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North Planning Committee

Date: THURSDAY 21ST MAY 2009

Time: 7.00 PM

Venue: COMMITTEE ROOM 5, CIVIC CENTRE

HIGH STREET, UXBRIDGE

To Councillors on the Committee:

Membership of the Committee to be confirmed following AGM

Eddie Lavery (Chairman)
Allan Kauffman (Vice-Chairman)
Michael Markham
Carol Melvin
David Allam
Anita MacDonald

Conservation Area Advisory Members

Chris Groom/Lesley Crowcroft (Eastcote) Clive Pigram (Ruislip) John Ross / Michael Dent (Harefield) Michael Hirst (Canal Locks) Pamela Jeffreys (Ickenham)

Publication Date: 13th May 2009

Contact Officer: Nadia Williams

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Agenda

- 1. Apologies for Absence
- 2. Declarations of Interest in matters coming before this meeting
- 3. Matters that have been notified in advance or urgent
- 4. To sign and receive the minutes of the meetings held on 7th April 2009
- 5. To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private.

Reports - Part 1 - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. Reports are split into 'major' and 'non-major' applications. The name of the local ward area is also given in addition to the address of the premises or land concerned.

Non-Major Applications With Petitions

	Address	Ward	Description & Recommendation	Page
6.	23 & 25 Crescent Gardens, Eastcote 64562/APP/2008/1582	Eastcote & East Ruislip	Conversion of hipped roofs to gable roofs on both Nos.23 and 25 Crescent Gardens, involving the installation of one front roof-light to each property and construction of a rear dormer to each property Recommendation: Approval of Conditions	7
7.	42B The Drive, Northwood 55192/APP/2006/896	Northwood	Construction of new first floor with pitched roof to provide residential accommodation with separate access and conversion of property to provide two, 3-bedroom flats together with frontage parking spaces Recommendation: Approval	15

Non-Major Applications Without Petitions

	Address	Ward	Description & Recommendation	Page
8.	31 Linksway, Northwood 41694/APP/2009/226	Northwood	Erection of a part two storey, part first floor side/rear extension with front dormer and 4 side roof-lights, involving the conversion of the side garage for habitable use and installation of two front and two rear dormers, rear hipped roof extension and a side roof-light to allow habitable use of existing and proposed roof-space, installation of replacement front porch and entrance gates and piers	33
9.	88 Hillside Road, Northwood 65810/APP/2009/327	Northwood Hills	Recommendation: Approval Erection of a single-storey side and rear extension with lower ground floor level and conversion of roof-space to habitable use involving the installation of a rear and side dormer, 1 side roof-light and alterations to roof Recommendation: Refusal	45

Other Business

Plans for North Planning Committee - 21 May 2009

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 Matters that have been notified in advance or urgent
- 4 To sign and receive the minutes of the meetings held on 7th April 2009
- To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

Reports - Part 1 - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary

this. Reports are split into 'major' and 'non-major' applications. The name of the local ward area is also given in addition to the address of the premises or land concerned.

Non-Major Applications With Petitions

6 23 & 25 Crescent Gardens, Eastcote - 64562/APP/2008/1582

Conversion of hipped roofs to gable roofs on both Nos.23 and 25 Crescent Gardens, involving the installation of one front roof-light to each property and construction of a rear dormer to each property

Recommendation: Approval of Conditions

7 42B The Drive, Northwood - 55192/APP/2006/896

Construction of new first floor with pitched roof to provide residential accommodation with separate access and conversion of property to provide two, 3-bedroom flats together with frontage parking spaces

Recommendation: Approval

Non-Major Applications Without Petitions

8 31 Linksway, Northwood - 41694/APP/2009/226

Erection of a part two storey, part first floor side/rear extension with front dormer and 4 side roof-lights, involving the conversion of the side garage for habitable use and installation of two front and two rear dormers, rear hipped roof extension and a side roof-light to allow habitable use of existing and proposed roof-space, installation of replacement front porch and entrance gates and piers

Recommendation: Approval

9 88 Hillside Road, Northwood - 65810/APP/2009/327

Erection of a single-storey side and rear extension with lower ground floor level and conversion of roof-space to habitable use involving the installation of a rear and side dormer, 1 side roof-light and alterations to roof

Recommendation: Refusal

Plans for North Planning Committee - 21 May 2009



Agenda Item 4

NORTH PLANNING COMMITTEE

Meeting held at the Civic Centre, Uxbridge on 7th April 2009 at 7.00pm

Councillor Eddie Lavery (Chairman)
Councillor Allan Kauffman (Vice-Chairman)

Councillors: Michael Markham David Allam

Carol Melvin Anita MacDonald

Advisory Members * Michael Hirst Canal Locks Conservation Panel

* Chris Groom/Lesley Eastcote Conservation Panel

Crowcroft

* Clive Pigram Ruislip Conservation Panel

John Ross Harefield Village Conservation Panel

Pamela Jeffreys Ickenham Conservation Panel

1. BUSINESS TO BE CONSIDERED IN PUBLIC

The Committee agreed that all of its business would be conducted in public with the exception of item 7, which was considered in Part 2 as it contained exempt information as defined in Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985).

2. MINUTES

The minutes of the meeting held on 2nd March 2009 were agreed as a correct record and signed by the Chairman.

3. DECLARATION OF INTERESTS

Councillor Carol Melvin declared a personal and prejudicial interest in item 3 – 23 Halland Way, Northwood, pertaining to supporting the applicant in her role as Ward Councillor. Councillor Melvin withdrew from the meeting during discussion and did not take part in the decision of the application.

4. DECISIONS ON APPLICATIONS

Decisions on applications are shown below and are based on Agenda and reports for the meeting, and Addendum sheets circulated at the meeting.

Item No.	Address	Ward	Proposal	Application No.
1.	Harefield Academy Northwood Way Harefield	Harefield	Variation of condition 3 (opening hours) of planning permission ref.17709/APP/200 6/825 dated	7709/APP/2009/429

Denotes apologies received

	16/06/2006:	
	Redevelopment of	
	school, involving	
	erection of new	
	buildings and	
	demolition of	
	existing buildings	

The officer's recommendation for the variation of Condition 3 was moved, seconded and on being put to the vote was agreed.

RESOLVED – That Condition 3 of Planning Permission 17709/APP/2006/825 dated 16/06/2006 be varied subject to additional restrictions as set out in the officer's report.

Item No.	Address	Ward	Proposal	Application No.
2.	Kylemore House Hill End Road Harefield	Harefield	Gate to front boundary to include new vehicular crossover	17709/APP/2009/429

This application was withdrawn by the applicant.

Item No.	Address	Ward	Proposal	Application No.
3.	23 Halland Way Northwood	Northwood	Erection of a first floor rear extension and part two-storey, part single – storey side/rear extension and conversion of roof-space for habitable use involving the raising of the roof height and installation of 3 side, 2 rear and 2 side roof-lights (Resubmission)	13589/APP/2008/2958

In introducing the report, officers advised that the description of the application varied slightly from that in the report and the wording is as shown in the proposal above. The officer recommended that condition 6 should be revised to include obscure glazing in order to protect the amenities of neighbouring residents.

