

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Appellant Comments (“AC”): The formatting may mean gaps in pages of the original document as a result of the annotations within.

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 5 LINKSWAY NORTHWOOD

Development: gates, brick piers and railings to front

LBH Ref Nos: **31595/APP/2021/1761**

Drawing Nos: 1073-P-2
1073-P-3
1073-P-1
Tree Report

Date Plans Received: 30/04/2021

Date(s) of Amendment(s):

Date Application Valid: 30/04/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a large two storey detached dwelling situated on the eastern side of Linksway. The property is constructed of brick set beneath a tile hipped roof set on a very large and spacious plot. It currently benefits from a large L shaped part two storey, part single storey rear extension and a detached garage to the side and rear of the original dwelling. To the front of the property there is a large front garden with landscaping along the front boundary and a gravelled carriage driveway with parking for a number of cars. To the rear there is a large garden.

AC: The LPA acknowledges the large scale of the dwelling and the spacious plot on which it sits together with the imposing front carriageway and front garden. This provides the context for seeking the gates, piers and railings of commensurate imposing nature in sympathy with the grandeur, scale and setback of the main dwelling with the in/out driveway.

The wider area comprises similar large properties set on spacious plots with mature landscaping. All the properties benefit from off street parking. The properties are of various designs and size. The area has a verdant and spacious feel.

The site lies within the Copsewood Way Area of Special Local Character as defined in the Hillingdon Local Plan Part 2 - Saved Policies (November 2012). It is also covered by TPO 390.

1.2 Proposed Scheme

The application seeks planning permission for the erection of gates, brick piers and railings.

1.3 Relevant Planning History

31595/APP/2003/119 5 Linksway Northwood
ERECTION OF A SINGLE STOREY REAR EXTENSION

Decision Date: 17-02-2003 Approved

31595/APP/2010/1946 5 Linksway Northwood

Part two storey, part single storey rear infill extension, replacement conservatory, conversion of roofspace to habitable use to include 2 front and 1 rear dormers and 1 skylight, new front porch, conversion of existing garage roofspace with 1 front and 1 rear dormers and alterations to existing elevations, including new first floor window, balcony and gable roof to front.

Decision Date: 21-10-2010 Refused

31595/APP/2011/1036 5 Linksway Northwood

Single storey side infill extension, conversion of roofspace to habitable use to include provision of 2 front and 1 rear dormer windows and 4 rooflights/skylights.

Decision Date: 04-07-2011 Approved

31595/APP/2013/1254 5 Linksway Northwood

Infill ground floor side and rear extension. Alteration of windows and doors to rear elevation. Removal of existing conservatory roof and windows. Wall increased in height with brick to match existing. Rear terrace. Forward extension of existing garage. Insertion of dormer to front and rear of garage. Alterations to windows and doors to rear of garage. Side infill first floor extension with flat roof. Loft conversion to habitable space. 2no. dormers to frontage and 1no. dormer to rear. 1no. rooflight to southern elevation. 2no. rooflights to northern elevation. 2no. rooflights to rear elevations.

Decision Date: 26-06-2013 NFA

31595/APP/2017/2504 5 Linksway Northwood

Single storey side/rear infill extension involving demolition of existing conservatory.

Decision Date: 05-09-2017 Approved

31595/APP/2021/1705 5 Linksway Northwood

Single storey extension with alterations to fenestration (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 23-06-2021 Refused

31595/APP/2021/701 5 Linksway Northwood

Single storey rear extension and gates, piers and railings to front

Decision Date: 13-04-2021 Refused

31595/C/95/0572 5 Linksway Northwood

Erection of a two storey side extension

Decision Date: 24-05-1995 Approved

31595/G/97/0693 5 Linksway Northwood

Erection of replacement double garage and laying out of new carriageway and crossover

Decision Date: 11-12-1997 Approved

31595/J/98/0766 5 Linksway Northwood

Details of protective fencing in compliance with condition 4 of planning permission ref. 31595G/97/ 693 dated 11/12/97; Erection of a replacement double garage and laying out of new carriageway and crossover

Decision Date: 01-06-1998 Approved

31595/TRE/2012/137 5 Linksway Northwood

To carry out tree survey, including a reduction of the lowest limb to provide up to 4m clearance between the tree and the building, to one Oak in area A1 (T1 on application); and a reduction, by

about 2m, of the lowest limbs overhanging the driveway, to three Oaks in area A1(T1, T2 & T3 on application) on TPO 390.

