

Report of the Head of Planning, Transportation and Regeneration

Address 18A ELGOOD AVENUE NORTHWOOD

Development: Installation of paved patio with timber railings and gates to the south eastern side elevation and part two storey, part single storey side/rear extension, single storey front extension, installation of 2 no. rooflights to rear and front elevation (Part Retrospective Application).

LBH Ref Nos: **47802/APP/2020/492**

Drawing Nos: Appendix 2c External photograph taken of the site
Appendix 2d External photograph taken of the site
Appendix 2b External photograph taken of the site
Appendix 5 Aerial Image of Site
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Appendix 1 Photograph of pre existing rockery
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Appendix 3 Photograph taken from 36 Gatehill Road
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DD169-17-P2 Proposed Elevations
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Planning Statement - Retrospective planning application 21 September 2020

Date Plans Received:	13/02/2020	Date(s) of Amendment(s):	13/02/2020
Date Application Valid:	06/08/2020		08/06/2020 23/06/2020

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a corner plot located on the southern side of Elgood Avenue, at the junction with Gatehill Road. The property is a two-storey detached dwellinghouse. It has a gabled roof profile and is of a period build with a brick exterior. The property is located on a generous plot of land with a large garden to the south-east of the dwellinghouse, which is bordered by a well maintained thick hedge facing onto the highway, providing screening and privacy to the garden space. The site benefits from an attached garage.

The street scene is residential in character and appearance comprising predominantly

detached dwellings.

The application site lies within the Gatehill Farm Estate ASLC and lies within the area covered by Tree Preservation Order (TPO) 167.

1.2 Proposed Scheme

This application seeks planning permission for the installation of a paved patio with timber railings and gates to the south-eastern side elevation and the retention of a part two storey, part single storey side/rear extension, single storey front extension, installation of 2 no. rooflights to rear and front elevation. This is a part retrospective application.

The extensions to the house have already completed construction. There is an unlawful timber decking with a polycarbonate roof present on site with a valid enforcement notice served. This application is submitted to rectify the breach of planning control.

The proposed paved patio with timber railings and gates measures approximately 3 metres in depth, 10.2 metres in length and 0.42 metres high (the same finish floor level as the dwellinghouse).

At the time of the officer's site visit, a temporary outdoor structure was present and was located to the front of the property. The outdoor structure has now been removed and this was confirmed by the applicant in an e-mail dated 11.9.20.

1.3 Relevant Planning History

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

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

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

47802/APP/2017/4059 18a Elgood Avenue Northwood

Pergola to side (Retrospective)

Decision Date: 23-05-2018 **Refused** **Appeal:** 18-SEP-18 **Dismissed**

47802/APP/2019/177 18a Elgood Avenue Northwood

The development proposal consists of an outbuilding to the side (garden) of 18a Elgood Avenue, Northwood, Middlesex, HA6 3QH. The outbuilding measures 10m in length, extending along south-eastern side garden of the property from the front to the rear. The development consists of timber supports and side rails, decking and steps down to the lawn, and measures 5m deep and 2.9m high with a gently sloping pitched roof. A clear polycarbonate roof protects the area from the weather (Application for a Certificate of Lawful Development for an Existing Development)

Decision Date: 14-03-2019 **Refused** **Appeal:**

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

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

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

Comment on Planning History

The application site has extensive planning and enforcement history, the most relevant of which is summarised below:

Under Ref: 47802/APP/2019/177 Certificate of Lawful Development was refused for an outbuilding to the side (garden) of 18a Elgood Avenue, Northwood, Middlesex, HA6 3QH. The outbuilding measures 10m in length, extending along south-eastern side garden of the property from the front to the rear. The development consists of timber supports and side rails, decking and steps down to the lawn, and measures 5m deep and 2.9m high with a gently sloping pitched roof. A clear polycarbonate roof protects the area from the weather. The application was refused for the following reasons:

1. The existing development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the height of the eaves of the outbuilding would exceed 2.5m and would include a raised platform in excess of 0.3m and exceeds the maximum height permitted of 3 metres.

2. The existing development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the existing structure is attached to the dwelling and as such cannot be considered as an outbuilding.

In 2018, planning application ref: 47802/APP/2017/4059 was refused and subsequently was dismissed at Appeal under ref: APP/R5510/D/18/3205605 for the retrospective development of a pergola to the side.

In 2017, planning application ref: 47802/APP/2016/3396 was granted for part two storey, part single storey side/rear extension, single storey front extension, installation of 3no rear rooflights, solar panels and alterations to driveway and drainage. The development went ahead, however it was not built in complete accordance to the approved plans.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 15th September 2020

3. Comments on Public Consultations

EXTERNAL

A site notice was displayed to the nearest public lightpole to the property and expired on 2.4.20. A total of 11 neighbouring owners/occupiers, Northwood Hills Residents Association and Gatehill (Northwood) Residents Association have been consulted.