Representatives of a petition in objection to the development addressed the Committee. The applicant spoke in support of the application.

It was noted that the applicant would be prepared to consider reducing the garage by at least a metre. However, in the absence of his architect, this proposal could not be confirmed.

The Legal Advisor advised the Committee that, if the applicant was proposing to make a change to the application, and Members were minded to take this into account, the Committee would need to either consider the application that was in front of them, or defer the application in order for the changes to be reflected.

In response to a query about overlooking, officers advised that there were no issues of overlooking, and explained that the proposal was for the two side windows to be obscure glazed.

The officer's recommendation for approval was moved, seconded and on being put to the vote was agreed.

RESOLVED – That the application be approved subject to the conditions and informatives set out in the officer's report and revised condition as follows:

Revised Condition 6

The new first floor en-suite bathroom and three roof-light windows facing 21 Halland Way and first floor bathroom and roof-light windows facing 25 Halland Way shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

Reason

To prevent overlooking to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Item No.	Address	Ward	Proposal	Application No.
4.	43 Oak Avenue Ickenham	West Ruislip	The erection of a two-storey side/rear extension, front porch, part two-storey rear extension and rear conservatory, decking, and conversion of the roof-space to provide habitable accommodation involving raising the roof and the installation of two rear dormer windows and three roof-lights (Involving demolition	64104/APP/2009/100

	of the side garage	
	and rear	
	conservatory)	

A petition representative addressed the Committee and spoke in objection to the application. The agent spoke in support of the development.

In response to a request to clarify the issue of dominance and the 45 degree line of sight, officers advised that the 45 degree line of sight was taken from the middle of a habitable room window and normally, any neighbouring two-storey building within this line of sight would breach guidance, if it was sited within 15m of the window. In this case, the application property was already sited within 15m of the side habitable window at the neighbouring property, No. 41 and therefore, the outlook from the window was already restricted. However, the proposal would make the existing situation worse by bringing a two-storey development closer to the window.

The Conservation Advisory Member for Ickenham commented that, compared to the previously approved scheme, the Conservation Panel fully supported the officer's recommendation for refusal of this scheme.

The officer's recommendation for refusal was moved, seconded and on being put to the vote was agreed.

RESOLVED – That the application be refused for the reasons set out in the officer's report.

Item No.	Address	Ward	Proposal	Application No.
5.	Joel Street Farm Joel Street Northwood	Northwood Hills	Erection of a single- storey rear extension with 2 roof-lights	8856/APP/2008/2721

In introducing the report, officers advised that the building was a locally listed building, where the Council recognised its own buildings, which were not high status enough to be statutorily listed. It was noted that locally listed buildings were included in Policy in order to protect architectural buildings.

The officer's recommendation for refusal was moved, seconded and on being put to the vote was agreed.

RESOLVED – That the application be refused for the reasons set out in the officer's report.

Item No.	Address	Ward	Proposal	Application No.
6.	Verge adjacent to Recreation Ground Field End Road Ruislip	South Ruislip	Installation of a 12.5m high imitation telegraph pole mobile phone mast and ancillary equipment cabinet (Consultation under Schedule 2, Part 24 of the Town and Country Planning	65815/APP/2009/345

	(General Permitted	
	Development) Order 1995	
	as amended)	

Members commented that positioning a third mast in this area would be unsuitable, and expressed concerns about the proposed mast further decreasing the sight lines, and the detrimental effect it would have on traffic, particularly around school time.

The officer's recommendations were moved, seconded and on being put to the vote were agreed.

RESOLVED

- A) That prior approval of siting and design was required
- B) That details of siting and design be refused

PART 2

This report was considered in Part 2 because it contained exempt information as defined in paragraph 6 of the schedule to the Local Government (Access to Information) Act 1985. The report contains information, which if disclosed to the public, would reveal that the authority proposes –

- a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- b) to make an order or direction under any enactment (Paragraph 13 of the Schedule to the Act).

Item No.	Address	Ward	Proposal	Application No.
7.	30 Northolt Avenue	South Ruislip	To consider the expediency of	ENF/961/06
	Ruislip		Enforcement Action	

RESOLVED – That Enforcement Notice as recommended in the officer's report be approved and recommendation 1.2 be revised to six calendar months.

The meeting closed at 8.40pm.

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Agenda Item 6

Report of the Corporate Director of Planning and

Community Services

Address: 23 AND 25 CRESCENT GARDENS, EASTCOTE

Development: CONVERSION OF HIPPED ROOFS TO GABLE ROOFS ON

BOTH 23 AND 25 CRESCENT GARDENS, INVOLVING THE INSTALLATION OF ONE FRONT ROOFLIGHT TO EACH PROPERTY AND CONSTRUCTION OF A REAR DORMER TO

EACH PROPERTY (RETROSPECTIVE)

LBH Ref Nos: 64562/APP/2008/1582

Drawing Nos: 1:1250 Location Plan, MB/1620/1 & MB/1620/2 (23 Crescent

Gardens) and MB/1620/1 & MB/1620/2 (25 Crescent Gardens),

received 20/05/08

Date of receipt: 20/05/08 **Date of Amendments:**

VARIATION REPORT

1.0 Members may recall that this application was reported to the North Planning Committee meeting held on 8th October 2008 (the report to the Committee is attached as Appendix A). The application was recommended for refusal. However, members resolved to grant planning permission, subject to conditions and informatives, which were subsequently agreed with the Chairman and the Labour Lead Member. The application was approved subject to the completion of an agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to ensure that the works were constructed and completed simultaneously.

2.0 The application was for the conversion of hipped roofs to gable roofs on both 23 and 25 Crescent Gardens, involving the installation of one front rooflight to each property and construction of a rear dormer to each property. Following the Committee resolution to grant permission, the development was carried out, prior to the completion of the S106 agreement, in accordance with the submitted plans.

The fact that the work was carried out and completed simultaneously means that an agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to ensure that the roof works were constructed and completed simultaneously is no longer required. It is, therefore, recommended that the application is approved without the requirement for a S106 agreement and with the following conditions and informatives, as previously agreed:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3. The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Informatives:

- 1. I1 Building to Approved Drawing
- 2. I3 Building Regulations Demolition and Building Works
- 3. I5 Party Walls
- 4. I6 Property Rights/Rights of Light

Appendix A – Previous report

Contact Officer: MEGHJI HIRANI Telephone No: 01895 250230

Report of the Corporate Director of Planning and

Community Services

Address: 23 & 25 CRESCENT GARDENS, EASTCOTE

Development: CONVERSION OF HIPPED ROOFS TO GABLE ROOFS ON

BOTH 23 AND 25 CRESCENT GARDENS, INVOLVING THE INSTALLATION OF ONE FRONT ROOFLIGHT TO EACH PROPERTY AND CONSTRUCTION OF A REAR DORMER TO

EACH PROPERTY

LBH Ref Nos: 64562/APP/2008/1582

Drawing Nos: 1:1250 Location Plan, MB/1620/1 & MB/1620/2 (23 Crescent

Gardens) and MB/1621/1 & MB/1621/2 (25 Crescent Gardens),

received 20/05/08

Date of receipt: 20/05/08 Date(s) of Amendment(s): None

CONSULTATIONS

8 adjoining owner/occupiers have been consulted. 6 letters and a petition with 20 signatures in support of the proposal have been received.

