

## Report of the Head of Planning & Enforcement Services

**Address** 47 COPSE WOOD WAY NORTHWOOD

**Development:** Erection of two storey, five-bedroom, detached dwelling with conversion of roof space to habitable use to include 2 rear dormers and 5 rooflights involving demolition of existing dwelling.

**LBH Ref Nos:** 18371/APP/2011/1271

**Drawing Nos:** 105 Rev. A  
104 Rev. B  
103 Rev. B  
102  
101  
100  
Design and Access Statement  
TPP/47/CWW/01  
Arboricultural Report

**Date Plans Received:** 24/05/2011                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 02/06/2011

### 1. SUMMARY

This application is for the demolition of the existing house and its replacement with a larger house.

The site lies within the Copse Wood Area of Special Local Character and consideration has to be given to the impact that the development has on this area, in addition to the normal planning considerations relating to the impact on the streetscene, impact on neighbours, impact on trees and vegetation and the parking and highway implications.

The proposal is for a detached dwelling. It is considered that due to the bulk, design, and roof form, the development is overly bulky in relation to its surroundings, resulting in an incongruous feature and an over-development of the site to the detriment of the street scene and the Area of Special Local Character of which it forms part.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1            NON2            **Non Standard reason for refusal**

The proposal, by reason of its size, scale, bulk, massing, design and position would result in a cramped overdevelopment of the site which would detract from the open character and appearance of the surrounding area and the visual amenities of the street scene and the Copse Wood Area of Special Local Character. The proposal is therefore contrary to Policies BE5, BE6, BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

### INFORMATIVES

1            I52            **Compulsory Informative (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**            I53                    **Compulsory Informative (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, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
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.
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE5	New development within areas of special local character
H4	Mix of housing units
H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
H9	Provision for people with disabilities in new residential developments
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## **3**

The extent of excavations to the rear of the proposed building to incorporate steps, a patio and substructure are unclear on the submitted drawings and this should be addressed in the event of any re-submission.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application property is a detached dwelling sited on the south-eastern side of Copse Wood Way at a point approaching the brow of a hill in the road. The existing dwelling is a two storey building with brick elevations and hipped, tiled roof with prominent gable features on the front elevation.

The property is set back from the road by approximately 15m, broadly in line with other

properties in the street. The front garden is landscaped with mature vegetation and a parking and turning area immediately to the front of the house. A single vehicular access at the northern side of the plot leads to the parking area and an attached garage at the southern side of the house.

To the rear, the garden slopes down from north-west to south-east and, beyond the patio immediately to the rear, the garden is grassed, with mature trees and shrubs along all boundaries. The overall depth of the rear garden from the rear of the existing house is approximately 38m, with the overall plot depth from front to rear being some 60m.

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 replaced in recent years throughout the estate.

The application site lies within the Copsewood Area of Special Local Character and is within the developed area as identified in the saved UDP, September 2007.

### **3.2 Proposed Scheme**

The application is for the demolition of the existing building and its replacement with a new two storey dwelling with accommodation in the roofspace.

The new building would be in a similar position to the existing building although with a substantially greater footprint, rectangular, almost square in shape. To the front it would be slightly forward of the front elevation of No.45 to the north-east. It would extend 13m to the rear, retaining a 1.5m gap either side of the plot. It would have an eaves level of 5.45m and ridge height of 8.4m above the proposed external ground level. Elevations would comprise brick, with a tiled roof.

### **3.3 Relevant Planning History**

18371/C/91/1042                      47 Copse Wood Way Northwood  
Erection of an attached garage and conversion of existing garage to habitable room with front extension

**Decision:** 23-08-1991    Approved

18371/D/98/0407                      47 Copse Wood Way Northwood  
Erection of a single storey side extension

**Decision:** 30-04-1998    Approved

#### **Comment on Relevant Planning History**

There is no recent planning history of relevance to this application site. It should, however, be noted that there have been replacement houses permitted and implemented in the immediate area. These are also referred to in the applicant's Planning Statement.

## **4. Planning Policies and Standards**

### **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.
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.
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
BE5	New development within areas of special local character
H4	Mix of housing units
H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
H9	Provision for people with disabilities in new residential developments
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## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

22 occupiers of adjoining and nearby properties have been notified of the application. One letter of representation has been received commenting that there is no objection to this application other than to understand the steps they propose to take to ensure no damage to the adjoining property, the need for a surveyor to avoid damage and to ensure that any windows that overlook the adjoining property are within the rules established by the council.

OFFICER COMMENT: The issues relating to potential damage and surveyors are not a planning matter, but would need to be addressed by the relevant property owners were the development to commence. Issues relating to overlooking are addressed below.

Northwood Residents Association: No response received.