A valid petition with 22 signatures have been received. The petition relates to the retrospective application to retain the timber railings, gate and decking area to the south eastern side elevation and the removal of the polycarbonate roof and its supporting structures. The desired outcome is the refusal of permission and the Council to enforce the removal of the structure as per the Enforcement Notice date 19th March 2019, which has been upheld on Appeal.

Following the submission of revised plans, the decking area is to be removed and replaced with a smaller paved patio with timber railings and gate. However, this petition remains valid.

A total of 5 objections from 2 households, 1 comment together with objections from Northwood Hills Residents Association and Gatehill (Northwood) Residents Association have been received. The issues raised are summarised as follows:

1. Dwellinghouse

- Given 18A's naturally elevated position over our property, it seems imprudent to not adhere to the original planning spec approved by the council regarding number and size of windows. It is simply outrageous to have instated more windows of larger size to their property (against what the original planning permission had accepted. We strongly suggest these illegal windows to be bricked as well as window size to be reduced.
- Not only is our privacy taken from their garden but their house overlooks our garden therefore not only from the ground floor but also from the first and second floor they have a vantage point on the whole of our property. As stated in Policy DMHD 1 it qualifies that planning applicants have to ensure that: v) 'there is no unacceptable loss of outlook to neighbouring occupiers' and DMHD 14 'All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other features of merit.' The occupiers of 18a Elgood Avenue have directly opposed and gone against these regulations and policies.
- On the first floor of the rear part of the property, there is a large bathroom window which was not specifically included in their original plans. This again greatly effects our privacy as neighbours and is against the Councils acceptable level.
- The windows and roof lights to the rear completely take away our privacy.
- We were never informed about the proposed development. The windows on the new first floor extension look out on to our property, and do not conform to the original approved plans. They are more in number and larger in size.
- The window size and qty differing from the original planning is of real concern in terms of our privacy.

Case Officer's Comments:

This is addressed in the main body of this report.

2. Landscaping

- The greenery is completely decimated. This has also led to loss of privacy, lack of greenery, complete exposure of our activities.
- The sever lack of privacy. Home owners have removed all natural shrubbery and have failed to replace them with adequate sized bushes to reinstate privacy. Given their naturally elevated position, it leaves majority of our garden and private space exposed to their home - an extremely unsettling and uncomfortable thought. We want to be able to enjoy time in our garden without worrying about all the vantage points 18A have over our home.
- Veranda and plastic shelter to the left of the property. This is quite simply an eyesore to look for the whole community. Given the owners of 18A's lack of commitment to reinstate their boundary wall (with bushes or fence) we have had to look at this daily.
- The owners of 18A have misled the entire community by showing mature shrubbery on the planning applications when in fact this is far from the truth. No such mature shrubbery exist.
- Referring to the application submitted it states 'Changing the Landscape' more specifically, they stated their intention to protect and retain the mature vegetation.
- When we as a family are in any part of our garden we have no fence/ bushes from their side which results in them being able to see directly into our garden and house.
- Privacy is the first major concern. They removed substantial green trees and shrubs

which now exposes the two buildings in its entirety, albeit that they have planted Laurels, which in size are approximately 12 inches and will take several years to grow.

- I am concerned at the visual intrusion in my back garden following removal of mature trees/shrubs on the boundary between 18a Elgood and 19 Gatehill Road; also from the larger than expected windows in their first floor extension.

Case Officer's Comments:

Although the site lies within the area covered by Tree Preservation Order (TPO) 167, there are no TPO trees on site. The removal/alteration to the landscaping therefore does not require permission. Furthermore, no soft landscaping alterations have been proposed as part of this application.

3. Decking/Patio

- The structure is not in keeping with the estate and the roof is unsightly.
- The decking area is high and with the greenery that 18a has removed now looks into the neighbouring property. The polycarbonate is still in place. It is of a substantial length and width and out of character with the neighbourhood.
- I agree with the removal of the roof and uprights leaving the decking.
- Gatehill estate is designated an area of special character. It is exactly this that we as residents are trying to maintain. This very notion of special character is being threatened by 18a.
- The raised platform in their rear of their garden 'Verandah' is unacceptable. Again as neighbouring owners this is very unsightly and oversized. This verandah impedes on our privacy as it is significantly raised from the ground.
- It is a positive development to see that the polycarbonate roof is being removed.

Case Officer's Comments:

Following the receipt of revised plans, an outdoor paved patio is proposed at a much reduced depth from the current unlawful development. More details are provided in the main body of this report.