External Consultees

Eastcote Residents' Association:

Although changing the roof shape of both of these semi-detached houses would give uniformity, it is considered that it would be detrimental to the street scene, especially as these houses are very near to the Morford Way Conservation Area.

The rear dormers are very large and give the impression of a block of flats. Because of the curve of the road, these dormer windows could overlook surrounding gardens.

KEY PLANNING ISSUES

- 1. The application site comprises 23 and 25 Crescent Gardens, a pair of semi-detached houses located on the northern section of Crescent Gardens. To the east lies 21 Crescent Gardens and to the west lies 27 Crescent Gardens, both semi-detached houses. The street scene is residential in character and appearance comprising semi-detached house with hipped roofs and front gables set below the roof ridge. The application site lies within the 'developed area' as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).
- 2. It is proposed to replace the hip end roof with gable ends and install rear dormer windows to both houses each measuring 6.1m wide, 3.2m deep and

- finished with flat roofs 2.45m high. Gaps of 0.5m would be retained to the edges and eaves and a 0.3m gap would be retained to the roof ridge.
- 3. The street scene is characterised by two storey semi-detached houses with hip end roofs. There are some houses in the street that have carried out hip to gable end roof alterations. These are:
 - (i) 6 Crescent Gardens No planning history
 - (ii) 44 Crescent Gardens Deemed permitted development on 05/01/2004 (36921/APP/2003/2656)
 - (iii) 47 Crescent Gardens Deemed permitted development on 29/11/2004 (54730/APP/2004/3123)
- 4. The applicant advises that a precedent has been set for hip to gable end roof alterations. However, the planning history shows that planning permission has not been granted for the roof alterations to the above properties with two being carried out as permitted development. As such, the group of properties where the application properties reside is distinct in its pattern and roof forms. It is therefore considered that the introduction of gable end roofs in this street would detract from the architectural composition of the properties in the street which are similar in design and architectural composition to the application properties. This would be out of keeping with the area within which they reside, detracting from the character and appearance of the street scene. It is noted that the applicant proposes to maintain the balanced appearance of the application properties by proposing hip end roof to both houses, however, this is not considered to outweigh the harm that would be caused by the introduction of gable end roofs to the character and appearance of the street scene and surrounding area.
- 5. It is therefore considered that although the proposed development would result in the symmetry of the pair of semi-detached houses being maintained, the prevailing character of the area is of semi-detached properties with hipped roofs and there are no other pairs of semi-detached houses that have carried out hip to gable end roof alterations, under the grant of planning permission. On a similar case at 94 and 96 Jubilee Drive, South Ruislip, the Inspector at appeal commented as follows:

"Although the proposed design means that the symmetry of the 2 dwellings would be maintained at roof level, I consider that the changes to a gable roof form at both houses would be out of keeping with the prevailing pattern of development in the area where hipped roofs predominate, giving the area its distinctive character."

6. In relation to the dormer windows she adds:

"In my opinion the addition of large dormers at the rear would further emphasise the interruption to the regular rhythm of the roof line in the street scene."

- 7. The proposal is therefore considered to detract from the character and appearance of the street scene and surrounding area, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), and section 7.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.
- 8. The rear dormers would overlook the rear gardens of the houses in Crescent Gardens, however the existing first floor windows of 23 and 25 Crescent Gardens already overlook the rear gardens and therefore this increase in overlooking is not considered to be so significant over and above the current situation. As such, the proposal would comply with policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).
- 9. For the reasons outlined above and that the development is contrary to the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for refusal.

OBSERVATIONS OF 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'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

RECOMMENDATION: REFUSAL FOR THE FOLLOWING REASON: -

The proposal by reason of the hip to gable end roof design and the size and scale of the rear dormer windows would be detrimental to the character and appearance of the pair of semi-detached houses Nos.23 and 25 Crescent Gardens and the character and visual amenities of the street scene and surrounding area generally. The proposal is therefore contrary to policies BE13, BE15 and BE19 from the Hillingdon Unitary Development Plan Saved Policies September 2007 and the Supplementary Planning Document (HDAS): "Residential Extensions."

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 and London Plan 2004 set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

BE13 – new development to harmonise with the existing street scene.

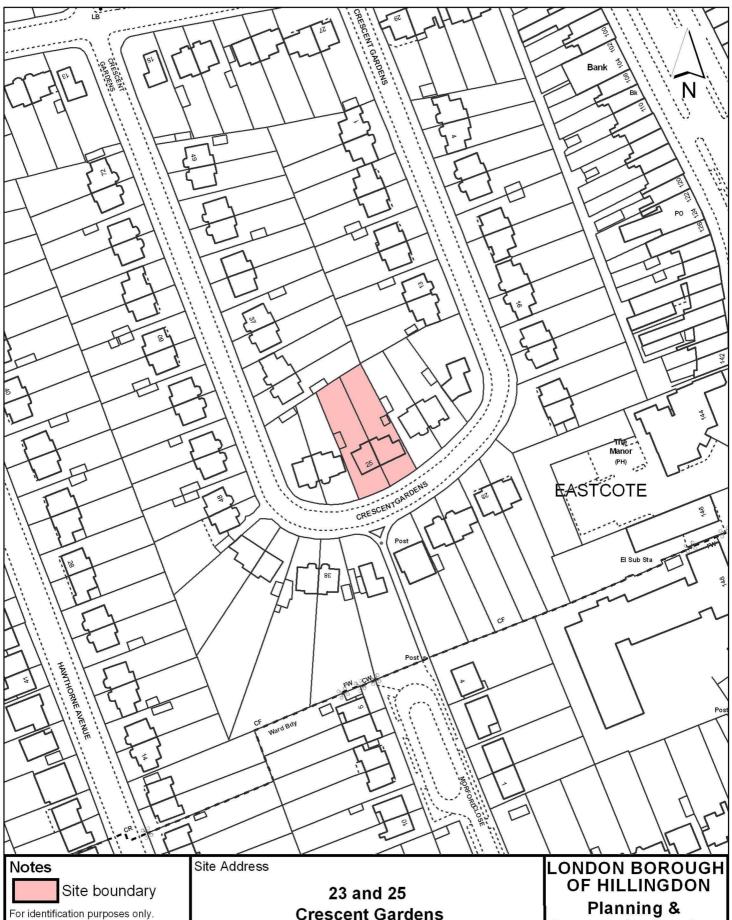
BE15 - Alterations and extensions to existing buildings

BE19 – new development to complement and improve the amenity and character of the area.

