

4 St Catherines Road, Ruislip

Our ref: 0179/STC004/PDAS

LPA Ref: HS/ENF/019972(A)

Planning Design and Access Statement

PREPARED ON BEHALF OF THE APPLICANT MR PAUL REYNOLDS

VERSION: 1.1



Stewart
Management & Planning Solutions

4 St Catherines Road, Ruislip

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LPA Ref: HS/ENF/019972(A)

BACKGROUND

The application property occupies a corner location at the junction of St Catherines Road and Boston Grove. St Catherines Road is an unclassified road that links to A4180 Bury Street which acts as part of the local distributor road network serving the mature residential area on the west side of Bury Street and south of Breakspear Road. The property comprises a two-storey single family dwelling with gardens to the front (south west), the side (south east) and the rear (north east). As a corner property, it has two street boundaries both of which were previously defined by mature laurel hedging, as shown in the pictures 1, 2 and 3 below.



1. South west elevation



2. South west corner



3. South east elevation

These pictures are taken from Google Street View and show the situation as existing in 2017.

The house and gardens have been subject to extensive works of maintenance and improvement following acquisition by the applicant in 2021. The boundary hedging was removed as part of those

improvements and works were commenced on a replacement boundary treatment of brick walls with railings in late 2021.



4. South west elevation



5. South east elevation



6. South west corner

Specifically, metal gates with railings on brick plinth and piers in the area shown by picture 1 going into full height brick walls and piers from the corner shown in picture 2 and continuing the length of the south east elevation shown in picture 3. The datum for the height of the new boundaries was established by the height of the former hedge which can still be seen in the hedge that separates the application site from 6 St Catherine's Road, next door to the west. This translates to brick walls of 1.6 metres and brick piers of 1.8 metres along the south east road frontage and brick piers and railings up to 1.8

metres height on the front elevation, facing south west. The railings in this portion of the site would sit on top of the existing 0.92 height plinth wall.

It is acknowledged that the works were commenced in advance of planning permission being sought or granted. This was due to a false assumption that the works would benefit from deemed consent under the General Permitted Development Order. The appellant was made aware of this error by Council officers, and he was invited to submit a planning application to regularise the planning situation. He duly instructed us to make that application on his behalf and it was submitted to the Council, via the Planning Portal on 18th March 2022 under reference: PP-11125430. That application was never validated by the Council.

An enforcement notice was served on 22nd March 2022 requiring removal of the brick piers and walls on the front and side boundaries of the property. The enforcement notice was made the subject of

appeal which was validated by the Inspectorate on 5th May 2022 and given a start date of 13th May 2022. However, the enforcement notice was quashed as being “inaccurate and incapable of correction without injustice to the appellant or other relevant occupiers” by virtue of an Inspector’s decision notice dated 7th August 2023.

The applicant initiated a pre-application process on 11th August 2023 to engage with the council to discuss the possibility of an agreed scheme for resolving the current situation, short of complete removal of all the boundary walls as required by the enforcement notice. Specifically, the proposed solution recognised that the applicant had already reduced the height of the walls and piers on the front elevation of the front elevation, and it was proposed to retain the side boundary and the street corner element as existing. This proposal was not considered acceptable by officers in the pre-application meeting held on 8th November 2023. However, in subsequent discussions it was agreed that the proposal could be made acceptable by attaching fencing panels to the wall sections between the brick piers. This was confirmed by letter dated 29th November 2023.



7. South west elevation



8. South west corner



9. Side garden



10. Side garden

THE DESIGN COMPONENT

The proposals that are the subject of this planning application are partly retrospective and propose the retention of the reduced height walls and piers on the front elevation, as shown in photograph 7, together with the addition of timber fencing panels to the 1.6 metre height brick walls between the brick piers on the south east boundary and the street corner.



11. CGI image of proposed south west elevation



12. CGI image of proposed south east corner

The scheme has been designed to prioritise privacy and security along the south east facing boundary, in much the same manner as at 5a St Catherines Road which has a 1.8-metre-high close boarded fence along its corresponding street boundary, as shown in photograph 12. This is considered essential to provide some distinction between the public realm and the applicant's private gardens and help secure pets and small children from unwarranted attention and harm.

The general arrangement proposed for the boundary walls is shown in the drawing 240116-01



13. CGI Image of proposed South east elevation

THE PLANNING COMPONENT



14. 5a St Catherines Road

The proposal complies with the approach to design matters set out in part 12 of the NPPF particularly paragraph 137 which emphasises the value of design discussions with the Local Planning Authority. The proposals are also consistent with design policies set out in the development plan for the area.

Policy D3 of the London Plan (2021) is a strategic policy that requires development proposals to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

At local level, the scheme has been designed to reflect key local plan design policies as follows:

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon 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.

THE ACCESS COMPONENT

The proposals present no adverse impacts for access or highway safety. In fact, we understand that the Council's Highways team have welcomed the reduction in height of the walls adjacent to the access to the highway.