### **Internal Consultees**

CONSERVATION AND URBAN DESIGN (Summary of Comments):

**BACKGROUND:** The proposal would involve the replacement of the existing house with a very substantial house on three floors. The house stands next to an access way to No. 49, built to the rear. Thus the side view of the house would be more than usually visible.

The proposed house would be unacceptable by virtue of its size, bulk and design, The house has been set forward of the building line, and the depth of the house to the rear, in conjunction with the steps and patio area would require a deep substructure. Neither the steps required at the rear to reach the garden, nor the patio, are shown consistently on the site plan, elevations and floor plans.

The house would be a very large rectangular box on three storeys, with a huge area of crown roof and some small areas of crown roof on the central gable at the rear, the back projection and the front projections. The proportions of the front elevation would be particularly unattractive: the overall concept is a traditional vernacular design but the double V shape at the front, the single offset windows at the side, the placing of the larger windows, the flat frontage and verandah are all elements which jar with the chosen design idiom.

**RECOMMENDATIONS:** Unacceptable

**TREES AND LANDSCAPE OFFICER:**

The site is covered by TPO 398, which protects all Oak, Hornbeam, Silver Birch and Scots Pine. No objections are raised with respect to trees matters, subject to appropriate conditions being imposed if planning permission were to be granted. It is noted that there are several high amenity trees on this site, most noticeably, the Hornbeam, Cedar and Silver Birch within the front garden and the Eucalyptus within the rear garden. These trees significantly contribute to the visual amenity and wooded character of the Copse Wood Estate Area of Special Local Character and are, in terms of Saved Policy BE38, landscape features of merit. The trees should therefore be afforded protection and long-term retention as part of the development. There are several other mature trees within the rear garden, including Oak, Willow and Cedar, which also contribute to the wooded character of the area and are features of merit.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Whilst the site is in an Area of Special Local Character, the principle of demolishing the existing building is acceptable, subject to the replacement dwelling being acceptable in terms of its siting, size, bulk, design, appearance and impact on adjoining occupiers and these issues are discussed in detail below.

### **7.02 Density of the proposed development**

The replacement dwelling would not substantially alter the density of development in the area, either in terms of dwellings or habitable rooms.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Policy BE22 states developments of two or more stories should be set away a minimum of 1.5 metre from the side boundary in the Copsewood Estate for the full height of the building. This is to protect the gaps between properties. The proposal is considered to comply with this advice and would not result in the visual closing of the gap between built development.

With regard to design, the SPD HDAS: Residential Layouts, Section 5.11 states that the intensification of sites within an existing streetscape, if carefully designed, can enhance the appearance of the surrounding area, and the form and type of development should be largely determined by its townscape context. In areas of varied townscape of little quality, new developments should aim to make a positive contribution to improve the quality of the area, although they should relate to the scale and form of their surroundings. In this

particular case, it is considered that due to the proposed site coverage, bulk, design, and roof form, the development is overly bulky and out of context in relation to its surroundings, resulting in an incongruous feature and over-development of the site to the detriment of the street scene and the wider area.

Planning Policy Statement (PPS)3: Housing, states that whilst it is considered to be strategically important that sufficient housing is delivered, it is made clear in the policy that this should not be at the expense of quality. Paragraph 13 of this document clarifies this advice, stating that design which is inappropriate in its context, or fails to take the opportunity available for improving the character and quality of an area and the way it functions should not be accepted.

With regard to design when determining applications, the PPS makes it clear that the following matters are relevant to good design:

- accessibility and efficient use of space
- access to outdoor space
- integration in terms of scale, density, etc
- efficient use of resources
- design led approach to car parking
- creation or enhancement of a distinctive character
- provision or protection of biodiversity and
- provision of safe play areas for children when providing family housing

Whilst the proposal is considered to comply with much of this advice, the design of the proposal is not considered to enhance the distinctive character of the area, or to integrate successfully in terms of scale and site coverage.

The proposed dwelling, due to its large footprint, and need to relate its height in terms of the existing adjacent properties, would result in a large crown roof and an excessive span depth. Whilst this excessive depth and large crown roof may not be apparent when standing directly in front of it, when viewed from an angle (which would be more usual when moving through a street scene) the building would appear overly large and bulky. Furthermore, whilst it is of a similar height to the neighbouring dwellings, when viewed against the back drop of the remaining properties in the street scene (again due to its depth and roof design) it would appear to dwarf these dwellings.

