

## Report of the Head of Planning, Transportation and Regeneration

**Address** 17 WOODGATE CRESCENT NORTHWOOD  
**Development:** Single storey extension to storage shed (Retrospective).  
**LBH Ref Nos:** 42270/APP/2019/703  
**Drawing Nos:** 20.01 Rev. 00.03  
10.01 Rev. 00.03  
Planning Statement  
Location Plan

**Date Plans Received:** 28/02/2019      **Date(s) of Amendment(s):** 17/10/2019  
**Date Application Valid:** 26/03/2019      26/03/2019

### 1. SUMMARY

The application seeks planning permission for the retention of a single storey extension to the existing storage building. This extension fails to harmonise with the architectural composition of the existing outbuilding and would be detrimental to the character, appearance and visual amenities of the Gatehill Farm Estate Northwood Area of Special Local Character. The existing extension is also considered to be detrimental to the amenities of the adjoining occupier at 15 Woodgate Crescent by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. As such, the application is recommended for refusal.

### 2. RECOMMENDATION

#### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The existing extension, by reason of its size, scale and bulk, fails to harmonise with the architectural composition of the existing outbuilding and would be detrimental to the character, appearance and visual amenities of the Gatehill Farm Estate Northwood Area of Special Local Character. As such, the existing development fails to accord with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policies DMHB 5, DMHB 6, DMHB 11 and DMHD 2 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

#### **2 NON2 Non Standard reason for refusal**

The existing extension, by reason of its size and siting, is detrimental to the amenities of the adjoining occupier at 15 Woodgate Crescent by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook, contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policies DMHD 2 and DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

### INFORMATIVES

**1 I52 Compulsory Informative (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 I53 Compulsory Informative (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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

EM6	(2012) Flood Risk Management
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
AM7	Consideration of traffic generated by proposed developments.
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk
DMHD 2	Outbuildings
DMHB 5	Areas of Special Local Character
DMHB 6	Gatehill Farm Estate and Copse Wood Estate Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
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 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies

### 3 171 LBH worked applicant in a positive & proactive (Refusing)

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. 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.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application property comprises a two storey detached dwelling in a substantial plot with a large paved driveway to the front and gardens areas to both sides and the rear. There are two large outbuildings which have been recently constructed following the demolition of three previously existing outbuildings. These were the subject of an application for a Certificate of Lawful Development for an existing development under reference 42270/APP/2019/702 which was refused on 20/5/2019.

The site is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the Gatehill Farm Estate Northwood Area of Special Local Character

### 3.2 Proposed Scheme

This application seeks permission for the retention of a single storey extension to the rear of the existing storage building. This existing extension to the storage shed infills an area, measuring 5.045 metres in depth, 2.475 metres width up to 3.2 metres in width, resulting in a shed structure which extends approximately 8.2 metres in depth.

### 3.3 Relevant Planning History

42270/88/2158 17 Woodgate Crescent Northwood

Erection of a single-storey rear extension

**Decision:** 25-11-1988 Approved

42270/APP/2019/702 17 Woodgate Crescent Northwood

Construction of two outbuildings for use as a gym/yoga studio and ancillary kitchen and storage facilities (Application for a Certificate of Lawful Development for an Existing Operation).

**Decision:** 20-05-2019 Refused

42270/TRE/2015/105 17 Woodgate Crescent Northwood

To fell two Oaks (T19 & T20) on TPO 229

**Decision:** 28-08-2015 Approved

## **Comment on Relevant Planning History**

42270/88/2158 - Erection of a single storey rear extension - approved 25/11/1988

42270/APP/2019/702 - Construction of two outbuildings for use as a gym/yoga studio and ancillary kitchen and storage facilities (Application for a Certificate of Lawful Development for an Existing Operation). Refused 20/5/2019

## **4. Planning Policies and Standards**

Local Plan Part 2 Update March 2019

The LPP2 remains at the examination stage with the aim to adopt the Plan in early autumn 2019.

