property has a main hipped roof and front catslide roof with two front dormers. The property has stepped front and rear elevations. There is a recessed garage (with pitch roof to front and parapet wall to rear) and attached single storey projection to the western side of the property. To the rear of the garage is a single storey rear conservatory extension. The lie of the site is such that the ground slopes steeply downwards in both north (rear) to south (front) and east to west directions.

To the north (rear) of the site are the playing fields associated with St Johns School and the Green Belt. A dense screen of trees is sited on the rear boundary. The property has a hardsurfaced front garden with parking for 3 cars and a substantially wide rear garden.

The streetscene is residential in character and appearance mainly comprising of large and wide-fronted detached dwellings set within substantially sized plots. Whilst the facade detail and finish do vary within the streetscene, the dwellings are largely similar in their scale and form, with main hipped roofs and front gable projections.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

This report was withdrawn from the 12th September North Planning Committee meeting by the Head of Planning, Transportation and Regeneration before the meeting. The report has

been re-written following further discussions with the Council's Tree and Landscape Officer and Flood and Water Management Officer.

1.2 Proposed Scheme

This application seeks retrospective planning permission for new 2m high retaining walls to the rear and sides of the back garden and excavation of the garden to create a sunken/level patio area. The scale of the engineering operation was such that officers considered planning permission was required. The existing retaining wall is 1m in height and close to the back of the house. The rear garden slopes upwards to a rear boundary fence. The proposal excavates a large part of the rear garden and involves a new 2m retaining wall.

1.3 Relevant Planning History

61044/APP/2015/1545 11 Woodgate Crescent Northwood Middlesex

Part two storey, part single storey rear extension, first floor side extension incorporating front dormer, single storey infill extension to front, extension to porch and new pitch roof to front and new pitch roof over garage

Decision Date: 01-07-2015 Approved **Appeal:**

61044/PRC/2014/36 11 Woodgate Crescent Northwood Middlesex

Part single, part two storey rear extension, first floor extension above existing garage, entrance porch and dormer windows

Decision Date: 13-11-2014 OBJ **Appeal:**

Comment on Planning History

61044/APP/2015/1545 - Part two storey, part single storey rear extension, first floor side extension incorporating front dormer, single storey infill extension to front, extension to porch and new pitch roof to front and new pitch roof over garage
Approved on 1/7/2015

61044/PRC/2014/36 - Part single, part two storey rear extension, first floor extension above existing garage, entrance porch and dormer windows
Objection on 13/11/14

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

18 neighbouring properties were consulted by letter on 6/6/18. A site notice was displayed in the area. By the close of the consultation period on 18/7/18, there is a petition on this application and 10 objections were received which are summarised as follows:

EXTERNAL CONSULTEES

- 1.Excavation has damaged the large trees along their root which would have retained water.
- 2.Construction would increase the chance of flood risk and would affect trees

- 3.The outcome looks ugly
- 4.Noise, construction, drainage and materials of the proposal

INTERNAL CONSULTEES:

TREE/LANDSCAPE OFFICER:

This site is occupied by a detached two-storey house on the north side of Woodgate Crescent.

The rear garden is wide but relatively shallow in depth, sloping up to the north. The original house and garden featured changes of levels, including terracing and steps required to create accessible areas.

While there are no TPO's or Conservation Areas affecting the site, it lies within the Gatehill Farm Estate Area of Special Local Character, typically composed of detached houses set within well landscaped spacious plots.

The area is also associated with good tree cover, including a young woodland immediately north of the site which is Green Belt land, part of St John's School.

The house has recently undergone extensive alterations and extensions following the approval of application ref. 2015/1545. (According to Ocella, no landscape comments were sought and no landscape conditions were imposed).

The current application is retrospective as significant engineering works have already taken place to modify the design and layout of the back garden. From the information available it is not known whether any collateral damage to trees has occurred, although the engineering drawing indicates that the piles / retaining wall have been set back from the boundary lines

The main change to the site is the level access from the rear of the house enabled by the installation of the new retaining walls around the boundaries. Much of the new rear garden comprises hard landscape detailing incorporating paving, decking and featuring a large hot tub. According to the D&A the proposal ' will take the opportunity and improve the soft landscaping by introducing new hedges and plants to the rear garden' - landscape details should be conditioned. The front of the house is currently screened by site hoarding, however, landscaping to the front of the house is also required to ensure that a reasonable proportion (at least 25% of the site area) is retained as soft landscape.

No objection subject to landscape conditions RES8, RES9 (parts 1,2,5 and 6) and RES10.

