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## PLANNING STATEMENT

**25 Linksway, Northwood, HA6 2XA.**

**Section 73 Application: Variation of Condition 2 (approved drawings) of planning permission ref. 38787/APP/2022/254 dated 21/04/2022 (Demolition of the existing building and the erection of a 2 storey, 7 bedroom detached dwellinghouse, including the excavation of a basement to provide habitable space and a sunken squash court with associated works). Alterations seek a minor adjustment to the approved site plan to include a padel court.**



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## **1. Introduction**

We are instructed to submit a Section 73 application in respect of the above property, 25 Linksway, Northwood.

Planning permission was granted, application ref. 38787/APP/2022/254, on 21st April 2022 for the 'Variation of Condition 2 (approved drawings) of planning permission ref. 38787/APP/2021/1713, dated 06/12/2021 (Demolition of the existing building and the erection of a 2 storey, 7 bedroom detached dwellinghouse, including the excavation of a basement to provide habitable space and a sunken squash court with associated works). Alterations seek a minor adjustment to the sub basement.'

This Section 73 application seeks permission to vary condition 2 of this permission. Condition 2 states:

*The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted drawing numbers 5740/A100 Rev. H Received 01/04/2022, 5740/A101 Rev. I Received 01/04/2022 and the approved plans of the original consent granted under reference 38787/APP/2021/1713, numbers 5740 /A102 Rev G; 5740 /A103 Rev K; 5740 /A104 Rev H; and 5740/ A108 and shall thereafter be retained/maintained for as long as the development remains in existence.*

**REASON:** To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

The application proposes to replace plan no:

5740/A100 Rev H - Proposed Site Plan

with:

24-P2073-100 A - Proposed Site Plan

The proposed variation to the approved plan involves the installation of a padel court at the end of the rear garden. The proposed padel court would measure 20m by 10m. It would include metal fencing and transparent glass panels around its perimeter, which range in height from 3m to 4m.

## **2. Planning Considerations**

The main issues to consider in relation to the installation of padel court within the rear garden of this residential property are:

- Visual Impact;
- Impact on the amenities of the occupiers of neighbouring residential properties; and
- Landscape Issues.

## **2.1 Visual Impact**

The application property is a detached dwelling sited on the eastern side of Linksway. Planning permission was granted for the 'Demolition of the existing building and the erection of a 2 storey, 7 bedroom detached dwellinghouse, including the excavation of a basement to provide habitable space and a sunken squash court with associated works'.

The property forms part of the original development of the Copse Wood Estate. The street scene is residential in character and appearance comprising substantial two storey detached houses set in spacious plots. There are a number of properties that have been extended or replaced in recent years throughout the estate.

The application site is located within the Copsewood Estate Area of Special Local Character (ALSC). The site is also subject to a blanket Tree Preservation Order (TPO) which applies to Nos. 9-35 Linksway.

Paragraph 203 of the National Planning Policy Framework (2021) states that "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset*".

Policy D3 of the London Plan (2021) states, *inter alia*, 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) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) states the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that:

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

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

*C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.'*

Policy DMHB 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) 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 setting.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) advises that development should be well integrated with the surrounding area.

Paragraph 135 of the NPPF states - Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The proposal involves the installation of a padel court at the end of the rear garden. The layout of the padel court is of a standard size (10m x 20m) and design and includes transparent mesh and glazed panels of between 3m and 4m high. The court is sited adjacent to the side and rear boundaries which are marked by 1.8m high close board timber fencing, mature trees and hedge planting.

The height of the padel court enclosure would not be excessive when perceived in the wider built context and environment. The court would not appear incongruous or excessive in scale and bulk when viewed from the rear of the dwelling and around the garden. The use of mesh and clear glazing also ensures that the design of the padel court sympathetically responds to the character, design and setting of the approved dwelling and its private amenity space.

The proposed court is screened by boundary treatment and tree and hedge planting and given its location it would not visible from outside of the site.

In this case, the proposed padel court would not change the exterior appearance of the approved dwelling and would not materially alter the setting of the dwelling within the site. The proposal would not be harmful to the character and appearance of the surrounding area of special local character and would comply with the Councils adopted policies in this regard.

Whilst there are no other padel courts situated in the locality, there are a number of properties in the immediate vicinity with tennis courts within the rear gardens, Nos. 11, 16 and 21 Linksway all have tennis courts within the rear gardens. The proposed court would not therefore be at odds with other properties in the area.

## **2.2) Impact on the amenities of the occupiers of neighbouring residential properties**

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 also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed padel court would be used by the family only and is required for a purpose incidental to the enjoyment of the dwelling.

The padel court would be located at the end of the rear garden some 50m from the dwelling and from the adjacent dwellings. To the rear of the site is Northwood Golf Club. The court would be screened by close board timber fencing mature trees and hedge planting on the rear and side boundaries.

A number of properties within Linksway have tennis courts and swimming pools within the rear garden. The proposed court would not cause more noise than these similar facilities at other properties along Linksway.

The proposed padel court is not considered to result in any additional amenity impacts on neighbouring properties relative to the original planning consent.

In view of the above, we contend the proposed amendment would not result in any harm to the residential amenity of neighbouring occupiers, and the proposal complies with Policy DMHB 11 of the Local Plan: Part Two (2021).

## **2.3) Landscape Issues**

The padel court has been carefully sited within the rear garden to ensure compliance with the approved landscaping scheme.

Submitted with the application is a Tree Survey and Arboricultural Impact Assessment which confirms '*the principal arboricultural features within the site would be retained and adequately protected during development activities*' and '*subject to precautionary measures as detailed above, the proposal will not be injurious to trees to be retained*'

### **3. Conclusion**

For the reasons detailed above we contend the proposed amendment to the approved site plan to include the installation of a padel court within the rear garden is an acceptable form of development.

The proposal would have no impact on the overall appearance of the approved development within the street scene and would not result in harm to the amenities currently enjoyed by the occupiers of the adjacent and surrounding properties. The proposed development would continue to provide sufficient amenity space and landscaping and parking provision within the site and would remain as approved.

We contend the proposed amendment accords with the provisions of the development plan for Hillingdon and request that the application be approved.

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