The Council received a Post Hearing Advice Note from the Planning Inspector in November 2018 advising the Council that it was a Plan capable of being found sound subject to main modifications.

The Inspector (and our Cabinet Member) has now agreed the Proposed Main Modifications to the LPP2 and these are now subject to a six week period of public consultation from 27 March to 8 May 2019.

Weight to be afforded to the LPP2

The following updated wording should now be included in officer reports until the 8 May 2019 when a further update will be provided:

Draft Local Plan Part 2

The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and are published for public consultation from 27 March to 8 May 2019.

Regarding the weight which should be attributed to the emerging LPP2, paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

With regard to (a) above, the preparation of the LPP2 is now at a very advanced stage. The

public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

With regard to (b) above, those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

With regard to (c) it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 Saved UDP Policies 2012.

### **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:

EM6 (2012) Flood Risk Management

OE7 Development in areas likely to flooding - requirement for flood protection measures

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

AM7 Consideration of traffic generated by proposed developments.

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.

BE23 Requires the provision of adequate amenity space.

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

DMEI 10 Water Management, Efficiency and Quality

DMEI 9 Management of Flood Risk

DMHD 2	Outbuildings
DMHB 5	Areas of Special Local Character
DMHB 6	Gatehill Farm Estate and Copse Wood Estate Areas of Special Local Character
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
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LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **1st May 2019**

## 6. Consultations

### External Consultees

Neighbouring properties and the Gatehill Residents Associations were consulted by letter and a site notice was erected to the front of the site. This expired on 01/05/2019.

Two written objections were received together with an objection from the Gatehill Residents Association (dated 29th April 2019) and petition with 53 signatories. The issues raised are summarised as follows:

- The difference between the ground level at no.15 Woodgate Crescent and the top of the proposed extension is 5.34 metres and has an overbearing impact on neighbour amenity.
- The structure height of 3.27 metres is unnecessarily high for a garden shed and has an overdominating impact on the neighbour.
- The plans submitted are not accurate.
- There is rubble and concrete where there should be soft landscaping on the boundary between the properties.
- The proposed extension alongside the existing outbuilding gives an impression of one continuous wall measuring 16.71 metres in length. This results in three quarters of the neighbours garden being adjoined by a breeze block render wall.
- A bungalow building has also been built with a window facing the neighbours garden.
- All the tree branches on the row of conifers owned by the neighbour and a boundary hedge have been removed.
- The development is visually obtrusive and is at complete odds with the Area of Special Local Character.
- Sunlight is also blocked out by the building.
- A landscaping plan has not been submitted.
- There is no consideration for the impact of the building on surface water drainage. Due to no. 15 Woodgate Crescent lying several metres lower than the ground level of the building, it is likely that

surface and water courses within the clay soil will be moving into the neighbours garden.

- The materials used are in stark contrast to the main dwelling.

Case Officer Comment:

Only matters relating to the single storey extension to the storage shed are considered under this application. All material planning considerations are considered within the main body of the report. It is noted that boundary issues are not normally within the remit of planning although an amended location plan has been submitted which is now consistent with Land Registry plans.

Following the submission of revised plans, neighbouring properties and the Gatehill Residents Association were re-consulted by letter. This round of consultation expired on 01/11/2019. Two objections were received and are summarised as follows:

- The buildings constructed do not reflect that detailed on the plans with certain differences in scale and / or location.
- The plans submitted do not reflect the actual border between the properties.
- The extension measures 3.27 metres in height and over 5.3 metres in height when compared to the ground level of neighbouring property no. 15 Woodgate Crescent.
- The building is now at least double the size of the original building and shares utilities with the adjoining building.
- During the construction of this building, trees and hedges have been damaged and hedges have been removed entirely.
- There may be a risk of the building collapsing into neighbours garden due to dampness.
- The building was constructed without building control involvement.
- No. 15 Woodgate Crescent was built in 1924 (named Sunninghill) and no. 17 Woodgate Crescent was built in 1923 (named Highview). Sunninghill is mock Tudor in style whilst Highview is of Edwardian style and built entirely of red brick. The area is designated as an Area of Special Local Character and a flat roofed breeze block building with concrete render is not in keeping.
- The outlook and amenity of the neighbour is significantly compromised.
- A detailed site inspection should be carried out.