4. Outdoor Structure

- There is a wooden structure near the front door with a soil pipe above ground level, presumably constructed instead of a port aloo but needs to be investigated by the Council.
- The makeshift shed constructed from timber at the entrance of 18a just beggars belief. I know from experience that the council is very firm on residents adding anything road facing that was not part of the original setting, exceptions are of course made by the council once they are of certain nature and size that fits into the theme of special character. The planners have certainly let this slip through the radar.
- The raised veranda with its large posts and roof is a very sore structure indeed.
- I draw to the attention of the planning officer reviewing this case there there appears to be a standalone outdoor (toilet?) built in full view of Elgood Avenue, near the main entrance to the house. I have previously raised this with Planning Enforcement, and no action seems to have been taken to have this looked at. One wonders if it forms part of the current application - if it does, then I want to raise an objection. If it does not, then surely it ought to, as this cannot be construed as an 'out building' given its closeness to the road edge. (The reason I query that it is a toilet is that there is a 90 degree soil pipe jutting out of the side of this structure). The structure itself is both conspicuous and ugly.

Case Officer's Comments:

The outdoor structure has since been removed and confirmed by the applicant through the email received on 11.9.20.

5. Others

- If these objections fall on deaf ears then we are surely heading for a situation of 'FREE FOR ALL', in that all future planning applications will be of retro respective nature as the applicant will have a precedent to follow from 18a.
- I am very disappointed in these changes that have disadvantaged not only us from 19 Gatehill road but also the entire Gatehill Community.
- Our privacy affects our day to day life to the point we now feel conscious of what we wear/ do in OUR garden and house due to the sheer lack of privacy. I find this highly unacceptable.
- The council has to be fair to all the residents of Gatehill Hill Estate and all should abide by the planning rules and buildings regs set.
- The council should not allow this to go on for over three years so that it becomes permitted development due to the time the structures have been up.
- We are completely against and upset at the way structures are going up at 18a Elgood Avenue.
- The proposed drawings are not accurate at all (and should be resubmitted in my view). As it stands, they show the dwelling before it was extensively extended - such that it now has two stories all the way over and above the garage. The further development should be considered in the context of this application.

Case Officer's Comments:

A set of a revised plans have been submitted and the officer has confirmed the accuracy of the plans during a site visit.

NORTHWOOD RESIDENTS ASSOCIATION:

Original Comments - 1. The proposed plans do not accurately reflect what has been built at the site, as is required for retrospective applications ie the applicant has not shown the 2 storey extension which has been built at the front, rear and side of the property. 2. The proposal states that they wish to retain a gate, however, there is no gate marked on the plans. 3. Policy requires raised platforms to be a maximum of 0.3 metres above ground level (not ground floor level as the architect states) - the height of the decking is 0.69 m at one side and 0.91 m at the other (measurements taken from the plans), This is contrary to policy. 4. The applicant states that prior to their construction, done without consent, the patio was 'Unattractive.' That is not a valid reason or justification to contravene the requirement for prior consent, nor does that justify granting consent for something that does not follow policy.

Additional Comments - We object to the planning application and seek its refusal for the following reasons: The external decking does not deal with all of the grounds given for its refusal on appeal, such as its bulk, given the properties location in an ASLC, and its impact on the neighbouring property. There is unacceptable overlooking of the adjacent property, also having regard to the height differential with the adjacent property. The windows to the side wall of the garage are not needed and are unusual, and, direct access from the living room is also unusual. The windows already installed elsewhere are not considered to be minor alterations given how they impact the neighbours. The Design & Access Statement refers to thick screening, but much of which has been removed.

Further Additional Comments - In our view the objections raised to the original application remain applicable to this amended application

Case Officer's comments:

Based on the plans submitted, the proposal is for a paved patio not a raised platform. The height of the patio is now 0.42 metres high with steps down to the garden. The topography difference between the dwellinghouse floor level and garden is approximately 0.67 metres.

GATEHILL (NORTHWOOD) RESIDENTS ASSOCIATION:

Original Comments (Summary):

1. The proposed plans do not accurately reflect what has been built at the site, as is required for retrospective applications ie the architect has not included the huge 2 storey extension which has been built at the front, rear and right hand side of the property.
2. Extension has been built and that the submitted plans 2020/482 are incorrect.
3. The proposal states that they wish to retain a gate, however, there is no gate marked on the plans.
4. Policy requires raised platforms to be a maximum of 0.3 metres above ground level (not ground floor level as the architect incorrectly states) - the height of the decking is 0.69 m at one side and 0.91 m at the other (measurements taken from the plans). This is contrary to policy as it allows overlooking of the neighbouring property as has been stated by officers in their previous refusal reasons.
5. The Enforcement Notice gave 6 reasons for requiring the structure to be removed, 2 of these being the specific reasons why planning permission was not granted:
 - (1) The single storey side extension (verandah) by reason of its overall size, scale, bulk, height and design, fails to harmonise with the architectural composition of the adjoining dwellings and is detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill farm Estate Area of Special Local Character and
 - (2) 'The single storey side extension (verandah) by reason of the siting of the structure in close proximity to the rear windows of 19 Gatehill Road is considered to unduly detract from the amenities of the occupiers of this property. The single storey side extension (verandah) is considered to have a direct adverse impact on the privacy currently enjoyed by 19 Gatehill Road
6. Other than proposing to remove the roof and supports, there is no further attempt by the applicants to comply with the refusal reasons. To be clear, it is not proposed to reduce the height of the verandah decking or reduce the area of the verandah's decking or make any further changes. We conclude that refusal reason (1) is still valid.
7. Refusal reason (2) has not been addressed by the applicants in any way and is therefore still valid. It should be noted that 19 Gatehill Road is set at a lower level than its adjacent neighbour 18A Elgood Avenue. Occupiers using the raised platform will appear to be even higher to the occupiers of 19 Gatehill Road.
8. The aerial photo which is intended to show that other properties on the estate have large verandahs is misleading and incorrect as the properties ringed are not raised platforms, they are either patios laid at ground level or they are laid to the allowed maximum of 0.3 metres. In one instance, the patios of 2 adjoining properties have been ringed!
9. Both Inspectors agree that the verandah looks unsightly. It is an irrelevance what the applicants think of the photo apparently taken from 36 Gatehill.
10. The Design and Access statement incorrectly describes the verge which wraps around 2 sides of the property as being 'maintained by the Trustees of the Gatehill Residents Association'. This is not correct, the verges are owned by Gatehill Estate Northwood Limited (GENL), not the applicants. Property owners are actually required to maintain the verge subject to complying with the rules set out by GENL.