Officer comment: Officers have subsequently discussed the above comments with the Tree and Landscape Officer. In discussion it became clear that had a retaining wall of this scale been submitted without works have commenced the Tree and Landscape Officer would have insisted on an arboricultural report before an application was determined. With regard to the present situation he simply does not know whether trees have been damaged. If a retrospective drainage system is installed the officer has confirmed that this could cause additional damage to tree roots. The Tree and Landscape Officer has advised that there is not sufficient information at this stage to ascertain whether boundary trees will be retained in accordance with policy BE38. As such the only conclusion that can be reached is that the proposals are contrary to policy BE38 due to the lack of tree information.

FLOOD AND WATER MANAGEMENT OFFICER (summary of updated comments):

Concerns raised that the proposed piles are contiguous, which means they have been

sunk to a significant depth and would appear to be very close to the edge of the property across almost its entire width. In effect the piles could impact on local drainage flows, not least as this area has a number of ditches and springs. It is likely there could be groundwater flows which have been pushed externally towards other properties as a result of these works if appropriate drainage and mitigation has not put in place. Considering the sensitive nature of the area, that has experienced flooding in the past downstream of this location, it is important that water is also held on site through sustainable drainage methods and doesn't add to the already overwhelmed Thames Water Drainage system. A full investigation of the groundwater levels and details of the drainage scheme implemented to mitigate both surface and ground are required pre-determination.

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

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.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

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

LPP 3.5 (2016) Quality and design of housing developments

LPP 7.4 (2016) Local character

5. MAIN PLANNING ISSUES

The main considerations are the impact of the new retaining wall and engineering works on the character and appearance of the original building, the street scene and Gatehill Farm Estate, Northwood Area of Special Local Character and tree impacts.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new developments in an Area of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area.

Section 10 of the Hillingdon Design and Accessibility Statement (HDAS) - Residential Extensions states all front walls and enclosures should make a positive contribution to the street scene and must ensure adequate visibility for all vehicles entering and exiting the

property. To ensure harmonisation with the existing street scene, applicants should ensure the design, materials used and the height of any wall/enclosure must be in keeping with the character of the area. In addition, front gates over 1 metre in height will be refused because of the overbearing impact on the street scene. The erection of railings over 1 metre in height around front gardens will also be refused for this reason, as will the erection of railings onto boundary walls.

The proposed boundary wall would be erected across the length of the North side boundary and partly across the length of East and West side boundary, and would have a maximum height of 2.0 m. The boundary wall would reflect the height of the existing fence and would be finished in materials to match the host dwelling. The proposal is to make the garden much more suitable for the family /occupants by demolishing the existing retaining wall and to build a new one away from the house, closer to the perimeter fence leaving a minimum 1.2m gap. There is no objection in principle to these engineering works. The earth removed does not involve going below the internal floor level of the house and the rear patio is not disproportionate in scale to rear patios found elsewhere in the surrounding area.

It is considered that the use of the wall would match similar properties within the area and would appear in keeping. The levelling of garden is acceptable and it is considered that the proposal is congruent with the street scene and ASLC. Subsequently, it is considered that the proposal would not have a negative impact upon the visual amenity of the site, the Area of Special Local Character or surrounding area and therefore would comply with Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

TREES

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The site is bound along the rear boundary by a row of mature trees.

The retaining wall along the rear the site run along the line of trees. Little evidence has been provided to show whether the tree roots of these trees were adequately protected during the excavation process. To this end officers cannot say with certainty whether these trees will survive and as such an objection is raised in this regard. As such the proposals are contrary to policy BE38.

FLOODING/DRAINAGE

The site is located within Flood Zone 1 and is less than 1ha in size. As such, no Flood Risk Assessment is required. London Plan policies 5.12 and 5.13 require development proposals to use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding.

The proposed piles are contiguous, which means they have been sunk to a significant depth and would appear to be very close to the edge of the property across almost its entire width. In effect the piles could impact on local drainage flows, not least as this area has a number of ditches and springs. It is likely there could be groundwater flows which have been pushed externally towards other properties as a result of these works if appropriate drainage and mitigation has not put in place. Considering the sensitive nature of the area, that has experienced flooding in the past downstream of this location, it is important that water is also held on site through sustainable drainage methods and doesn't

add to the already overwhelmed Thames Water Drainage system.

Therefore an investigation of the groundwater levels and details of the drainage scheme implemented to mitigate both surface and ground water were sought from the applicant. However these details have not been forthcoming. Without this information Officers cannot be certain that the development would not result in flooding and drainage problems to neighbouring properties. An objection is raised in this regard.

The application is therefore recommended for refusal given concerns regarding lack of information concerning tree protection measures and concerns that the development will cause flooding and drainage problems to neighbouring properties.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NONSC Non Standard Condition

In the absence of detailed drainage report, the application has failed to address the issues relating to flood risk and has failed to demonstrate that this development incorporates sustainable drainage techniques to reduce the risk of flooding. The method of piling used is considered likely to have affected groundwater flows to the detriment of neighbours amenity.

The proposal is therefore contrary to Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 5.12 and 5.13 of The London Plan (2016), the National Planning Policy Framework (July 2018) and the Planning Practice Guidance (March 2014).