Case Officer Comment:

Two separate site visits were carried out during the application process and all material planning considerations are addressed within the main body of the report.

The Gatehill Residents Association also submitted the following objection (dated 31st October 2019):

Thank you for advising me of the amended plans for this retrospective application. The Gatehill Residents' Association still believes that this application should be refused.

These latest submitted plans do not accurately reflect the original outbuildings nor do the 'As - built' plans accurately reflect what the applicants have built. The 'As - built' plans are a mixture of some of what has been built and some of what the applicants claim previously existed.

I attach several pages of photographs and handouts to which I refer to in this letter.

Inaccurate Plans

1. We note that no architect has put their name to the submitted plans.
2. We note that the boundary marked on the plans has been moved further into the neighbour 15 Woodgate Crescent's garden on the 'as built' plans.
3. An example of this alteration to the boundary can be seen in drawing 10.01 rev 00.03 which

claims that the 'pre-existing' shed labelled as building A is 1.1m from the boundary yet the same demolished shed is now claimed to have been 1.6m from the boundary on drawing 20.01 rev 00.03. The previous set of plans for the same building, 10.01 rev 00.01 and 20.02 rev 00.01, claim that this shed is 1.1m from the boundary.

4. This alteration of the boundary implies that the conifer trees which were planted by the neighbour in her garden nearly 40 years ago are now being claimed to belong to the applicants along with part of the neighbour's lawn. This is not correct.

5. The neighbour's solicitor has already drawn to the attention of the previous case officer that land belonging to the neighbour has been redlined by the applicants, yet certificate A has been completed not certificate B as is required. No notices have been submitted to the neighbour as is required. Moving the boundary on the plans further into the neighbour's garden exacerbates this problem.

#### Pre-existing Buildings

6. We refer to drawing 10.01 rev 00.03.

7. The pre-existing plans are misleading as the 'pre-existing' sheds and greenhouse have been derelict or removed for many years now and their footprint and height have been misrepresented. This can be seen by looking at photos 1 and 2 on the attachment pages 1 and 2 which is a photo of an aerial photo taken in the 1980s.

8. Photo 1 has been blown up (2) so that block A can be seen in more detail. This can be compared with the submitted plans showing this block, (3) and (4). The length of block A on the plans is claimed to be 5 metres and the width of the garage doors on the plans is 3.75 metres. The photo shows the opposite relationship. The garage doors are actually much wider than the length of block A. The photo also shows that block A is much lower in height than the garage doors. We conclude that the true footprint and height of block A has been misrepresented in the applicants' plans.

9. It is hard to imagine this small shed being used to store garden tools and also being used to prepare and cook food.

10. It is also not possible to see the 'existing garden shed', a coal shed, on the photograph. The applicants purport it to be over 3 metres tall and 3 metres deep. The neighbour claims that the coal shed was actually around half that height and of less depth with a pitched roof, a mini garage shape.

11. The new 'pre-existing' plans state that block B is a 'workshop'. In other parts of the drawing the applicants claim that block B was a garden shed. The photograph (1) shows that block B was actually a greenhouse.

12. There is also confusion as to the usage of block C which varies between a hobby room, a stable or a garden shed. It was a derelict potting shed. There have been no horses living at this property for at least the last 40 years. See extract 5 on page 3.

13. The pre-existing buildings were made of brick, matching the house and the ornate pediments and gateposts. This is not indicated on the pre-existing plans but can be seen on photograph 1.

#### 'As-built' Plans

14. We refer to drawing 20.01 rev 00.03.

15. We note that the drawing number 20.01 rev 00.03, described as 'As-built' is a mixture of buildings which have been built and buildings which do not exist.