CONCLUSION

The application scheme considers the needs of the applicant for suitable containment of the rear garden following removal of the previous landscaping and the need to safeguard the character and appearance of the area. It is noted in this regard that whilst landscaped boundaries are evident in the area, they are just one of a range of solutions that is readily observable. In this case, the visual impact of the existing masonry walls along the south east boundary and around the street corner is to be mitigated by the insertion of feather edge timber panels to reference the timber fencing found on the opposite side of the road at number 5A. This is considered to be an optimal design solution that gives proper consideration to the characteristics of the area with a suitable mix of timber and masonry that is appropriate to the application site and its context.

The applicant fully accepts that there has been a breach of planning control in relation to various matters on this site. However, the record will show that there has been consistent engagement with the Council to resolve these matters. The boundary walls are the final outstanding matter between the applicant and the Council.

This planning application crystallises an agreed solution that has been negotiated and agreed with the council through the formal pre-application process. Planning permission should therefore be granted.

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Planning Applications Team
Hillingdon Council
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Tel: 01895 250230
Case Officer: Emilie Bateman
Email: ebateman@hillington.gov.uk
Date: 29th November 2023
Our Ref: 21875/PRC/2023/142

Dear Stewart Management & Planning Solutions Ltd

RE: Retention and alteration of boundary treatment
SITE: 4 St Catherines Road Ruislip

I refer to your request for pre-application planning advice dated 11-08-23 and our subsequent meeting on 08-11-23 relating to the above development. The advice provided is based on the following drawings, documents and revisions issued to the Local Planning Authority for consideration:

Plan Numbers:

RGS-PH-S1 Rev A - received 28 Nov 2023
Indicative infill fencing panel - received 28 Nov 2023
Location Plan - received 14 Aug 2023
Block Plan - received 14 Aug 2023

Outlined below is a preliminary assessment of the proposal, including an indication of the main issues that should be addressed should you choose to submit a formal planning application. Please note that the views expressed in this letter represent officer opinion only and cannot be taken to prejudice the formal decision of the Council in respect of any subsequent planning application, on which consultation would be carried out which may raise additional issues. In addition, the depth of analysis provided corresponds with the scope of information made available to Council officers.

The Site and Surrounds

The application site is located on the north western side of St Catherines Road at the junction with Boston Grove. The application site is occupied by a two storey detached dwelling house.

The site is not the subject of heritage policies. It lies in a Critical Drainage Area and has a Public Transport Accessibility Level (PTAL) of 1b. The area is residential in character and appearance, generally comprising of large detached dwellings, varying in character and appearance.

Planning History

Under application ref. 21875/APP/2021/1603 the erection of a 2-storey side and rear extension at 4 St Catherines Road was approved, subject to conditions, on 16/06/21,

Under application ref. 21875/APP/2021/4373 the variation of Condition 3 (Materials) of planning permission ref. 21875/APP/2021/1603, dated 16/06/21 (Erection of a 2-storey side and rear extension) to new materials used (tiles - redland rosemary, weatherboard - black, bricks reclaimed multi wire cut) was refused on 25/01/22.

The reason for refusal was as follows:

The proposed black weather boarding and black windows introduce an uncharacteristic material finish and palate to the building and the St Catherines Road streetscene which would fail to respect the character and appearance of the streetscene and the wider area, resulting in an incongruous and overly dominant building on this prominent corner site. The proposal therefore fails to comply with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).

An appeal ref. APP/R5510/D/22/3293144 against the application ref. 21875/APP/2021/4373 refusal was dismissed on 15/08/2022. Paragraph 7 of the inspector's decision letter draws particular attention to the use of dark weatherboard on the external surfaces as follows:

"I saw at the site visit that the very dark grey/black weather boarding is extensively used on the external surfaces of the appeal property, dominating the elevations when seen from the public highway. The effect is to wrap the appeal property in a dark shroud creating a stark and jarring contrast to the red roof tiles and brick of the appeal property and the other residential properties in the local area."

Following the appeal an amendment applicaiton ref: 21875/APP/2023/354 was approved.

The Proposal

Retention and alteration of boundary treatment

Planning Policy

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The London Plan (2021)

The West London Waste Plan (2015)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning

decisions, as well as relevant supplementary planning documents and guidance.

The proposed development has been assessed against 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 (2021) and national guidance:

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Other Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP T6.1	(2021) Residential parking
NPPF12	NPPF 2021 - Achieving well-designed places

Main Planning Issues

1. Principle of development

The site is located in the developed area of the Borough where the erection of boundary treatment would be acceptable in principle, subject to subject to compliance with other relevant policies as set out in this report.

Notwithstanding the above, it should be noted that the proposal would exceed the height of permitted development rights. The applicant will therefore need to submit a householder planning application for the proposed development.