BE24 – design to protect privacy of occupiers and neighbours

Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents)

Contact Officer: SONIA BOWEN Telephone No: 01895 250230



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Crescent Gardens Eastcote

Planning Application Ref:

64562/APP/2008/1582

Planning Committee

North Page 13

Scale

1:1,250

Date

October 2008

Community Services

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



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Agenda Item 7

Report of the Corporate Director of Planning and Community Services

Address: 42B THE DRIVE, NORTHWOOD

Development: CONSTRUCTION OF NEW FIRST FLOOR WITH PITCHED

ROOF TO PROVIDE RESIDENTIAL ACCOMMODATION WITH SEPARATE ACCESS AND CONVERSION OF PROPERTY TO PROVIDE TWO, 3-BEDROOM FLATS TOGETHER WITH

FRONTAGE PARKING SPACES

LBH Ref Nos: 55192/APP/2006/896

Drawing Nos: 201.422-1, 201.422-2, 201.422-10, 201.422-11 received 7th

January 2008

VARIATION REPORT

1.0 S106 Agreement - The S106 Agreement was completed on 9th April 2009. However, clause 4 of the committee resolution requires that the application, at the discretion of the Director and Community Services, be reported back to the Planning Committee in the event that the S106 Agreement has not been completed within 6 months.

- 2.0 The current planning application was lodged on the 26th April 2006, and was reported to the North Planning Committee on 17th July 2008. The report is attached as Appendix A.
- 3.0 The Committee determined to approve the application, subject to the applicant and Council entering into a Section 106 Agreement to secure the following:

The existing granny annexe and garage shall be used for ancillary residential purposes and solely in connection with and not independent of the ground floor flat of the approved scheme. The planning permission pertaining to the development of the granny annex (Ref. 55192/APP/200/1095) in connection with 42B The Drive, Northwood shall remain in force, in perpetuity, with the approved ground floor flat.

- 4.0 The Section 106 Agreement was completed on the 9 April 2009. However, as the agreement was not finalised within the 6 month period stipulated by the previous Committee resolution, it is considered that Committee approval should be sought prior to issuing a decision on the application.
- 5.0 Accordingly, approval is recommended, subject to the conditions and informatives contained within the report presented to the North Planning Committee on 17th July 2008.

Contact Officer: RICHARD PHILLIPS Telephone No: 01895 250230

Report of the Corporate Director of Planning and **Community Services**

Address: 42B THE DRIVE, NORTHWOOD

CONSTRUCTION OF NEW FIRST FLOOR WITH PITCHED **Development:**

> ROOF TO PROVIDE RESIDENTIAL ACCOMMODATION WITH SEPARATE ACCESS AND CONVERSION OF PROPERTY TO PROVIDE TWO, 3-BEDROOM FLATS TOGETHER WITH

FRONTAGE PARKING SPACES

LBH Ref Nos: 55192/APP/2006/896

201.422-1, 201.422-2, 201.422-10, 201.422-11 received 7th **Drawing Nos:**

January 2008

26/04/2006 Date of receipt: Date(s) of Amendment(s): 07/01/2008

CONSULTATIONS

External Consultees

London Fire and **Emergency Planning** Authority

The applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control who in some circumstances may be obliged to consult the Fire Authority.

Northwood Residents Association

No response.

Two rounds of neighbour notification were carried on the 3/5/06 and the 28/1/08.

From the first round of notifications 9 individual objections were received plus a petition of objection with 50 signatories

On the second round of notifications 12 individual letters of objection were

The issues raised are highlighted below:

- The increase in height of the building will restrict the light and outlook of nearby residential properties and be an unpleasant slab not at all consistent with the nature of the district.
- 2. Overlooking of the windows and gardens of neighbouring properties would result.
- The site has been subdivided in the past and the housing density is too high. Any further increase in number of dwellings would be an over-development of the site.
- 4. There is insufficient parking provision for the

received.

- development and existing traffic and parking problems cause inconvenience and loss of amenity to residents
- 5. The access road is too narrow and unsuitable for the number of vehicles that would enter and exit the site including emergency vehicles.
- 6. There is insufficient space for access and manoeuvring of emergency vehicles.
- 7. There are no flats or apartments in the street and the development would be out of character with the established family houses and bungalows.
- 8. The site is not large enough and the development would result in loss of protected trees and plants and an increase in parking space.
- 9. It is unlikely that the existing structure and footings could support the additional level proposed.
- 10. The value of properties in the area would be affected by the development.
- 11. The development would not improve the existing property or conditions but is merely for financial gain to the detriment of neighbouring residents.
- 12. There are existing water pressure, sewage and drainage problems and these would increase as a result of the development.
- 13. Granting of permission would set a precedent for further such developments in the area.
- 14. The area is prone to subsidence and the existing building has structural problems due to removal of trees.
- 15. The development would result in a mish mash of ill designed homes.
- 16. Do not object to the principle of another storey but do object to the creation of two flats.
- 17. Development would be a breach of the restrictive convenient applying to this site.

Councillor Scott Seaman-Digby

I would like to lodge my formal opposition to plans for changes to the bungalow at 42B The Drive. The changes already taken place where an ancillary 'granny annexe' has been leased to individuals not connected to the family makes a mockery of the rules applied by the Council. Further changes planned effectively make the bungalow a small flatted block and will have detrimental impacts on neighbours, the streetscene and on traffic flows. The Drive is a predominantly lowdensity area and this development will bring a further decline in the area and undermine the protection envisaged for the area when it was originally developed.

There are also serious issues regarding the loss and failure to replace trees and planting by the owners, who I fear hold the planning authority in contempt and must be dealt with decisively if residents are to have any faith in our ability to manage and impose conditions on developments.

Internal Consultees

Highways Engineer

The proposed parking provision exceeds current Hillingdon Unitary Development Plan Saved Policies September 2007 maximum parking standards. A maximum of 3 parking spaces for 2 flats may be permitted. The proposed parking layout would also block the entrance to the garage within the granny annex. However, the above issues can be resolved provided a condition is attached to the planning consent.

No objections subject to following condition:

The development hereby approved shall not be commenced until details of parking provision and parking arrangements have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved arrangements have been implemented.

REASON

To ensure that adequate facilities are provided in accordance with Policies AM14, AM15 and the parking standards as set out in the adopted Hillingdon Unitary Development Plan Saved Policies September 2007

Access Officer

Access comments are as follows:

- 1. The existing stepped access to the ground floor dwelling could be improved by the addition of handrails either side of the steps.
- 2. Similarly, the proposed stepped access to the first floor extension should have handrails either side of the steps.
- 3. A new staircase is proposed to access the first floor extension. This should be built to ambulant disability standards in terms of the height of the risers and depth of the tread (the applicant should refer to Part M of the Building Regs).

KEY PLANNING ISSUES

Site Description

1. The subject site is located on the northern side of The Drive in Northwood, on a backland site adjoining the Northwood Golf Course to the rear, which is identified 'Green Belt' in the Hillingdon Unitary Development Plan Saved Policies September 2007. It contains a single storey, detached dwelling with a detached bedsit/garage building to the front of the site. The immediate area is predominantly residential in nature and consists of detached and semi-detached single storey and two storey dwellinghouses. The site is designated 'Developed Area' in the Hillingdon Unitary Development Plan Saved Policies September 2007.

Planning History

- 2. The planning history concerning the site includes:
 - Planning approval (ref: 55192/APP/2000/1095) in August 2000 to convert a garage into a granny annex with attached garage and carport. A condition attached to that consent restricted the use of the granny annexe to be used only in connection with the main house and not to be used as a separate unit.
 - Recent Enforcement history regarding the unauthorised use of the granny annexe as a separate unit. On the 14 February 2008 it was confirmed that the unauthorised use had ceased and the enforcement investigation has been closed.