The Copse Wood Estate has an attractive woodland setting and this is characterised by views gained through and between the existing properties to the woodland behind, this area has been designated as one of the authorities 'Areas of Special Local Character', and therefore the authority wish to preserve and enhance this character. It is considered that the proposed replacement dwelling, due to the excessive footprint and roof design, would result in the loss of views between the properties to the detriment of the special character of the area. Whilst it is accepted there are other examples of this type of development proposal in the vicinity they are not considered as good examples of design and, in your officers view, are considered to detract from the street scene resulting in visual harm. As such, it is not something the authority would wish to encourage.

The Council's Conservation and Urban Design Officer supports this stance and considers that overall the proposed house would be unacceptable by virtue of its size, bulk and design.

In view of the above, it is considered that whilst the proposed house is relatively inconspicuous in the streetscene the proposed development would be significantly greater

in bulk and massing. It is considered that the combination of the proximity of the development to the side boundaries, combined with the bulk and mass of the building would result in a building that is overdominant in the streetscene and harmful to the character of the Area of Special Character. The south-western flank wall in particular would be particularly dominant against the backdrop of the vehicular access to the properties at the rear. The proposal would thus result in a detrimental impact on the visual amenities of the existing street scene, and the Area of Special Local Character, and as such would fail to comply with Policies BE5, BE6, BE13, and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007), the Supplementary Planning Document HDAS: Residential Layouts and Planning Policy Statement (PPS) 3: Housing.

#### **7.04 Airport safeguarding**

There would be no impact in this respect.

#### **7.05 Impact on the green belt**

The site is not within the Green Belt and as such there would be no impact.

#### **7.06 Environmental Impact**

Not applicable.

#### **7.07 Impact on the character & appearance of the area**

See Section 7.03

#### **7.08 Impact on neighbours**

The property that would be most affected by the development would be No.45 to the north-east. Whilst there is an attached garage between the boundary of the property and its main southern elevation, there is also a first floor window in the flank wall that has clear glazing and assumed to be that of a habitable room. However, given the relationship of the existing buildings it is considered that there would not be a material adverse impact to the light into, or outlook from that window to justify a refusal of permission. There is a birch tree and laurel hedge along this boundary that provide some screening between the properties and it would be desirable to retain these to ensure adequate levels of privacy. However, given the closeness of the new building to the boundary there would need to be detailed conditions to protect existing trees and vegetation, were an approval to be considered.

No.53 to the south is separated from the application site by an unmade vehicular access between the two properties that leads to Nos. 49 and 51 Copse Wood Way that are sited beyond the rear gardens. The access enables good spacing between the proposed development and No.53 and as such it is considered that there would be no adverse impact on the amenities of the occupiers of No.53.

Given the length of the garden and the intervening vegetation with the properties at the rear of the site there would be no adverse impact on the amenities of those occupiers.

To conclude on the impact of the development on neighbours, on balance, there would be no adverse impact in terms of loss of light, privacy, overlooking or any overbearing impact or visual intrusion that would justify a refusal of planning permission. As such, the application proposal would not represent an unneighbourly form of development and would thus be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

#### **7.09 Living conditions for future occupiers**

The proposed development would provide a satisfactory standard of living accommodation for the occupiers with the size of the dwelling being in excess of the Council's and London Plan Standards and all rooms receiving an appropriate level of natural light and

ventilation.

The amount of amenity space retained in the rear garden would still be sufficient and appropriate to this dwelling in accordance with HDAS: Residential Layouts and policy BE23 of the saved UDP. However, it is unclear as to the extent of rear patio areas and engineering works that may be required to accommodate the changes in level between the house and garden to enable access to the rear garden area.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

It is considered that the proposal would not give rise to any concern regarding traffic impact or highway safety. Whilst the replacement dwelling is larger it would not result in any significant additional increase in traffic generation and the existing crossover into the site would be utilised.

The application proposal would include the provision of a garage and off-street parking is available to the front of the property so as to accommodate two off-street car parking spaces and some soft/hard landscaping. This would be in compliance with policies AM14 and BE38 of the saved UDP and the Council's adopted Car Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

#### **7.11 Urban design, access and security**

See Section 7.03

#### **7.12 Disabled access**

The design allows for a level access to the front of the property, and would have a ground floor WC in compliance with Part M of the Building Regulations.

#### **7.13 Provision of affordable & special needs housing**

There would be no requirement in this case for the development to provide affordable or special needs housing.

#### **7.14 Trees, Landscaping and Ecology**

See Trees Officers comments above.

#### **7.15 Sustainable waste management**

Adequate refuse storage can be accommodated within the property.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this development.

#### **7.17 Flooding or Drainage Issues**

There would be no flooding or drainage issues arising from this development. Building Regulations would ensure that local drainage and sewerage measures are implemented in a satisfactory manner.

#### **7.18 Noise or Air Quality Issues**

There would be no noise or air quality issues arising from this development.

#### **7.19 Comments on Public Consultations**

As detailed above.