2. Design

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Character and Appearance:

Paragraph 134 of the NPPF (2021) notes the importance of achieving design which is appropriate to its context stating that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

Policy D3 of the London Plan (2021) requires that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon 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.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires that alterations and extensions of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

The application site proposes the retention and alteration of boundary treatment, following the erection of boundary treatment without planning permission. It is noted that the applicant has reduced the height of the brick piers on the front elevation and no longer proposes to install any form of railings.

Concerns were raised in the pre application advice meeting regarding the retention of brick wall as built, given it is out of character for the area as there are no other examples of high walled boundary treatments in the immediate site context, with the vast majority of dwellings having open frontages, low brick walls, hedges/trees or wooden fencing.

Revisions were sought to attach fence panels to the boundary wall to break up the dominant appearance of the wall which is located on a prominent corner. The proposed additional fencing would be acceptable and would ensure the wall is in keeping within the surrounding site context. Notably 5a St Catherine's Road benefits from a wooden fence boundary treatment. It is suggested that any future application provides more detailed proposed plans with a section to ensure there is no encroachment onto highways.

It is important to note that the proposed fencing would be attached to the outer skin of the wall which is set behind the outer skin of the brick pillars. In essence there is a set in applied along the vast majority of the wall which means that the fencing is unlikely to encroach onto the public highway. Notwithstanding this point, the applicant will need to provide evidence of this in the form of a more detailed section should they be minded to submit a formal planning application.

Given the revisions to attach wooden fence panels to the brick wall, the proposal would be acceptable in principle and inline with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

3. Amenity

Residential Amenity:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure, amongst other matters, that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Given the nature of the proposal and its site context, it is considered the proposal would not result in substantial harm to the neighbouring amenities of the occupiers, in terms of overdominance, visual intrusion, overbearing impact, loss of daylight/sunlight and loss of outlook.

Private Amenity Space:

A sufficient amount of private amenity space will be retained to meet the minimum standards set out in Table 5.3 (Private Outdoor Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). The proposal, therefore, would not undermine the provision of external amenity space, in accordance with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

4. Highways

The maximum off street car parking requirement for a house with its own curtilage is 2 spaces. The development would not alter the off-street parking requirement for the site. There appears to be adequate space at the front of the site to provide 2 off street car parking spaces. As such there are no concerns with respect to parking.

In addition, Highways raised no concerns and welcomed the reduction of pier heights fronting the property together with comparisons made with the preceding 'hedged/tree-lined' boundary treatment which, in highway terms, was not considered demonstrably harmful to the public domain.

5. Other

Not considered applicable.

6. Planning Obligation and CIL (Mayor and LBH)

PLANNING OBLIGATION

It is considered that no planning obligations would be applicable to this proposal.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre. This is in addition to the Mayoral CIL charge of £60 per sq metre. All planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for CIL payments.

Should you require further information please refer to the Council's Website:
<https://www.hillingdon.gov.uk/community-infrastructure-levy>

7. Application Submission

The Council has an adopted Local Planning Validation Checklist (June 2020) that sets out in full the drawings and documents required to support applications for planning permission.

Should you require further information, please refer to the Council's website:
<https://www.hillingdon.gov.uk/apply-planning-permission>.

8. Conclusion

The application seeks advice about the retention/erection of boundary treatment.

As discussed at the meeting, concerns were raised in the pre application advice meeting regarding the retention of brick wall as built, given it is out of character for the area.

Revisions were sought to attach fence panels to the boundary wall to break up the dominant

appearance of the wall which is located on a prominent corner. Given the revisions, the proposal would be acceptable in principle and inline with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Whilst there is no objection to the principle of retaining and altering the boundary treatment, any future submission would require detailed proposed plans, elevations and sections.

Please be advised that the Council require confirmation that you wish to enter into a PPA as soon as possible, in order to ensure the necessary resource are in place to meet the terms of the PPA.

Thank you for entering into the Councils pre-application advice service and I trust you have found this service of assistance.

**Emilie Bateman
Graduate Planning Officer
London Borough of Hillingdon**

Planning Guarantee

For complex applications which are likely to exceed the statutory timeframes, the applicant is encouraged to enter into a Planning Performance Agreement (PPA) to allow for the negotiation of complex cases. Central Government encourages the use of PPAs for larger and more complex planning proposals to bring together the developer, the Local Planning Authority and key stakeholders to work in partnership throughout the planning process.

Providing a PPA helps ensure that major proposals progress through the application process in a timely fashion and result in high quality development but the service is both time consuming and costly. The charge for all Planning Performance Agreements will ensure that adequate resources and expertise can be provided to advise on major development proposals, the charges are determined on a site by site basis.

Hillingdon are committed to ensure the best possible service provision to all of our applicants. In order to ensure this, we will not be able to facilitate negotiation which would result in an application being determined outside of statutory timeframes, unless the applicant has entered into a Planning Performance Agreement.

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