Planning Application

3. The application is for the erection of a new first floor with pitched roof over to the existing single storey building to provide residential accommodation with separate access, and the conversion of the property to provide two 3-bedroom flats. The footprint of the building will remain the same as the

existing building. The extension will have a pitched roof, similar in appearance to the existing roof, with a ridge height of 7.5m and 5.5m at eaves level. The conservatory and a section of the building where it adjoins the garage of 42C The Drive will remain single storey.

The application was originally submitted as 2, four-bedroom flats, but following negotiations where concerns were raised in respect of overlooking and loss of privacy to the adjoining property, the scheme was revised to 2, 3 bedroom units with alterations to the flank elevations.

Main Planning Issues

- 4. The main planning issues for consideration relate to:
 - (i) Principle of the development:
 - (ii) Impact of the development on existing amenity;
 - (iii) Impact on the character and appearance of the area;
 - (iv) Standard of living conditions for future occupants;
 - (v) Traffic and parking implications; and
 - (vi) Access for people with disabilities
 - (i) Principle of the development:
- 5. The site is located within a predominantly residential area and the proposed work would convert an existing residential dwelling into two 3-bedroom flats. The proposed residential use in this location is considered appropriate and the proposal would increase the Borough's housing stock, in line with the housing policies of the Hillingdon Unitary Development Plan Saved Policies September 2007 and National Government guidance particularly through Planning Policy Statement 3. The principle of the development is therefore considered acceptable.
 - (ii) Impact of the development on existing amenity:
- 6. The properties potentially most affected by the development would be the adjoining residential dwellings.
- 7. With regard to the ground floor, the external changes proposed would involve the creation of separate accesses to each proposed units and an extension over the existing access to create a staircase to access the proposed upper floor. All other openings, windows and doors, will remain as existing.
- 8. The proposed upper level replicates the ground level in footprint, except for the staircase access on the southwestern side boundary with 42C The Drive. The extension will be located 8 metres away from the side of the dwelling at 42C. The scheme has been amended since the original submission to create 3 bedrooms for each unit and rearrange the first floor southwest facing windows. As such, with the loss of Bedroom 4 and the new Bedroom 3 being serviced by a rooflight, there would be no overlooking of the adjoining dwelling at 42C.

- 9. No windows are proposed to the first floor habitable rooms on the north-eastern elevation facing 40A The Drive. However, there will be two kitchen windows on this elevation, which will have a cill level of 1.7 metres above the finished floor level. This height level will prevent any overlooking of that property. The extension will be located 4.8 metres from the side boundary with 40A The Drive and 6 metres from the side of the two storey dwelling on this site. Furthermore, the extension will be located 23 metres from the two storey dwelling at 40B The Drive, which is located to the north eastern side of 40A.
- 10. The extension will be located 15 metres from the rear boundary of 42A The Drive and 33 metres away from the rear of the two-storey dwelling at this address. There would be 2 windows on the front elevation at first floor, replicating the size and design of the ground floor front windows, facing 42A. However, this would not result in an overlooking issue since the adjoining dwelling at 42A is 33 metres away, and in addition there is a mature tree on this boundary that provides significant screening. This distance also complies with section 4.12 of HDAS Residential Layouts, which states that the distance between facing habitable rooms should not be less than 21m.
- 11. The ground level slopes downwards in a Northeast/Southwest direction resulting in the application property being slightly higher than No. 42C and, notwithstanding it being single storey, at a significantly lower level than 40A. The addition of the extension would still result in the proposal being lower than No.40A. The proposed extension would increase the height of the application property materially over that of No. 42A. No. 42C appears to be a mirror image of No. 42B, and as such, bedroom windows would face 42B. The impact on light received by those windows has been assessed using the Building Research Establishment (BRE) 'Site layout planning for Daylight and Sunlight' 1991 guidance. A line taken at a 25-degree angle from a point 2m above ground floor level, which would approximate to the centre point of the potentially affected windows, would not be breached by the proposed extension. As such, that property would not be materially affected by the proposal in terms of loss of light. In this respect, the scheme would comply with policies BE20 of the Hillingdon Unitary Development Plan Saved Policies September 2007.
- 12. Having regard to the above, the proposal would similarly not have a materially overdominant impact on No. 42C. The building does not breach BRE standards as set out above, and the eaves height is well within the 25-degree line, due to the hip design of the roof.
- 13. It is considered that the adjoining residential properties would not be materially affected by way of loss of light, outlook or privacy, or an increased sense of enclosure and overdomination. The proposal is considered consistent with policies BE20, BE21, BE22, BE24 and OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.
 - (iii) Impact on the character and appearance of the area:

- 14. The scale and massing of the development would be consistent with that within the area. The increase in the roof height is not considered to be detrimental to the visual amenities of the locality, which has a diverse mix of building designs and height levels. It is considered that the layout and appearance is in keeping with policy BE13 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007. Given that the extension is built on the existing footprint of the existing property, there is no impact on the visually open gaps between the proposal and its neighbours. The proposal therefore, complies with the requirements of policy BE22 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.
- 15. The proposed building would respect the existing front building line of the neighbouring property at 42C to the southwest and its size and scale, at two storeys, is also in keeping with nearby properties. Large gaps would exist on both sides and therefore the open character of the immediate area would be maintained and the building would not appear cramped within the site. The roof design would consist of a gable on both sides, which generally matches prevailing development in the area. The overall exterior design of the proposed building is considered to be of a high quality. It is considered that the building itself would be in keeping with the general pattern of development in the area and would not be harmful to the character and appearance of the area.
- 16. In terms of design and appearance and the impact of the proposal on the character and appearance of the area, the development is considered to be consistent with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.
- 17. The Green Belt is located 21 metres away to the northwest from the rear of the proposed extension and is screened from the site by a belt of mature trees. The proposal matches previously approved development adjoining the green belt in the vicinity. It is considered that the proposal would not have a significant impact upon the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated. The proposal would therefore comply with policy OL5 of the Hillingdon Unitary Development Plan Saved Policies September 2007. The application does not propose the removal of any trees on site.
 - (iv) Standard of living conditions for future occupants:
- 18. Supplementary Planning Document (SPD) HDAS Residential Layouts, Section 4.0 provides design guidance for residential developments and suggests that a 3 bedroom flat should provide an internal floor space of at least 77m². The 3 bedroom flats proposed would have floor areas of 145m² and 148m², which far exceed the minimum required for a 3 bedroom flat by this SPD. As such, the proposal would be capable of providing dwellings of an adequate size and standard and would comply with policy H7 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