Gatehill Residents' Association is very disappointed that the council is holding off enforcement action as the owners have failed to comply with the Enforcement Notice which was issued over a year ago.

We hope that this application is refused and that the Council proceeds as a matter of urgency to enforce the removal of this structure which 2 Inspectors agree is having a detrimental effect on the street scene and the direct neighbours in this Area of Special Local Character.

Additional Comments - Thank you for advising the association of amended plans for this application. We will be submitting a comment in a while. The association did submit a petition against the retention of the raised platform and as amended plans have been submitted which still retain the raised platform, could you please confirm that our petition is still valid?

Are you able to advise whether the garage is currently being used as a garage? You will be aware that the crossover and verge in front of the property does not belong to the applicants but actually belongs to Gatehill Estate Northwood Limited and managed by the GRA. We do not allow parking on our land and the council should not include our land in any calculations for potential parking spaces at the property.

Additional Comments - Thank you for advising Gatehill Residents' Association of the latest amendments to the plans for this property. The only difference between these latest plans and the previous set of plans for which we commented extensively, is the reduction in the depth of the raised platform. It still measures around 0.4 metres above ground level on the right-hand side and 0.9 metres above ground level on the side facing onto the neighbours at no 19 Gatehill Road. This elevated platform can hardly be described as a 'paved patio'. In considering the previous appeal, the Inspector stated, 'due to the relative positioning of the appeal property and the neighbour at 19 Gatehill Road, the rear garden of No 19 can be overlooked from the verandah'. This is not altered by reducing the depth of the verandah. There are no amendments to the fenestration of the property to mitigate the increased loss of privacy through overlooking for several neighbours due to the additional windows or enlargements of approved windows. There is also no indication of any obscure glazing. We believe that the comments made by the Association in our letter of 31st August are still applicable and we ask that the application is refused.

Case Officer's Comments:

The applicant has submitted revised plans. The proposed application does not include any additional parking arrangement. To clarify, the paved patio has a raised height of 0.15 metres closest to the dwellinghouse and up to 0.42 metres from the garden due to its natural topography.

INTERNAL

CONSERVATION AND URBAN DESIGN OFFICER:

Original Comments - 1 Summary of comments: Suggested amendments and further information required

2 Historic Environment Designation(s)

- Gatehill Farm Estate, Northwood Area of Special Local Character (ASLC) - non-designated heritage asset

3 Assessment - background/ significance

The existing property is a detached dwelling dating from the latter part of the 20th century it forms part of the 2nd phase of the Gatehill Farm Estate development. The building is simple in character with a buff brick exterior and gable ended, tiled roof form. The property has benefited from a recent, substantial side extension which has dramatically altered its appearance along the Elgood Avenue streetscene creating an elongated elevation. The property quietly contributes to the ASLC allowing it to remain in keeping with similar properties of the same date. The property is situated on an exposed, corner plot at the junction of Gatehill Road and Elgood Avenue. Its unique orientation allows the associated garden areas to be positioned either side of the dwelling. The garden area to the east on the corner is well-defined by an attractive mature hedge which would positively contribute to the character and appearance of the streetscene and ASLC, and is a notable feature throughout the non-designated heritage asset.

The Gatehill Farm Estate originates from the early 20th century development by Messrs Harry Neal Ltd on land formerly associated to Gatehill farm. The area continued to be developed after WWII into the 1960s and 1980s however the later properties whilst simpler in character respected the style of earlier dwellings.