#### **7.20 Planning Obligations**

There would be no Planning Obligations arising from this proposal were planning permission to be granted.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

None at the time of writing.



## **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **9. Observations of the Director of Finance**

## **10. CONCLUSION**

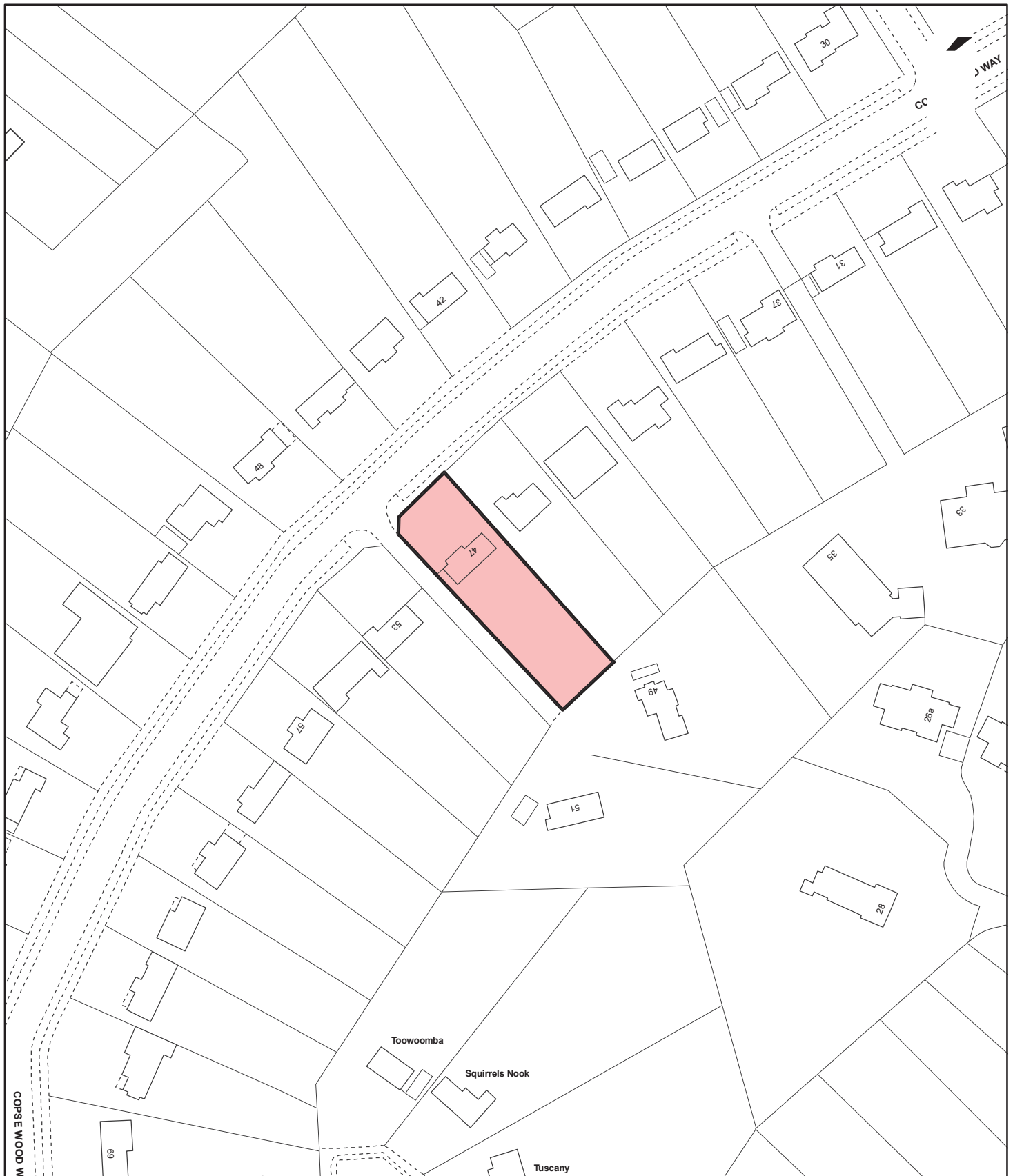
On the basis of the bulk, massing and scale of the proposed house in relation to its plot and its surroundings it is recommended that the application be refused.

## **11. Reference Documents**

Hillingdon Unitary Development Plan (Saved Policies September 2007).  
HDAS: Residential Layouts  
PPS3: Housing  
London Plan (2011)

**Contact Officer:** Warren Pierson

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**47 Copse Wood Way,  
 Northwood**

Planning Application Ref:

**18371/APP/2011/1271**

Planning Committee

**North**

Scale

**1:1,250**

Date

**September  
 2011**

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

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



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