2 NONSC Non Standard Condition

In the absence of a Tree Survey and Arboricultural Implication Assessment to BS5837: 2012 standards, the application has failed to demonstrate that the development will safeguard existing trees on the site and ensure their long-term retention. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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 (2016). 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 Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 3** 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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

a), b) or c) to be added depending on the refusal circumstances:

a) We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

b) In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

c) In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable. However, the amendments required to make the application acceptable are substantial and would materially change the development proposal. They would require further consultation to be undertaken prior to determination which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider the submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

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:

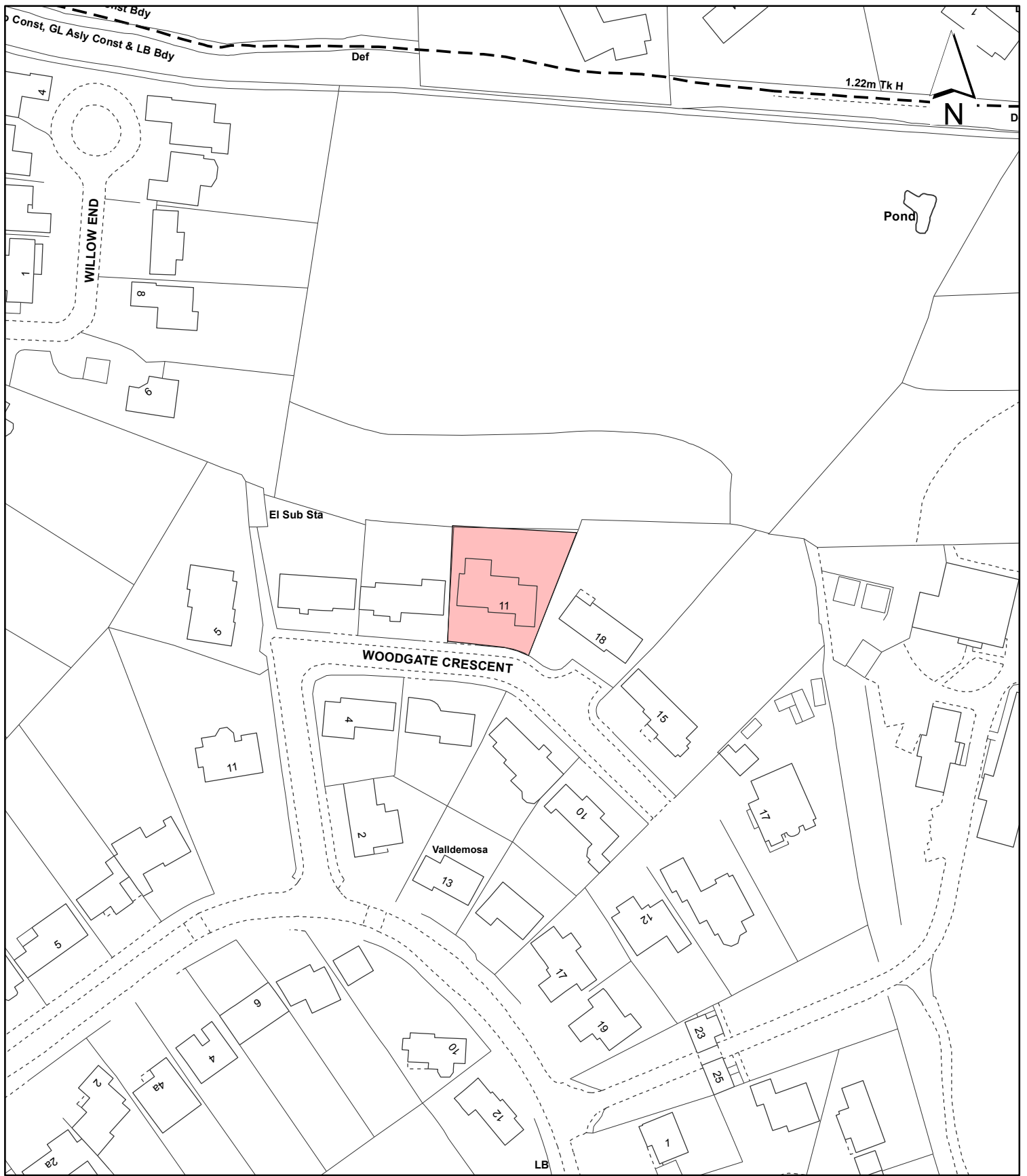
PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
BE5	New development within 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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character

Contact Officer: Hoda Sadri

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Notes:

 Site boundary

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Site Address:

**11 Woodgate Crescent
 Northwood**

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

Planning Application Ref:
61044/APP/2018/1825

Scale:
1:1,250

Planning Committee:
North

Date:
October 2018



HILLINGDON
 LONDON