Archibald Soutar was the Architect commissioned to plan the original estate with influences from his work on the Hampstead Garden Suburb in terms of layout and architectural style. Control over issues such as density, fencing, and maintenance of roads by means of covenants were adopted at that time ensuring the conservation and preservation of the estate and its interesting character. As existing the Gatehill Farm Estate has retained its original grain of development with detached dwellings set on spacious plots with vegetation such as mature hedges marking boundaries, particularly to the front. The boundaries, curving layout of streets and undulating topography positively contribute to the townscape of the ASLC.

It is duly noted that the retrospective proposal is following a recent dismissed appeal and Enforcement Notice.

4 Assessment - impact

The retrospective development comprises of a large area of raised decking, extending across the full depth of the dwelling creating a verandah. It is understood these works are considered to be unauthorised at present. It comprises of a timber decked platform with timber railings enclosing the space. The submitted information omits the polycarbonate roof canopy which would be considered an improvement.

The site levels vary resulting in a lower ground level towards the rear of the site. The verandah structure therefore varies in height in order to be level with the internal finished floor level. The large area of decking would have a significant impact on the appearance of the site. It would establish a permanent solid platform on the site which is not an established feature within the ASLC. Other sites tend to have a more traditional ground level patio area.

Whilst the platform structure and associated timber enclosure would result in some harm the removal of the roof covering would reduce the imposing nature of the structure and it is acknowledged there would be limited public views of the decking from the public realm. However the ASLC is not designated based on street scene appearance and how it is experienced from within private amenity spaces would be just as important to consider. The expanse of the decked area negatively contributes to the appearance of the site and

character of the area. Whilst a small raised platform could be considered it is strongly suggested a more traditional patio area makes up the rest of the area.

The application description makes reference to the retention of gate. It is not clear from the submitted where this gate is located. Prior to any comments clarification would be required.

5 Conclusion: Suggested amendments and further information required

Further Comments - Previous comments would still be relevant. Following a site visit it is evident that the decking structure and poly carbonate roof as installed is considered to be harmful to the ASLC. No comments in relation to the retrospective alterations to the main dwelling building.

Revised Comments - The reduced depth of the decked area and removal of the roof covering would be considered an improvement. The raised platform would appear far more subservient to the existing building and maintain the verdant nature of the garden with the ASLC.

TREES/LANDSCAPE OFFICER:

This site is occupied by a two-storey detached house located on a corner plot at the junction with Gatehill Road. The rear garden slopes down to the east, towards Gatehill Road and is bounded by an established hedge. The plot lies within the area covered by TPO 167, however, there are no protected trees at this address. The site also lies within the locally designated Gatehill Farm Area of Special Local Character, typically composed of detached houses within established spacious gardens set behind wide grass verges, with undulating land levels.

COMMENT

The site has been the subject of a number of planning applications and recent planning enforcement ref. ENF/014976. The enforcement relates, in part, to the removal of a 10m x 5m timber verandah, with a sloping polycarbonate roof, located on the east elevation of the house. The current application seeks to retain the timber decking of the structure, which provides a level external amenity space adjacent to the building. The polycarbonate roof and supporting structure will be removed. These are the unsightly elements which formed the basis of the planning objections. The height, pitch and reflection of the polycarbonate roof are clearly visible from the public realm, from elevated local vantage points from which eye level views are available above the boundary hedge. In my view the decking itself is inoffensive and provides safe, level and accessible amenity space at ground floor level, within a garden plot which generally slopes away from the house. The area of decking is also acceptable as a 'hard' landscape feature as it forms a relatively small proportion of the overall area of soft / living garden landscape.

RECOMMENDATION

No objection to the retention of the timber decking and steps. If it is considered that the decking requires modification, one recommendation would be to lower the deck by one step in height. This would create a single stepped access into the house and reduce the number of steps down into the garden below. Overall, the appearance of the deck and steps down into the garden would be less dominant.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 1 Heritage Assets

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 12 Streets and Public Realm

LPP 3.5 (2016) Quality and design of housing developments

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 house, the impact on the visual and residential amenities of the surrounding area and whether the proposed works satisfies the issues raised by the Inspector from the Appeal Decision date 5th September 2018 and the enforcement notice served dated 19 April 2019.

PRINCIPLE OF DEVELOPMENT

Policy DMHD 1 of The Local Plan: Part 2 - Development Management Policies (2020) states the follow:

- Rear extension - two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres and pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported;
- Side extension - side extensions should not exceed half the width of the original property, extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded and two storey side extensions should be set in a minimum of 1.5 metres.
- Front extension - alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused.

The application site is a corner plot with a detached house located within the Gatehill Estate. The plot is 17.1 metres wide and 52.9 metres long. The front elevation faces onto Elgood Avenue. The rear elevation faces onto the adjacent neighbour no. 19 Gatehill Road's garden. The plot has a side garden/outdoor amenity spaces located on the south-east side and a paved outdoor patio on the north-west side and rear of the dwellinghouse. The part two storey, part single storey side/rear extension to be retained measures 4.4 metres deep by 7.7 metres long on ground floor. The first floor level extension is set back from the front elevation by 1.5 metres, the rear is set back 1.1 metres and extends to the

side to match the existing ground floor west elevation. The single storey front extension is 1.8 metres deep and is set back from the frontage of the dwellinghouse by 0.74 metres.

