

Report of the Head of Planning & Enforcement Services

Address 43 THE CHASE ICKENHAM

Development: Single storey rear extension with habitable roofspace to include a gable end window and 1 side roof light, involving demolition of existing lean-to extension to rear.

LBH Ref Nos: 67155/APP/2011/1564

Drawing Nos: B3139-SK1
B3139-21
B3139-22

Date Plans Received: 27/06/2011

Date(s) of Amendment(s):

Date Application Valid: 28/06/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a detached chalet brick built bungalow with two large dormer extensions on both sides of the roof slope which have been constructed under permitted development.

The application site is situated in a residential area comprising detached and semi detached bungalows. The properties on this street have varying styles, many have been altered through planning permission or under permitted development rights.

The application site is separated from No.41 by a 2.6m wide side access and from No.45 there is a 2.8m side access. The front building line on this stretch of The Chase is stepped with No. 45 being positioned further forward of the application property whilst No.41 is set slightly behind. The rear building lines are also staggered.

To the rear of the site, the garden stretches back over 30m and is bounded by the rear gardens of Halford Road. The adjacent properties either side, No. 41 and No. 45 have been extended in various forms. No 45. has a large rear dormer stretching the width of the roof. Planning permission has also been granted on this site for a single storey side and rear extension with habitable roofspace (2009/337). This has yet to be constructed. No 41 has previously extended a large rear extension (79/1294).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a rear extension with habitable roof space.

The extension would extend 3.6m from the rear elevation of the property. It would result in the continuation of the roofslope of the existing property above the extension, and would have a gable end on the rear elevation. The eaves height would be 2.4m and the ridge height would be 5.65m (the same as that existing).

A rooflight would be provided in the southern elevation of the extended roof, and a first floor window would be created in the rear gable, along with windows and sliding doors on the ground floor rear elevation.

Elevations would be rendered to match the existing building and the roof tiled to match the existing roof.

1.3 Relevant Planning History

67155/APP/2010/1664 43 The Chase Ickenham

Conversion of roofspace to habitable use to include side dormers, gable end windows to front and rear and alterations to elevations (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 10-09-2010 **Approved** **Appeal:**

67155/APP/2010/2303 43 The Chase Ickenham

Single storey rear extension with part habitable roofspace, single storey front extension and conversion of roofspace for habitable use with 2 side dormers and Juliette style balcony to rear, involving demolition of existing single storey rear extension.

Decision Date: 03-12-2010 **Refused** **Appeal:**

67155/APP/2010/2911 43 The Chase Ickenham

Single storey rear extension with part habitable roofspace, single storey front extension and extension of roofspace for habitable use with 2 side dormers, involving demolition of existing single storey rear extension.

Decision Date: 09-03-2011 **Refused** **Appeal:**

67155/APP/2011/914 43 The Chase Ickenham

Single storey rear extension with habitable roof space to include 2 side dormers and gable end window involving demolition of existing rear extension.

Decision Date: 15-06-2011 **Refused** **Appeal:**

Comment on Planning History

The property has planning history that is relevant to the application, including several applications that have been refused because of their impact on the character and form of the property and the impact on the streetscene. A number of works have recently been undertaken to the property, including two side dormer windows that have been constructed under permitted development rights.

The last planning application (Ref: 67155/APP/2011/914) involved a rear extension extending 5m from the rear elevation, rather than the 3.6m now proposed but also with the addition of dormer windows in each of the sides of the new roofslope. That application was refused for the following reasons:

1. The proposed single storey and two storey rear extensions, by reason of their size, scale, bulk, and design would result in disproportionate, incongruous and unsympathetic

additions, failing to appear subordinate to the scale, form and appearance of the original house and detrimental to the character and appearance of the original house and the visual amenities of the street scene and immediate surrounding area. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed dormer windows, in conjunction with the dormer windows constructed as permitted development, by reason of their size, scale, bulk and design would result in disproportionate, incongruous and unsympathetic additions. They would not appear subordinate to the scale, form and appearance of the original house and would be detrimental to the character and appearance of the original house and the visual amenities of the street scene and the surrounding area generally. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposed rear extension would be excessive in depth due to the staggered rear building lines of these properties and as such would cause an overbearing impact on neighbouring properties in particular the rear amenity space of No. 45 The Chase. The development is therefore contrary to Policy BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

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

10 adjoining and nearby properties have been notified of the application by means of a letter dated 1st July 2011 and 2 responses have been received objecting to the development as follows:

1. A significant further extension to the already overbearing and over developed roof shape. The recent additions of two large dormer windows on both sides of the roof give an excessive bulk to the roof and further extension of the roof with gable end would make the overall size and scale significantly greater than the original bungalow.