Decision Date: 11-10-2012 Approved

Comment on Planning History

The relevant planning history is listed above. It is noted that application reference

31595/APP/2021/701 for the erection of a Single storey rear extension and gates, piers and railings to front was refused for the following reason

The proposed front garden boundary treatment and gates, by reason of their size, scale and design would significantly erode and detract from the verdant character and appearance of the street scene and have a detrimental impact on the character and appearance of the street scene and the wider Copsewood Estate, Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 5, DMHB 11, DMHB 12, DMHB 14 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

AC: No public response noted

Landscape Officer -

This site is occupied by a detached house located on the east side of Linksway. The site lies within the Copse Wood Estate Area of Special Local Character, a designation which owes much to the mature tree cover and landscape character of the area. Selected trees are protected by TPO 390, an Area order which protects all oak, hornbeam and Silver birch. COMMENT This application follows previous applications including 31595/APP/2021/701. The application is supported by a tree report, dated February 2012, by GHA Trees. The report has identified and assessed the condition and value of 17 individual trees and groups within, or close to, the site. There are 9 'B' grade trees - a category which is worthy of retention on development sites - and 8 'C' grade trees. The report concludes that no trees will be removed or adversely affected by the proposed infilling of two spaces between the existing house and the garage. The installation of new gates and railings presents a potential risk to nearby trees, due to the location of the brick piers within their root protection area (RPA). In order to mitigate the potential damage, tree protection measures (hand dig only) and arboricultural supervision have been specified. In spite of some recent developments on the Copse Wood Estate, the introduction of railings and gates on this estate is contrary to the character and appearance of the area, which tends to feature open plan front gardens. RECOMMENDATION There is no objection to the proposed extensions to the building. If you are minded to approve the gates and railings, the soft landscape behind the railings should be retained and enhanced; condition RES9 (parts 1,2 and 5).

Conservation Officer -

The proposal would comprise of the erection of 1.35m high metal railings along the front boundary of the site, including sliding access gates.

The proposal would be considered significantly harmful to the character and appearance of the ASLC. It would introduce an urban boundary treatment into what was designed to be an open, green environment, failing to respect the character and appearance of the estate. There are serious concerns that the proposal would continue an unwelcome precedent within the area, by the introduction permanent modern boundary treatments, fortifying the appearance of sites.

The incremental harm of such boundary treatments is dramatically alter the original character and appearance of the Copsewood Estate, which was designed to be open, with buildings sitting amongst the historic woodland, respecting the natural and once rural environment.

The installation of metal railings would be considered harmful to the character and appearance of the ASLC. Paragraph 197 of the National Planning Policy Framework (NPPF, 2019) would be relevant in this instance.

Conclusion: Objection

4. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1

PT1.HE1 (2012) Built Environment
(2012) Heritage

Part 2 Policies:

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
DMHB 14	Trees and Landscaping
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D6	(2021) Housing quality and standards
LPP HC1	(2021) Heritage conservation and growth AC: HC1 is not strictly speaking applicable
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
LPP D1	AC: This policy is also relevant and important

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 area and maintaining adequate visibility to ensure pedestrian safety.

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

Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm

and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHB 5 (Areas of Special Local Character) states that within ALSC 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. 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 Gatehill Farm Estate and Copse Wood Estate Areas of Special Local Character states that within the Gatehill Farm and Copse Wood Estates, new houses should:

- i) be constructed on building plots of a similar average width as surrounding residential development;
- ii) be constructed on a similar building line (formed by the front main walls of existing houses) and be of a similar scale, form and proportion as adjacent houses and reflect the materials, traditional roof design, design features and architectural style predominant in the area;
- iii) ensure that boundary treatment is unobtrusive and of the natural materials appropriate to the character and appearance of the estate;
- iv) ensure that new dwellings retain an absolute minimum of 1.5m distance to side boundaries; v) preserve the mature trees including boundary planting to reinforce existing landscaping and Estate settings.