- 19. In terms of outdoor amenity space, HDAS Residential Layouts, Section 4.17, a communal garden space of 30m² per 3 bedroom flat should be provided, making the total requirement in this case of 60m². The application proposes an area of approximately 412m² of usable shared amenity space, which exceeds this requirement. The size of the amenity space proposed is considered more than adequate for the proposed scheme and complies with HDAS Supplementary Planning Document Residential Layouts and policies H7 and BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007, which requires adequate amenity space for each flat in the proposed development.
- 20. The rear amenity space allows for sufficient space for both of the flats and can be conditioned so the amenity of the ground floor flat is protected. This condition requires details of screen planting and/or hedges in the rear garden to protect against direct views into the ground floor rear facing openings.
- 21. It is considered that the sizes of the proposed flats and the associated amenity areas would be acceptable and would provide a satisfactory standard of living for future occupiers. It is therefore considered that a satisfactory residential environment will be achieved in compliance with policy H7 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.
 - (v) Traffic and parking implications:
- 22. The existing access road from The Drive will provide access to 4 car parking spaces at the front of the site, which is in excess of the minimum 3 car parking spaces required by the current Unitary Development Plan Saved Policies September 2007 car parking standards. The proposal was referred to Council's Transport Planner who has not objected to the proposed development but in order to resolve certain issues, a condition must be in place. However, the Officer outlined that the proposed parking layout would block the entrance to the garage within the granny annex. It was stated that this issue can be resolved by providing a condition requiring the details of the parking provision to be submitted to and approved in writing by the Local Planning Authority prior to development commencing on site.
- 23. The proposal was referred to the London Fire and Emergency Planning Authority who have not objected to the access or highlighted any issues regarding the manoeuvring of emergency services vehicles.
- 24. It is considered that the proposed car parking and access arrangement complies with Council's car parking standards and would comply with policies AM14 and AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.
 - (vi) Access for people with disabilities:
- 25. The Council's Access Officer has outlined concerns relating to the existing stepped access to the ground floor flat, which could be improved by the

addition of handrails to either side of the steps, while the proposed stepped access to the first floor extension should also have handrails either side of the steps. The Officer has advised that the proposed new staircase to the first floor extension should be built to ambulant disability standards in terms of the height of the risers and depth of the tread in accordance with Part M of the Building Regulations. A condition will require these issues be addressed, while another condition will require the flats be built to Lifetime Homes standards. It is considered that the proposal will accord with policy H9 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

26. The existing granny annexe on the site was approved in connection with the existing bungalow. Should planning permission be granted and implemented, the condition that was attached to that original consent would no longer be valid. It is considered therefore that the granny annexe should be tied to the ground floor flat and used in connection with that flat and not as an independent unit. The applicant has agreed to an undertaking to that effect and has submitted a draft for consideration by our legal team. Subject to the signing of that agreement the proposal would comply with policy R17 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

CONCLUSION

For the reasons outlined in this report, it is considered that the proposal is consistent with the aims of the relevant policies of the Hillingdon Unitary Development Plan and the application is therefore recommended for Conditional approval subject to a Unilateral Undertaking.

OBSERVATIONS OF 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'.

OBSERVATIONS OF THE DIRECTOR OF FINANCE

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

RECOMMENDATION:

- 1. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended), and all appropriate legislation to secure:
 - i) The existing granny annexe and garage shall be used for ancillary residential purposes and solely in connection with and not independent of the ground floor flat of the approved scheme. The planning permission pertaining to the development of the granny annex (Ref: 55192/APP/200/1095) in connection with 42B The Drive, Northwood shall remain in force, in perpetuity, with the approved ground floor flat.
- 2. That the applicant meets the Councils reasonable costs in the preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.
- 3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.
- 4. That the application be reported back to the Planning Committee at the discretion of the Director of Planning and Community Services in the event that the Section 106 Agreement has not been completed within an period of 6 months from the date of Committee consideration of the application
- 5. That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers, subject to the completion of legal agreements under Section 106 of the Town and Country Planning Act 1990 (as amended) and other appropriate powers and subject to the following conditions:

- 1) (T8) Time Limit Full Planning Application (three years)
- 2) (OM1) Development in accordance with Approved Plans
- 3) (M2) External surfaces to match
- 4) (OM5) Provision of Storage Bin(s)
- 5) (H8) Surfacing and marking out of parking areas
- 6) The development hereby approved shall not commence until a scheme showing screen planting and/or hedges in the rear garden to protect against direct views into the ground floor rear facing openings is submitted to and approved in writing by the Local Planning Authority; and the development shall not be occupied until the approved screen has been planted.
- 7) No trees or vegetation are to be removed on site without the prior consent of the Local Planning Authority.

- 8) Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.
- 9) The new staircase proposed to access the first floor extension shall be built to ambulant disability standards in terms of the height of the risers and depth of the tread

- 1) (T8) Standard
- 2) (OM1) Standard BE15
- 3) (M2) Standard
- 4) (OM5) Standard
- 5) (H8) Standard
- 6) In order to preserve and enhance the visual amenities of the locality and to safeguard the privacy and amenity of the future occupiers of the ground floor flat in accordance with Policies BE24 and BE38 of the Hillingdon Unitary Development Plan Saved Policies September 2007.
- 7) To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies September 2007.
- 8) To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies September 2007.
- 9) To ensure inclusive design in accordance with Policy H9 of the Hillingdon Unitary Development Plan

- 10) The existing stepped access to the ground floor flat and the proposed stepped access to the first floor extension shall have handrails either side of the steps. Prior to works commencing on site, details of the handrails shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be occupied until the approved railings have been installed.
- Saved Policies September 2007.
- 10) To ensure inclusive design in accordance with Policy H9 of the Hillingdon Unitary Development Plan Saved Policies September 2007

- 11) The development hereby approved shall not be commenced until details of parking provision and parking arrangements have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved arrangements have been implemented.
- 11) To ensure that adequate facilities are provided in accordance with Policies AM14, AM 15 and the parking standards as set out in the Hillingdon Unitary Development Plan Saved Policies September 2007.
- 12) (OM1) Development in accordance with Approved Plans
- 12) (OM1) Standard
- 13) (OM5) Provision of Bin Stores
- 13) (OM5) Standard
- 14) The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and in-tact for later reuse or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.
- 14) To establish and 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds in compliance with Policy OE1 of the Hillingdon Unitary **Development Plan Saved Policies** September 2007 and Policy 4A.7 of the London Plan.
- 15) (OM13) Demolition Protocols
- 15) (OM13) Standard

- 16) No work shall commence on site until details of energy efficiency measures has been submitted to and approved by the Local Planning Authority, demonstrating that 20% of the development's electricity and/or heat needs will be derived from renewable technologies. Any strategy approved by the Local Planning Authority shall be implemented prior to occupation and shall thereafter be permanently retained.
- 16) To ensure that a proportion requirements is derived from renewable sources, in accordance with Policy 4A.3 of the London Plan.

- 17) The storage of the materials, plant and equipment to be utilised in the implementation of the development hereby approved shall be limited to the confines of the site for the duration of the construction period.
- 17) In order to safeguard amenities of the area and to avoid hazard or obstruction being caused to the users of the adjoining public highway in accordance with Policies OE1 and AM7 (ii) of the Hillingdon Unitary Development Plan Saved Policies September 2007

INFORMATIVES

- 1) The decision to GRANT 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 GRANT planning permission has been taken having regard to the policies and proposals in the Unitary Development Plan (Saved Policies, September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
 - H4 Mix of housing units
 - H7 Conversion of residential properties into more units
 - H9 Provision for people with disabilities in new residential developments
 - BE13 Layout and appearance of new development

- BE15 Alterations and extensions to existing buildings
- BE19 New development within residential areas complementing and improving amenity and 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 External amenity space and new residential development
- BE24 Design of new buildings protection of privacy
- BE38 Retention of topographical and landscape features
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE12 Energy conservation
- OL5 Development adjacent to the Green Belt
- AM7 Consideration of traffic generated by proposed developments
- AM14 New development and car parking standards
- Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (2006)
- London Plan (2008)
- 3) With regard to condition 10 the applicant should refer to Part M of the Building Regulations.
- 4) The applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control who in some circumstances may be obliged to consult the Fire Authority.
- 5) (2) Encroachment
- 6) (3) Building Regulations
- 7) Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995
- 8) (5) Party Walls
- 9) (6) Property rights/rights of light
- 10) (15) Control of Environmental Nuisance from Construction Work
- 11) (46) Renewable Resources
- 12) (51) Notice of commencement of works
- 13) You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Acts.
- 14) Building Control Informative: -

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and

residential development.