2. Any extension to the rear would only be appropriate at ground floor level with flat roof subordinate to the rest of the building.

3. The garden and rear rooms of adjoining properties would receive significant additional shade in the afternoon especially in winter months as the sun drops below the proposed full height roof extension, affecting the light coming into the rear of the properties which are north facing.

4. Concern at the additional drainage requirements for the proposed roof and how this additional run off can be catered for without causing localised flooding.

5. The proposed extension is significantly larger compared to the original lean to structure, demolished when the roof dormer construction started. The existing floor plan drawing shows three bedrooms in the roof dormers. The proposed bedrooms are not permitted to have escape sized side window openers overlooking the adjacent property.

6. We object to more side facing windows being added to this property and to the dormer windows having escape sized side window openers, as this will infringe on our privacy and is contrary to lawful development rights as advised in the certificate of lawfulness, informative section. It also presumes a means of egress across our property where no such right of access exists. An attempt was made to ignore the lawful development limitations by installing dormer windows with escape sized side openers. This had to be corrected by planning enforcement officers after installation, who ensured that these side openers are now permanently closed, this leaves only top openers with no means of escape.

7. A recently installed side window towards the rear at ground floor level is extremely intrusive, overlooking our property and our neighbour at No. 47 The Chase.

8. The orientation of the building is incorrectly identified on the proposed plan drawing which shows the sides of the property as North and South elevations. This cannot be the case as the front of the property faces south. Therefore the side elevations are East and West.

9. There have been attempts to redefine the boundary between properties.

10. Concern at the potentially transient nature of a multiple occupancy dwelling at the property which the large number of bedrooms and bathrooms might suggest.

11. The extension that has already been completed at the subject property has cast a shadow across the rear of the adjoining property, in addition to completely spoiling the view from the rear garden.

12. That such an entirely unsuitable addition could be permitted in such an environment is extremely surprising and reflects a total lack of respect or care towards the interests of the surrounding neighbours, who have all now had the right of enjoyment of their properties severely compromised, in particularly the especially unfortunate situation of both of the immediately adjacent properties. Further, one has to question how many more applications are intended to be made by this developer, who obviously has no measure of respect whatever for the interests of the residents of this end of The Chase. Also, this situation has set a very serious precedent which raises considerable concern for the residents as to what else Hillingdon Council will be willing to approve in the future.

13. Residents no doubt chose to locate in the area for its quiet and pleasant environment, and therefore have no wish to see the approval of entirely unsuitable building projects that will result in the street resembling more of a city centre location.

14. If this situation continues, the council may as well abandon the application process and permit any form of development as the current process is clearly defective. It is further understood that the developer involved in this application has never displayed any site notices.

15. Reference is made to an 8m high ash tree in the far corner of the rear garden, which

does not appear to exist on the ground.

OFFICER COMMENT: Material planning issues are addressed in the main report. Despite the elevational inaccuracy the submitted drawings provide sufficient information to determine the true orientation of the property. Boundary issues related to existing rather than proposed extensions are a civil matter that would have to be addressed between relevant parties. There is no requirement for the applicant to display a site notice in this instance, as the Council has met its statutory requirements by writing to all adjoining residents and advising them of the application. Legislation only requires one or the other in this case, not both.

Ickenham Residents Association: The property has a long history of extensions and conversions since 2010 and the Association refers to our letters of objection or observation since last year. It is not possible for us to clearly assess whether this new proposed rear extension is in addition to existing extensions and possibly exceeding the allowance for the increase of the original footprint, and we have to leave it to your Planning Team to arrive at the correct decision. No doubt, the residents in The Chase must be very concerned whatever else could be converted/extended on this property continuously changing the appearance of the road scene.

Ward Councillor: Requests that this application be considered by the Planning Committee.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 5.3	(2011) Sustainable design and construction

5. MAIN PLANNING ISSUES

The main issues for consideration include design and visual appearance of the rear extension and its effect on the existing property, the character and appearance of the wider street scene, the impact upon the amenities of neighbouring properties and car parking provision. In considering the application, reference needs to be made to the planning history of the property, and take into account the works that have recently been undertaken through permitted development rights.