As a result of the extension, the dwellinghouse will maintain a minimum of 4.1 metres set back to the rear and 10.3 metres setback from the side boundary. The extension is located on the north-west side of the plot, as such, would not impact on the 45-degree line of sight from the nearest habitable room window of the adjacent property.

In regards to the paved patio, photographic evidence suggests that prior to 2017, an existing 'L' shaped paved patio was present measuring 4 metres deep by 10.3 metres long with 3 steps down to the side garden. This application proposes a 3 metres deep by 10.2 metres long paved patio with a timber railing, which is considered acceptable as it is similar to the previously existing patio.

Overall, the principle of development is considered acceptable and in accordance with Policy DMHD 1 of The Local Plan: Part 2 - Development Management Policies (2020).

DESIGN

Policy BE1 of The Local Plan: Part 1 - Strategic Policies (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all resident.

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) states A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including harmonising with the local context by taking into account the surrounding: i) harmonising with the local context by taking into account the surrounding: scale of development, considering the height, mass and bulk of adjacent structures; building plot size and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architecture composition and quality of detailing; local topography, views from both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities.

The proposal seeks retrospective planning consent to retain a part two storey, part single storey side/rear extension, single storey front extension and the installation of 2 no. rooflights to the rear and front elevation. In addition, to install a new paved patio with timber railings, steps and gates to the south-eastern side garden attached to the existing dwellinghouse.

The pre-existing plans indicate that the original dwellinghouse is a 4 bedroom detached house that was part two storey and part single storey. The retention of the existing extension will result in a 6 bedroom two storey dwellinghouse. An additional two bedrooms are proposed on the first floor and on the ground floor, the study will be maintained and the kitchen/utility space/living/dining areas will benefit from an additional floor area.

In comparison to the plans submitted and the plans approved under ref: 47802/APP/2016/3396, the part two storey, part single storey side/rear and single storey

front extension appears similar, therefore in regards to size, bulk and height, the proposal is consistent with the previously approved scheme.

The existing two storey rear extension is partially constructed above the ground floor level in line with the existing wall. The eaves and ridge height are at the same levels as the pre-existing house. The development is designed to retain the shape and identity of the original dwelling and match the existing scale of the neighbouring properties. Therefore, the proposal is considered acceptable.

It should be noted that the main difference to the previously approved scheme and this application are the changes to the fenestration of the west, rear and front elevation. In addition, the previously proposed chimney is removed. All the exterior materials and colours match the existing dwellinghouse.

In September 2018, an Appeal was dismissed under ref: 47802/APP/2017/4059 for an retrospective pergola. The pergola/large verandah was 5 metres deep by 10.2 metres long. The decking comprised of timber railings, steps that lead to the garden and timbers that support a sloping frame to a clear polycarbonate roof. In dismissing the appeal, the Inspector's Report noted:

"To my mind, the structure appears as an ugly addition of a utilitarian appearance, detracting from the character and appearance of the host property.

Whilst a hedge screens views of the structure from immediately outside the site, I could clearly see the large expanse of polycarbonate roofing from the street on the rising land leading from the junction of Elgood Avenue and Gatehill Road. It was not a pleasant sight.

Moreover, the structure is plainly visible to several residents of neighbouring properties from their upper floor windows.....

I conclude that the canopy has harmed the character and appearance of the host property, the surrounding area and the ASLC. Accordingly, a material conflict arises with those provisions of policies HE1 & BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies and policies BE5, BE13, BE15 & BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, directed in combination to ensure that house extensions are well designed so as to harmonize with the characteristics of the host property and street scene."

In addition, the enforcement notice issued on 19th March 2019 states the following:

"(b) The single storey side extension (varandah) by reason of its overall size, scale, bulk, height and design, fails to harmonise with the architectural composition of the adjoining dwellings and is detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character. Therefore the extension is considered to be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012, Policies BE5, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions (December 2008).

(c) The single storey side extension (verandah) by reason of the siting of the structure in close proximity to the rear windows of 19 Gatehill Road is considered to unduly detract from the amenities of the occupiers of this property. The single storey side extension

(verandah) is considered to have a direct adverse impact on the privacy currently enjoyed by 19 Gatehill Road and therefore is considered contrary to Policies BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extension."

Under this application, the applicant has sought to address the previous reasons for refusal and reason for dismissing the appeal for a pergola. Following the receipt of revised plans, a new paved patio with timber railings and gates is proposed to the side garden. This new structure does not include a canopy. The patio is to be installed at the height of the internal finish floor level of the dwellinghouse. The proposed paved patio will measure a reduced depth of approximately 3 metres and 10.2 metres in length with access via the gates and steps from the garden. The topography of the application site varies, hence, the dwelling house is situated at a higher level than the garden. The reduced depth of the paved patio will result in a set back from the adjacent property, no. 19 Gatehill Road's rear elevation by at least 3.5 metres.