16. There is now no mention of the 2 other outbuildings which have been built at the same time as this 'shed extension'. There is a 55 SQM 'yoga studio' complete with shower and toilet facilities, and a 43 SQM kitchen whose walls are 0.4m from the 52 SQM garden shed and garage. We understand that photos of these buildings have been taken by officers however more can be provided from the neighbours' garden if required.

17. We understand that there are technical reasons why they are not shown on the 'As-built' plans (their permitted development application was refused in May and the applicants have chosen not to submit a full planning application despite the Council's enforcement team being involved for over a year.) However, they are clearly visible from the neighbour's garden and contribute to the breeze block and render wall which is almost 17 m in length down the boundary. It seems odd that they are not marked on the 'As-built' plans whilst the long-gone sheds are detailed.

18. Photo 6 on page 4 shows that the 'shed' and the 'kitchen' have connected services. Previously



submitted photos show that the sewerage pipes from the yoga studio enter the kitchen. All three buildings are connected.

19. The 'As- built' plans incorrectly show that the original coal shed was over 3 metres high. As previously mentioned, it was only approximately half of this height. The plans are misleading. See diagram 7 on Page 4.

20. The 'As- built' plans misrepresent the height of the extension. The neighbour submitted a copy of a survey produced by an independent boundary surveyor to the previous case officer from which the exact height of the building can be calculated.

21. The height of the building can be calculated as 3.27m. This measurement is taken from the top of the roof to the top of the newly laid rubble and concrete path adjacent to the building. This rubble and concrete path is over 0.4m high and should be added to calculate the true height of the new wall hidden behind the rubble.

22. This rubble path which raises the levels is not shown on the plans. The rubble piled up against the tree trunks is causing damage to the neighbour's trees, photos of this have already been submitted.

23. As the weather has deteriorated, the path is slowly washing away spreading further into the neighbour's garden.

24. The new step to the door at the front of the building is still not marked on the plans, photo already submitted.

25. The relative levels between the neighbour's ground floor and the top of the new shed is 5.34m, calculated by the boundary surveyor, survey submitted to the council.

26. This means that the extraordinary high storage shed is equivalent to a first-floor building.

27. None of the changes in levels are shown on the applicants' plans.

28. The new materials used in this development are block and render and do not match the materials of the applicants' property or the previous outbuildings. The waterproofing membrane is visible and still flaps around all these months later. These are cheaper building materials and the policy DMHD 2: Outbuildings i) also requires residential outbuildings to be constructed to a high standard of design.

#### Omissions

29. We note from the application form that surface water is being directed into the drains and we note that no consideration has been given to dealing with the sustainable drainage aspect of this project as is required by policy. The increase in non-permeable buildings and loss and damage to the neighbour's trees and shrubs along with the changes in levels all over the site are likely to result in water flowing into the neighbour's garden due to it being lower lying.

30. We note that no Building Regulation Application has been sought or approved.

31. No tree survey to BS5837 has been submitted despite the building work taking place on the root protection area of many mature conifers. Photo 8 on page 5 was taken in 2006 and the satellite photo showing the extensive green canopy along the boundary is photo 9 on page 6.

#### Loss of Amenity

32. Prior to the commencement of building work, the neighbour could not clearly see the derelict sheds from her property as there was a tall boundary hedge which ran from the front garden along the rear garden. Her conifers ran adjacent to the hedge along with various shrubs. Photo 10 on page 7 shows the hedge, conifers and shrubs.

33. The dense green nature of the boundary can be seen from the satellite photo, 9 on page 6.

34. The applicants have removed the boundary hedge, several shrubs, branches from the neighbour's conifers and trees creating a rather desolate and completely contrasting outlook for the neighbour, as shown by photos 11 and 12 on page 8.

35. The damage to the neighbour's trees, a civil matter, is also a planning matter as policy DMHD 2 ii) requires applicants to have regard to existing trees. Policy DMHB 14: Trees and Landscaping requires all developments to retain or enhance existing landscaping and trees and provide an accurate tree survey. None of this has happened.