With respect to the design and form of the extension and its impact on the character and form of the property as it now stands the continuation of the rear elevation would not look unduly out of place. The removal of the side dormer windows previously proposed in application 2011/914 are a significant improvement in this respect. The extension would not therefore be particularly noticeable or prominent in the streetscene and would not adversely affect the character of the now extended building.

The extension would extend 3.6m from the rear elevation of the house in accordance with HDAS which allows two storey extensions up to 4 metres depth to the rear of detached properties. However, this guidance makes it clear that such extensions should always appear sub-ordinate to the original house and only be allowed where there is no significant over-dominance or loss of outlook.

It is considered that the extension would have an adverse impact on the amenities of the adjoining occupiers by reason of an overbearing impact and from visual intrusion.

In relation to the outlook on amenities of adjoining properties, for the occupiers of No.41 The Chase, there would be no change in outlook from the rear of the property as the proposal does not extend beyond that rear elevation due to the staggered nature of the building lines. However, the flank wall of the proposed extension would be in close proximity to the windows and main entrance to the property that are in the side of No.41 adjacent the application site. There is the main front door and hallway to the side, and 3 windows serving a kitchen (clear glazed), high level lounge window serving their rear extension (clear glazed) and a bathroom window (obscure glazed).

Despite the 2.74m (width) sideway separation between the two properties, the outlook from the kitchen window would face the entire side elevation to the proposed rear extension.

Advice in HDAS Section 6.22 for large two storey extensions states that they may not be acceptable if they have a significant over-shadowing and overbearing effect on the habitable rooms of adjoining properties and in this respect any two-storey extension extending beyond a 45 degree horizontal line measured from the middle of a principal window to a habitable room on the adjoining property may not be acceptable. As this kitchen window is east facing and based on the HDAS Section 6.21 relating to a 25 degree vertical angle taken from a point 2m (h) above floor level the two storey rear extension would also lead to significant overshadowing.

Ordinarily, the main window to a habitable room would be facing either the front or the rear of the property. In this case however the original rear window to No. 41 The Chase has been subsumed by the single storey rear extension so disregarding the high level lounge windows the kitchen window is the only clear glazed side window. The kitchen of this property is not a habitable room as the floor area is less than the 13m² threshold contained in the Glossary to the adopted UDP (Saved Policies September 2007) and therefore the loss of light to this room is of limited consideration. However, it is considered

that the extension would be visually intrusive and overbearing when viewed from this window, particularly given the height and form of the roof. The proposed extension would also limit the amount of light reaching the front door and hallway which is accessed to the side of No.41.

Para. 5.23 of Policy BE20 requires adequate sunlight and daylight to reach both habitable rooms including kitchens and external private amenity space. With the proposed development early-morning overshadowing would be prolonged to mid morning but then recede by late morning, covering their kitchen window and some of the private patio area. It is considered that the occupiers of No.41 would experience an unacceptable reduction in the available daylight. The development would therefore fail to meet the requirements of Policies BE20 and BE21 of the adopted UDP (Saved Policies September 2007) and guidance within Section 3 and 6 of the SPD HDAS Residential Extensions.

It is also considered that the extension would be dominating from the private amenity space of No. 45 The Chase. As the building lines are staggered, the existing rear wall of No.43 The Chase already projects 3m behind the rear building line of No 45 The Chase. The additional 3.6m deep extension at a height of 5.5m to the ridge line would dominate the outlook of the occupiers and create an overbearing feature. The proposal would also give a perception of excessive depth from the garden adding to the overbearing effect to the detriment of the occupiers amenity. It is therefore considered contrary to Policies BE21, BE24 of the adopted UDP (Saved Policies September 2007) and Section 6 of the adopted SPD HDAS: Residential Extensions.

In terms of the garden area for a four bedroom property, there should be at least 100m² of rear garden retained to provide adequate amenity space. Even with the extension there is still considerable amount of garden area amounting to of over 350m². This meets the criteria of BE23 of the adopted UDP and Section 7 of the adopted SPD HDAS: Residential Extensions.

Car parking space for 2 vehicles could be provided within the front garden on a porous surface leaving a minimum of 25% landscaped area within the front garden. Subject to an appropriate condition requiring details to be submitted the proposal would comply with Policy AM14 of the adopted UDP (Saved Policies September 2007).

There are no landscaping issues to compromise Policy BE38 of the adopted UDP (Saved Policies September 2007).

6. RECOMMENDATION

REFUSAL for the following reasons:

1 R12 Extension Over Dominant Refusal

The proposed development by reason of its overall size, height, bulk, siting and orientation in relation to the adjoining properties would constitute an unneighbourly and over-dominant form of development resulting in an unacceptable loss of amenity and visual intrusion. The development would therefore be contrary to Policies BE15, BE19, BE20 and BE21 of the adopted UDP (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

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).