You are advised that the scheme is required to comply with either:-

The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with

BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people – Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

The Disability Discrimination Act 1995. Available to download from www.opsi.gov.u k

Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.

Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.

Creating an inclusive environment, 2003 & 2004 – What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

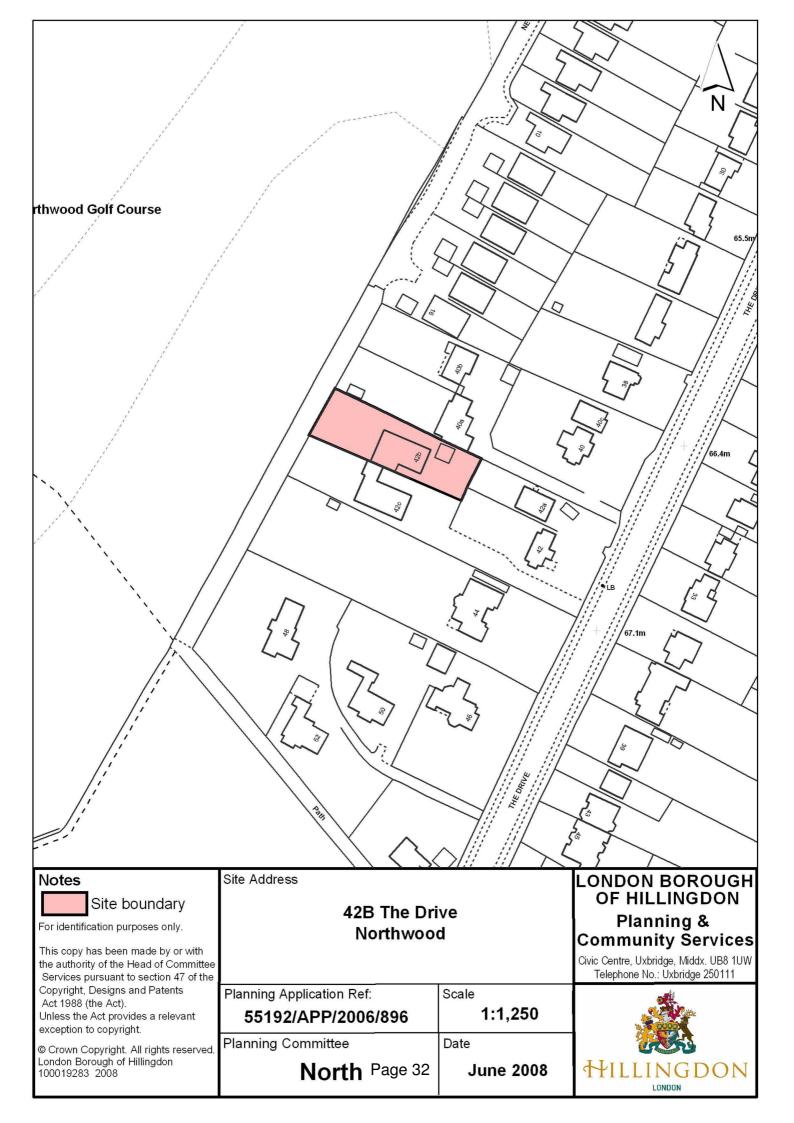
This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8

15) "Opportunities for Work Experience:

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 OPD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com"

Contact Officer: MICHAEL JOHNSON Telephone No: 01895 250230



Report of the Director of Planning & Community Services Group

Address 31 LINKSWAY NORTHWOOD

Development: Erection of a part two storey, part first floor side/rear extension with front

dormer and 4 side rooflights, involving the conversion of the side garage for habitable use and installation of two front and two rear dormers, rear hipped roof extension and a side rooflight to allow habitable use of existing and proposed roofspace, installation of replacement front porch and entrance

gates and piers

LBH Ref Nos: 41694/APP/2009/226

Drawing Nos: 2 x A4 Photograph Sheets

447/1 rev A 447/2 rev C 447/3 rev C 447/4 rev A 447/5

447/4 rev A 447/5 447/6 rev B 447/7 rev A 447/8 rev D 447/9 rev. D 447/10 rev C 447/11 rev C 447/12 rev D 447/13 rev D 447/14 447/15

Date Plans Received: 05/02/2009 Date(s) of Amendment(s):

Date Application Valid: 05/02/2009

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the east side of Linksway and comprises a large detached house with a single storey side extension incorporating a garage, set within a spacious plot. To the north lies No.29a Linksway and to the south lies No.33 Linksway, both large detached houses set within spacious plots. Planning permission (ref: 56225/APP/2008/1714) for the erection of a two storey rear extension at No.29A Linksway was approved in July 2008. The street scene is residential in character and appearance comprising large detached houses set within spacious plots. The application site lies within the Copse Wood Estate Area of Special Local Character as identified in the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007). The application site is also covered by TPO 392_a1.

1.2 Proposed Scheme

The previously approved scheme comprised an infill extension between the main house and the side garage and new ground floor inner flank wall of the existing part single storey side extension comprising the installation of French doors. The proposed first floor side extension was set 2.8m and 1m behind the front and rear walls, respectively, and measured 5.9m wide, matching the width of the existing ground floor garage link, 9m deep and finished with a hipped roof set 600mm below the main roof ridge. The part single storey side extension was finished with a mono-pitched roof at front, 2.5m high at eaves level and 4m high at its highest point, and with a flat roof 4m high. A lantern light was proposed above the rear section of the existing side extension, which projected 1.2m above the new roof.

The main roof was raised 500mm, to provide habitable accommodation within the roof void, and 3 front and 3 rear dormer windows were proposed, two of which were within the front and rear roof of the first floor side extension. The front and two rear dormer windows in the main roof were evenly spaced within the roof slope. They each measured 1.3m wide, 1.5m deep and finished with a canopy roof 1.85m wide and 2.3m high. They each retained over 600mm gaps to the edges, sides, eaves and roof ridge. The two dormer windows on the first floor side extension also matched the size of the other dormer windows. These dormers retained over 600mm gaps to the edges and eaves of the roof and a 500mm gap to the roof ridge. Side rooflights were proposed in both sides of the roof slope each measuring 1m by 0.8m and a centrally positioned rooflight was proposed in the flat roof section of the main roof. The new front portico measured 3.5m wide, 2m deep and 3.9m high.