The proposal seeks to address the previous reason for refusal by reducing the height of the gates and railings to 1.35m in height. The proposal would however, still be considered significantly harmful to the character and appearance of the ASLC. It would introduce an urban boundary treatment into what was designed to be an open, green environment, failing to respect the character and appearance of the estate. There are serious concerns that the proposal would continue an unwelcome precedent within the area, by the introduction permanent modern boundary treatments, fortifying the appearance of sites.

AC: As the LPA acknowledges the scale and height have been reduced in the revised proposal. There are several examples of similar boundary treatments in the area of varying heights as being proposed in the instant case and given the wide expanse of the site and area in general, it is submitted that the boundary treatment is sufficiently set back from the road and pavement such as to be in keeping. Unlike the close boarded fence panel treatment of comparable height at number 3A and number 20, the railings and their height is not austere while retaining visual gaps and maintaining a degree of open feel. The piers provide a break and occupy minimal footprint; at 1.4m height to accommodate the inward opening gates, they are of an elegant, imposing and aesthetic design for this upmarket location. At either end they provide symmetry to the plot frontage and give a sense of arrival and departure into the curved driveway and a majestic feel to the detached property, the mass and bulk of which is sufficiently set back. In any case there is no strict guidance on height parameters for boundary treatments in policy and basing it only relative height is arbitrary and whimsical notwithstanding the *de minimis* differential to other examples – the overriding element ought to be good and beautiful design overall that enhances the character and appearance of the area; the Appellant says this proposal does that or at least does it no harm to a significant degree as intimated by the LPA.

From London Plan 2021, Policy D1 is also relevant as supported by paragraphs 3.1.2, 3.1.3 and in particular 3.1.7: *“As change is a fundamental characteristic of London, **respecting character and accommodating change** should not be seen as mutually exclusive. Understanding of the character of a place should not seek to preserve things in a static way*

but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued."

The incremental harm of such boundary treatments is dramatically alter the original character and appearance of the Copsewood Estate, which was designed to be open, with buildings sitting amongst the historic woodland, respecting the natural and once rural environment.

Policy DMHB 14: Trees and Landscaping requires:

- 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.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application is supported by an arboricultural report. In order to mitigate the potential damage, tree protection measures (hand dig only) and arboricultural supervision have been specified. The Council's Landscape Officer has raised concerns about the proposed gates, brick piers and railings on character grounds, but has suggested, in the event of an approvable scheme, landscaping conditions would be required to retain the existing soft landscaping.

The proposal is not considered to give rise to any undue loss of residential amenity.

The proposed boundary treatments will dramatically alter the original character and appearance of the Copsewood Estate. Therefore, the application is recommended for refusal.

AC: The Appellant disputes this simplistic and exaggerated characterization as a ruse to refuse and on the contrary says there would be an enhancement in appearance or at worse a neutral effect or in the alternative a level of tolerable harm or impact from the proposed front boundary treatment.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed front garden boundary treatment and gates, by reason of their size, scale and design would significantly erode and detract from the verdant character and appearance of the street scene and have a detrimental impact on the character and appearance of the street scene and the wider Copsewood Estate, Area of Special Local Character contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); Policies DMHB 1, DMHB 5, DMHB 6, DMHB 11, DMHB 12, DMHB 14 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020); Policy HC1 of the London Plan (2021) and the National Planning Policy Framework (2019).

INFORMATIVES

- 1 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 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.

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.

Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

- 2** The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

Part 2 Policies:

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
DMHB 14	Trees and Landscaping
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D6	(2021) Housing quality and standards
LPP HC1	(2021) Heritage conservation and growth
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

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