It should be emphasised that photographic evidence of the original garden of the application site indicates that prior to the 2017 extension, an existing paved patio was present. The patio was connected to the living room on the east elevation and extended at least 4 meters in depth by 10.3 metre long with 3 steps down to the garden. Hence, the proposed paved patio is reintroducing what was previously there.

Given the above, the proposed paved patio's size, height and design is considered to be acceptable and the revised design is considered to fully overcome both the Inspector's concerns and the refusal reasons raised in the enforcement notice.

The Council's Conservation and Urban Design Officer has assessed this application and considers the proposed as an improvement and would appear more subservient to the existing building and maintain the verdant nature of the garden with the ASLC. The officer is now satisfied with the proposal. Although the design of the patio is considered acceptable, no materials for the patio have been included as part of the submission, therefore a materials conditions is recommended.

Overall, the proposed development as a whole would not result in a significant alteration in the character and appearance of the original dwelling and street scene. Hence, in terms of design, scale, mass and bulk, the development is considered to harmonise with the surrounding development, in accordance with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020).

AMENITY

Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 of The Local Plan: Part 2 - Development Management Policies (2020) states that two storey side extensions should be set in a minimum of 1.5 metre from the side boundary in order to maintain adequate visual separation and views between houses and two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres

As confirmed above, the dwellinghouse will maintain a minimum of 4.1 metres set back to the rear and 10.3 metres setback from the side and would not infringe on the 45-degree line of sight from the adjoining neighbour's habitable room given its location and distance.

No changes to the fenestration are proposed to the east elevation of the house. A total of 3 windows and a door were removed on the rear elevation, and were replaced with 5 new windows and a rooflight. The windows are installed at the same level as the existing. The nearest window within a 45-degree line of sight is approximately 32 metres away.

The proposed west elevation extension will result in the removal of 2 existing windows, 1 on first floor and 1 in the roof space. 3 new windows are installed. A full height glass bi-folding doors is included on the ground floor in place of the pre-existing double door. The distance from the nearest habitable room is approximately 29.9 metres north-west of the site.

The front extension will comprise of 6 new windows and one rooflight above the garage. The distance between the first floor habitable room windows and the adjacent dwelling, no. 33 Elgood Avenue, is approximately 22 metres.

When compared to the previously approved scheme ref: 47802/APP/2016/3396, it should be noted that there is a slight reduction in the number of windows in the retained extension

Given the above, the proposed development is considered to be in accordance with Policy DMHB 11 and DMHD 1 guidelines and is not considered to have adverse impact on the amenity, daylight and sunlight of adjacent properties and open space

Policy DMHB 18 of The Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3, which requires a minimum of 100sqm for a 4+ bedrooms.

The proposal will result in an increase in the number of bedrooms from the existing 4 bedroom to 6 bedroom and the minimum private outdoor space required is 100 square metres. Based on the size of the plot, a minimum of 278 square metres of garden space would be maintained, excluding the proposed paved patio and the north-east patio amenity. As such, the development proposal complies with DMHB 18 of The Local Plan: Part 2 - Development Management Policies (2020).

LANDSCAPING

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) expect all development to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

No existing landscaping will be impacted, given that there are no trees in close proximity to the proposed paved patio in the garden area. The rear and front extension to the dwellinghouse will be built onto the existing patio/hard surface area with no nearby vegetation. As such, the development is considered appropriate, in accordance to Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020).

It is acknowledged that some hedges and a tree has been removed from the application

site some time prior to the submission of this application, however, as commented by the Trees/Landscape Officer, although the site is covered by TPO 167, however, there are no protected trees at this address. As such the removal of such landscaping of the site does not require planning permission.

HIGHWAYS

The pedestrian access would remain unaltered. The dwellinghouse will maintain its single garage on the west side of the property. The extension of the dwellinghouse will allow the garage to be accessible via an internal door. As there are no changes to the highway layout or parking provision on the site, the proposal is considered acceptable in principle.

CONCLUSION

In conclusion, this proposal is considered acceptable and is in accordance with Policies DMHB 1, DMHB 5, DMHB 6, DMHB 11, DMHB 18 and DMHD 1 of The Local Plan: Part 2 - Development Management Policies (2020) and the Housing Supplementary Planning Guidance (2016).

Therefore, this application is recommended for Approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

DD169-14-P2 Proposed Floor Plans
DD169-15-P2 Proposed Roof Plan
DD169-16-P5 Proposed Elevations
DD169-17-P2 Proposed Elevations
DD169-18-P5 Proposed Block Plan

and shall thereafter be retained/maintained for as long as the development remains in existence.

Within 6 months of the date of this decision the works hereby approved shall be fully implemented in accordance with the details shown on the above plans.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016) and to ensure a timely resolution to the breach of planning control.