36. We believe that this vast network of buildings and extensive removal and damage to the

neighbour's trees and shrubs harms the amenity of the neighbour and is contrary to DMHD 2 Outbuildings i).

#### Use of Buildings

37. We are concerned that the combined footprint of the garage and shed with its huge high extension is creating a building which could become habitable. The applicants do not use the garage for parking their cars and we are concerned what this enlarged area will actually be used for.

38. The true planning application should be seeking to enlarge, extend, raise the roof, change the materials, change the use and change the levels of adjacent land.

For the reasons listed above, we do not believe that these plans are a true representation of what has been built or what was there and there are several omissions. The applicants started the building work in August 2018 and it was reported to the Council's Enforcement Team in October 2018. The applicants missed 3 deadlines set by the Council to submit retrospective plans and finally submitted plans in March. These have been proved to be erroneous and 7 months later the current set of inaccurate plans have been submitted.

We urge you to refuse this application and commence enforcement proceedings to require this building to be demolished. The 2 other new outbuildings along with their sewerage pipes and other underground works should also be removed.

#### Internal Consultees

Trees and Landscaping Officer:

This site is occupied by a large 1920's house, situated in a spacious plot at the end of Woodgate Crescent, a residential cul-de-sac. The site lies within the Gatehill Estate Area of Special Local Character and within the area covered by TPO 229. Three cypress trees along the northern boundary, in front of the garage, are protected trees, T8, T9 and T10 on the schedule.

#### COMMENT

This is a retrospective application. The front elevation of the garage incorporates the front elevation of a single storey shed on the north side, beyond which is a hedge of cypress trees on the neighbouring land of house number 15. These trees have been retained and continue to provide some screening of the garage building when viewed from the neighbouring house. The single-storey extension to the shed extends to just beyond the rear elevation of the garage and is accessible via a side door behind the garage. While the extension to the shed creates a longer blank wall along the north boundary, this is part-screened by the retained conifer hedge.

RECOMMENDATION No objection and no need for landscape conditions.

#### **7. MAIN PLANNING ISSUES**

##### **7.01 The principle of the development**

The principle of an extension to a storage shed is acceptable but is subject to other material planning considerations.

##### **7.02 Density of the proposed development**

Not relevant to the consideration of this application.

##### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Please see the 'Impact on the character & appearance of the area' section of the report.

##### **7.04 Airport safeguarding**

Not relevant to the consideration of this application.

##### **7.05 Impact on the green belt**

Not relevant to the consideration of this application.

##### **7.07 Impact on the character & appearance of the area**

Policy BE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that within Areas of Special Local Character new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.

Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain or enhance.

Policy BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

Policy BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy DMHB 5 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) states:

A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.

B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.

Policy DMHB 6 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) relates to new houses within Gatehill Farm Estate and Copse Wood Estate Areas of Special Local Character but highlights the need to respect building lines, reflect the materials and traditional roof design of the area, utilise unobtrusive boundary treatment and preserve boundary planting.

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design. Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 2 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) states that the Council will require residential outbuildings to meet the following criteria: i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers; ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees; iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

The existing extension to the storage shed infills an area, measuring 5.045 metres in depth, 2.475 to 3.2 metres in width and 3 metres in height. This results in a shed structure which

appears in excess of 4 metres in height due to ground level changes and measures approximately 8.2 metres in depth. This visually amalgamates with the ancillary kitchen and storage room structure to extend approximately 13.5 metres in depth. Notably, this development is located on the boundary with no.15 Woodgate Crescent and would extend further than the established building line by a significant distance. The existing development is not considered to reflect the character of the Gatehill Farm Estate Northwood Area of Special Local Character, fails to incorporate principles of good design and fails to complement or improve the amenity of the area.

Given the above, the extension is considered to contrary to Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policies DMHB 5, DMHB 6, DMHB 11 and DMHD 2 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

#### **7.08 Impact on neighbours**

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded.

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) states that development proposals should not adversely impact on the daylight and sunlight of adjacent properties and open space.

Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the design of new buildings should protect the privacy of the occupiers and their neighbours. This is supported by Policy DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

The nearest neighbouring property to the existing development is located at no.15 Woodgate Crescent and is set forward of the garage and storage building at the subject site. The extension to this storage building extends beyond the rear wall of this neighbouring property by approximately 8.2 metres. The structure is located approximately 8 metres from no.15 Woodgate Crescent but is not set in from the boundary and measures in excess of 4 metres in height when compared to the ground level of this neighbouring property. This is considered to create an oppressive environment. Although the existing development does not impact on the privacy of no.15 Woodgate Crescent, it is considered to create an overdominant structure to the detriment of residential amenity. As such, the existing development is considered to represent an un-neighbourly form of development, contrary to Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. This is supported by Policy DMHB 18 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

The existing development does not impact on the provision of amenity space and is not contrary to Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy DMHB 18 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

#### **7.09 Living conditions for future occupiers**

Not relevant to the consideration of this application.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. This is supported by DMT 1 and DMT 2 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 1.5 spaces per dwelling. This is supported by DMT 6 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

The extension to the storage area does not affect the current parking provision and is not considered contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policies DMT 1, DMT 2 and DMT 6 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

#### **7.11 Urban design, access and security**

Please see the 'Impact on the character & appearance of the area' section of the report.

#### **7.12 Disabled access**

Not relevant to the consideration of this application.

#### **7.13 Provision of affordable & special needs housing**

Not relevant to the consideration of this application.

#### **7.14 Trees, Landscaping and Ecology**

Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) states: A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

This site lies within the area covered by TPO 229. The three cypress trees on the side boundary in front of the buildings are protected by the TPO, identified as T8, T9 and T10 on the schedule. No trees have been removed to facilitate the development. As stated by the Trees and Landscaping Officer, there is no objection to the proposed development regarding landscape impacts. As such, the existing development is not considered contrary to Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policies DMHB 11 and DMHB 14 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

#### **7.15 Sustainable waste management**

Not relevant to the consideration of this application.

#### **7.16 Renewable energy / Sustainability**

Not relevant to the consideration of this application.

#### **7.17 Flooding or Drainage Issues**

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. This is further supported by policies DMEI 9 and DMEI 10 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies (March 2019) and Policies 5.13 and 5.15 of the London Plan (March 2016).

The current application regards an extension to an existing outbuilding located within Flood Zone 1. The site is not located within a Critical Drainage Area, an area at risk of Surface Water flooding or within 20 metres of the top of a bank of a main river. As such, the submission does not require a Flood Risk Assessment and is not considered contrary to Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policies DMEI 9 and DMEI 10 of the emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) and Policies 5.13 and 5.15 of the London Plan (March 2016).

#### **7.18 Noise or Air Quality Issues**

Not relevant to the consideration of this application.

#### **7.19 Comments on Public Consultations**

The issues raised by the objector and the petition have been addressed in the 'Impact on the Character & Appearance of the Area' and the Impact on Neighbours' sections of this report.

#### **7.20 Planning Obligations**

Not relevant to the consideration of this application.

#### **7.21 Expediency of enforcement action**

If the application is refused, as it is retrospective, enforcement action will need to be considered.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so

far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

### **9. Observations of the Director of Finance**

Not applicable.

## 10. CONCLUSION

In conclusion, the existing extension fails to harmonise with the architectural composition of the existing outbuilding and would be detrimental to the character, appearance and visual amenities of the Gatehill Farm Estate Northwood Area of Special Local Character. The existing extension is also considered to be detrimental to the amenities of the adjoining occupier at 15 Woodgate Crescent by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. As such, the application is recommended for refusal.