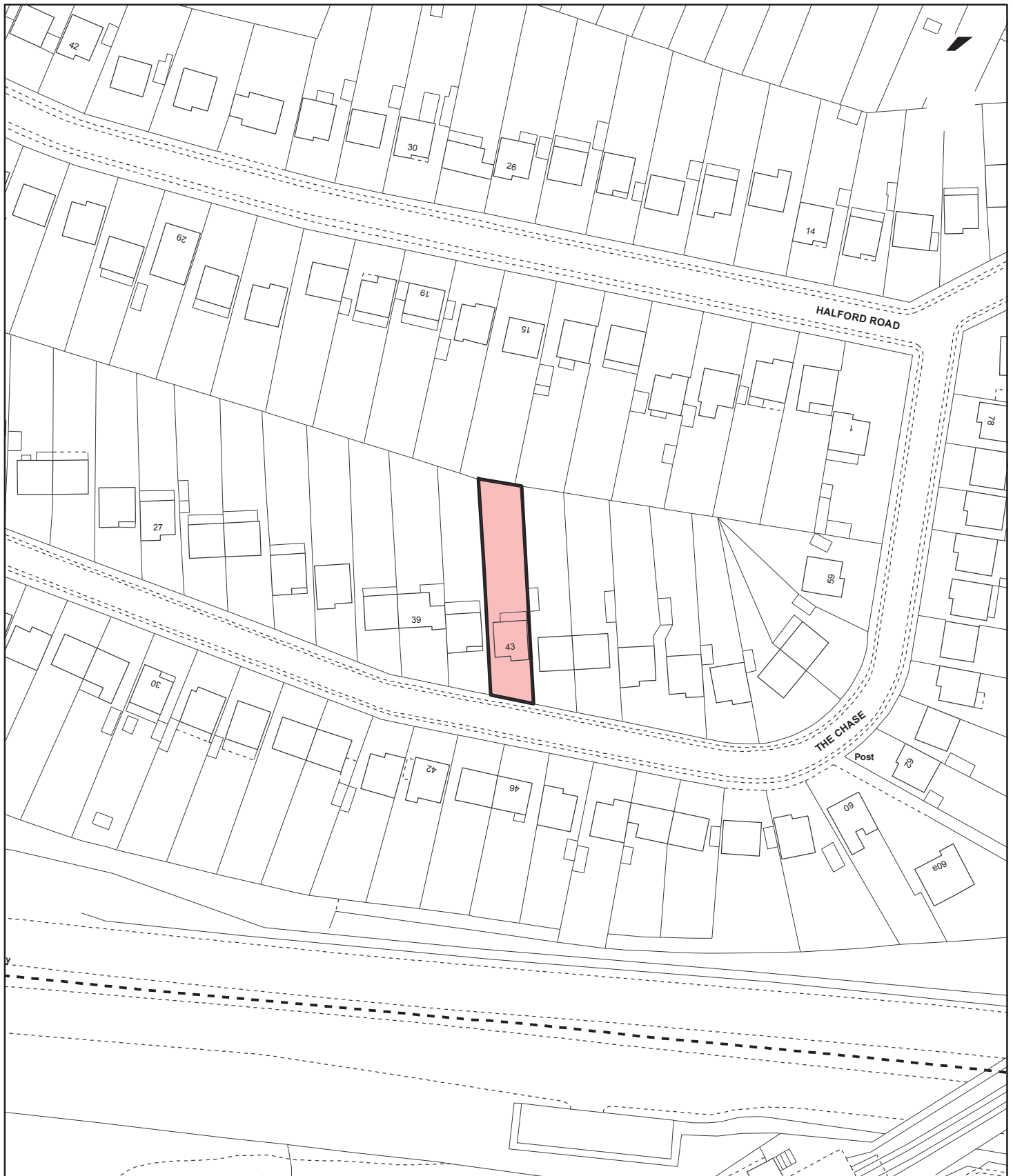
2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy No.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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Notes



Site boundary

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**LONDON BOROUGH
OF HILLINGDON
Planning,
Environment, Education
& Community Services**

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Telephone No.: Uxbridge 250111

Planning Application Ref:

67155/APP/2011/1564

Scale

1:1,250

Planning Committee

North

Date

**September
2011**



HILLINGDON
LONDON