2 COM7 Materials (Submission)

No development shall take place until details of the materials and external surfaces for the paved patio 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 retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

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 Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 1 Heritage Assets

DMHB 5 Areas of Special Local Character

DMHB 6 Gatehill Farm Estate and Copse Wood Estate Areas of Special Local Character

DMHB 1 Design of New Development

DMHB 1 Streets and Public Realm

LPP 3.5 (2016) Quality and design of housing developments

- 3 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit

(www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

- 4 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- 5 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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

- 6 Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

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

Part 2 Policies:

DMHD 1 Alterations and Extensions to Residential Dwellings
DMHB 1 Heritage Assets
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 12 Streets and Public Realm
LPP 3.5 (2016) Quality and design of housing developments

- 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 may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control that is considered to cause harm to local amenity.
- 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).

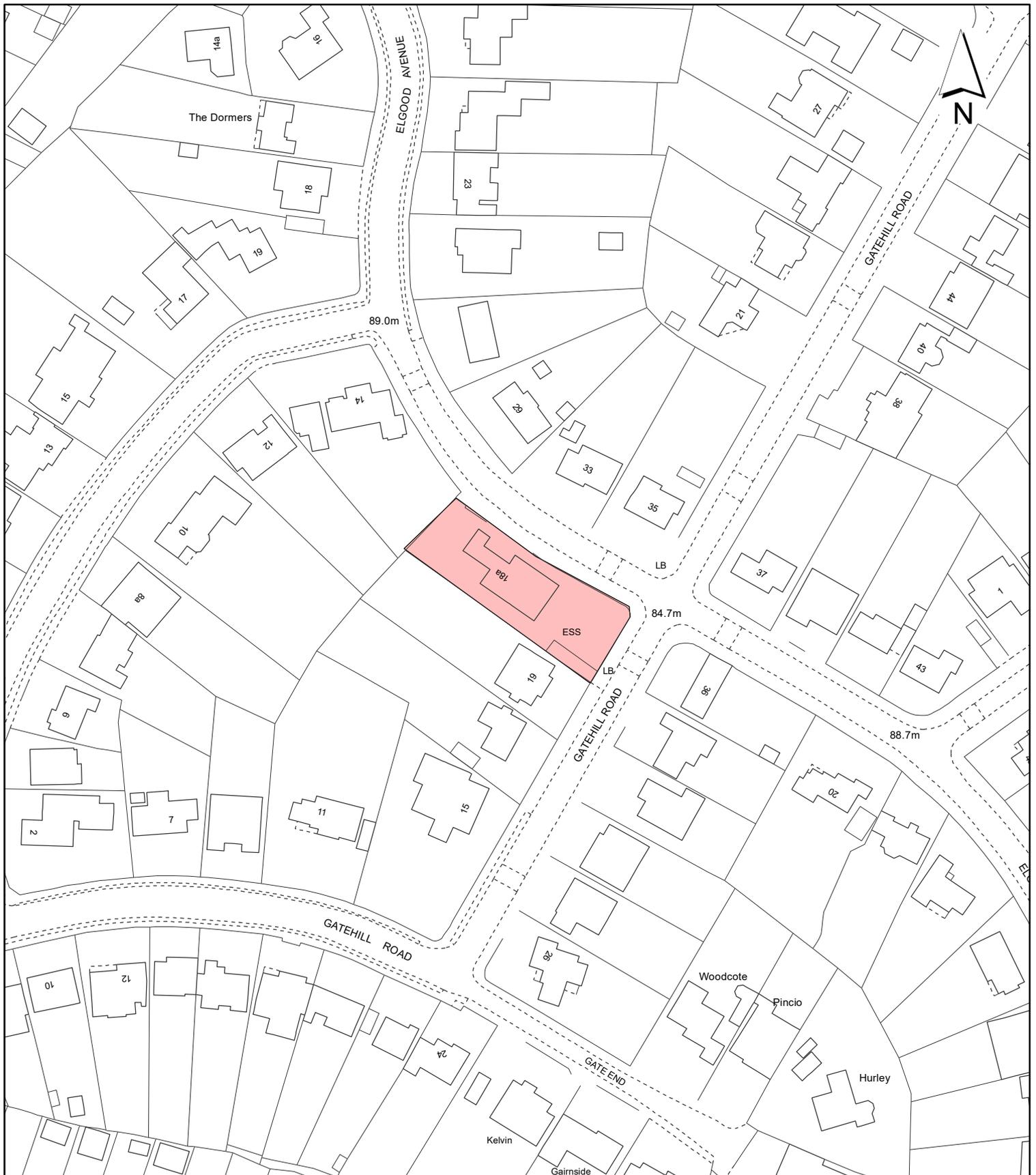
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks 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: Rebecca Lo

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**18A Elgood Avenue
 Northwood**

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

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
47802/APP/2020/492

Scale:
1:1,250

Planning Committee:
North

Date:
November 2020