## 11. Reference Documents

National Planning Policy Framework (June 2019)

The London Plan (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

Emerging Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019)

Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006)

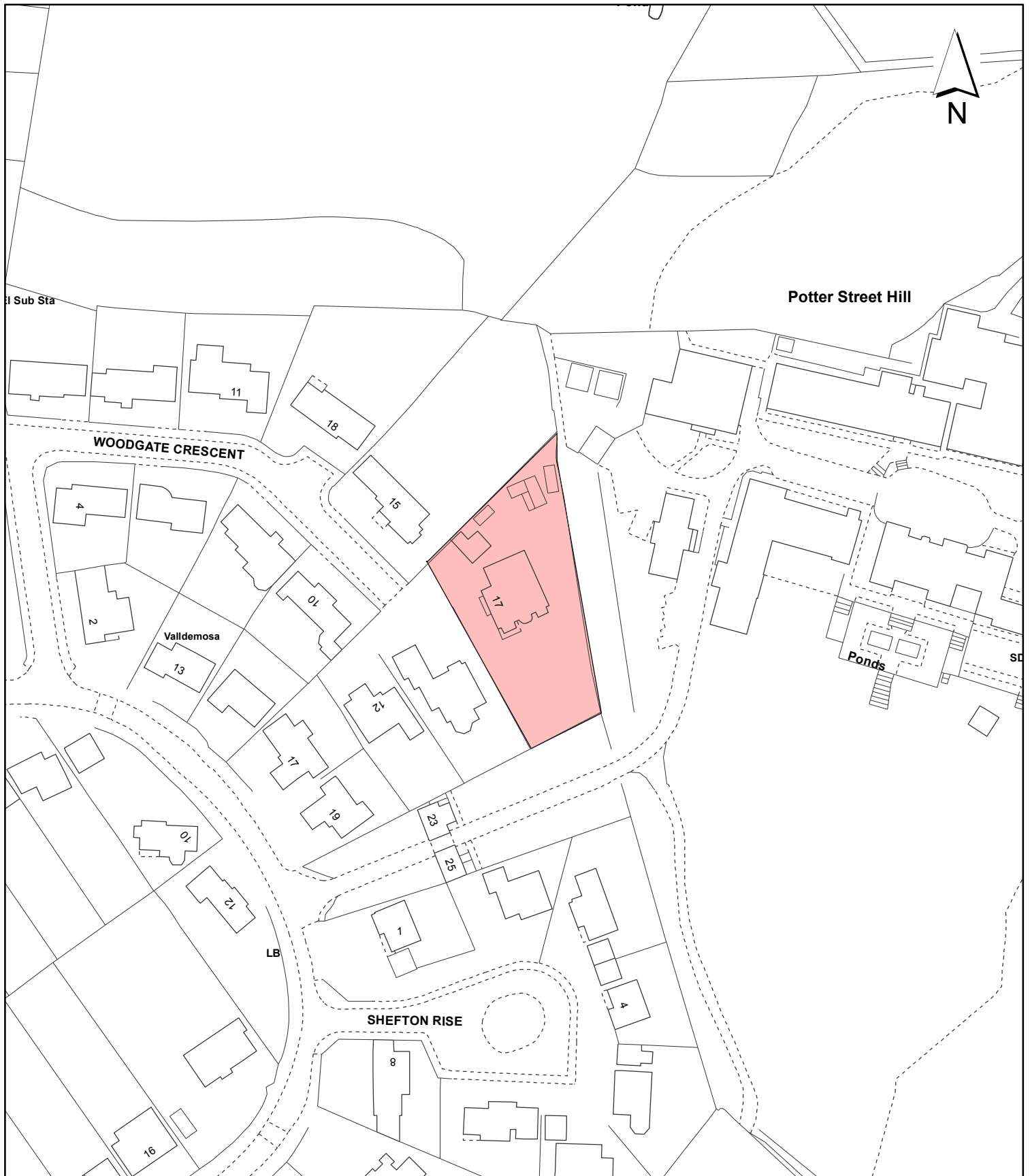
Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008)

Hillingdon Design and Accessibility Statement: Accessible Hillingdon (September 2017)

**Contact Officer:** Michael Briginshaw

**Telephone No:** 01895 250230





**Notes:**

 Site boundary

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Site Address:

**17 Woodgate Crescent  
 Northwood**

Planning Application Ref:

**42270/APP/2019/703**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**November 2019**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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