This current application proposes to extend the first floor side extension over the part single storey side/rear extension. The proposed first floor side extension would now be set 2.8m behind the front wall of the application property. It would measure 5.9m wide, matching the width of the existing ground floor garage link and rear extension, and 19.1m deep, projecting 9m beyond the rear wall of the application property and extending to the rear wall of the existing ground floor element. It would be finished with a hipped roof set 600mm below the main roof ridge. 3 dormer windows are proposed on the front roofslope, 1 in the roofslope of the proposed first floor side extension, and 2 dormers are proposed in the front roofslope of the main roof. Two dormers would be installed on the rear roof slope. They would match the size of the approved dormer windows and retain over 600mm gaps to the edges, sides, eaves and roof ridge. Three rooflights are proposed in the hipped end roof facing No.29A Linksway and one rooflight is proposed in the inner roofslope of the proposed first floor side extension.

New entrance and exit gates are now proposed on the front boundary. The proposed gates would be finished in wrought iron and would each measure 4m wide and 1.7m high. They would be supported by 0.55m by 0.55m and 1.8m high piers with pier caps and lanterns above.

The remainder of the scheme is as per the previously approved scheme.

1.3 Relevant Planning History

41694/A/88/0740 31 Linksway Northwood

Garage extension.

Decision Date: 27-06-1988 Approved

41694/APP/2007/2869 31 Linksway Northwood

ERECTION OF A FIRST FLOOR SIDE EXTENSION ABOVE PART OF GARAGE (INCLUDING ONE FRONT AND ONE REAR DORMERS), CONSTRUCTION OF A ROOF LIGHT STRUCTURE OVER REAR PART OF GARAGE TO ALLOW FOR CONVERSION TO HABITABLE USE, AND ERECTION OF NEW FRONT PORTICO, RAISING HEIGHT OF ORIGINAL ROOF WITH 2 FRONT AND 2 REAR DORMERS, AND ROOFLIGHTS (IN CONNECTION WITH USE AS HABITABLE ACCOMODATION)

Decision Date: 07-02-2008 Approved

41694/E/90/1449 31 Linksway Northwood

Erection of a single storey rear extension

Decision Date: 01-10-1990 Approved 41694/TRE/2002/6 31 Linksway Northwood

TO FELL TWO SILVER BIRCH TREES IN AREA A1 ON TPO 392

Decision Date: 15-02-2002 Approved

Comment on Planning History

As above.

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

7 adjoining occupiers and the Northwood Residents' Association have been consulted. No comments have been received.

Urban Design/Conservation: A previous permission related to the replacement of the long side garage with a two storey building on the frontage, and conservatory at the rear. A subsequent application then showed this conservatory replaced by a two storey rearward wing, with habitable rooms in the roofspace. Design objections to this wing included the crown roof, numerous dormer windows and a single storey element between it and the side boundary. It was also pointed out that the length, at 9 metres, exceeded policy guidance.

The proposals have now been amended to overcome all of the above design objections, the only element outstanding being the length. However, at a recent meeting, the applicant pointed out, by means of photographs, that there are mitigating circumstances as the new building work to the rear of No. 29a adjacent, is of a similar magnitude.

RECOMMENDATIONS: Acceptable

Trees/Landscape: Refer to previous comments:-

In reference to the above application, previously approved application (ref: 41694/APP/2007/2869) and a recent site visit. The current scheme is a revision to a recently approved application (ref: 41694/APP/2007/2869), whereby, there were no previous tree or landscaping issues.

The site lies within an Area of Special Local Character and is covered by TPO 392 (an Area Order (A1) consisting of Oak, Hornbeam, Silver Birch, Scots Pine, Beech, Cedar, Cypress and Lawson Cypress).

In relation to trees and landscaping, the current scheme introduces new hedgerow planting in the central and outer planting beds at the front of the site. It is important to note that there must be minimal excavation work within the RPA of the valuable trees on site (to reduce soil disturbance). Further detail can be addressed by landscaping conditions, TL5 and TL6.

With the exception of the new hedgerow planting, the previous comments still apply:

'The proposed extension is to be built on the foundations of the existing garage, which makes provision for the long-term retention of the Cypress trees along the boundary with 29 Linksway (as required by policy BE38 of the adopted UDP and BS 5837:2005).

In order to safeguard the Silver Birch and Yew tree, which are protected by A1 of TPO 392 in the front garden of the site (during the construction period), it is advisable to place a temporary protective fencing the perimeter of the grassed area in the front garden to contain the working and storage space close to the building and hence ensure that the protected trees are not affected by the proposed development'.

The proposed scheme makes provision for the long-term retention of the valuable trees on and close to the site, subject to conditions TL2, TL3, TL5 and TL6. The scheme is considered acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the UDP Saved policies 2007.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE5	New development within areas of special local character
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 Hillingdon Design & Accessibility Statement (HDAS): Residential

Extensions (adopted in August 2006 and to form part of the emerging

Local Development Framework documents):

5.0 Side and First Floor Side Extension: Two Storey

7.0 Loft Conversions and Roof Alterations

8.0 Front Extensions, Porches.0 Detached Outbuildings

10.0 Walls, Enclosures, Layouts and Materials

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

5. MAIN PLANNING ISSUES

The previously approved scheme represented a significant increase in the bulk and scale of the original house. However, it is considered that the addition of the first floor element, effectively creating a two storey side and part two storey rear extension, would not appear overdominant. The resultant two storey side/rear extension would still appear subordinate as it would be set below the roof ridge. It is important to note that a 7.5m deep 2 storey rear extension was approved at No.29A Linksway in July 2008. As such, this element of the proposed scheme is not considered to represent a visually intrusive and overdominant form of development and would harmonise with the appearance of the surrounding area and the character and visual amenities of this part of the Copse Wood Estate Area of Special Local Character, in accordance with policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement(HDAS):Residential Extensions.

Policy BE22 advises that in the Copse Wood Estate Area of Special Local Character, extensions of two or more storeys should be set off the side boundary for the full height of the development by 1.5m. In this case, part of the ground floor would be within 500mm of the side boundary and this would be contrary to policy BE22, although the bulk of the extension, including the first floor would be set back 1.7m from this boundary. However, given the projecting ground floor element is set well back from the front of the property and has already been approved, no objections are raised to this element. Thus, the distances are considered to be sufficient to maintain the character and appearance of the street scene and the gaps between properties, which is characteristic of the Copse Wood Estate. As such, the proposal would comply with policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

The proposed portico is not considered to detract from the character and appearance of the original house. Furthermore, the proposed front gates and piers are acceptable and would not harm the appearance of the street scene as there are other properties in the street that have front vehicular gates with piers notably at No.33 Linksway. As such, these elements of the scheme would maintain the character and appearance of the street scene and the Copse Wood Estate Area of Special Local Character in accordance with policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and sections 8.0 and 10.0 of the HDAS: Residential Extensions.

No.33 Linksway would not be adversely affected by the proposed first floor side extension as it would be some 24m from the proposed development. Works to construct the two storey rear extension at No.29A Linksway have commenced. As the proposed first floor would not project beyond the rear wall of the approved two storey rear extension at

No.29A Linksway, the proposal would not harm the residential amenities of that house through overdominance, visual intrusion or overshadowing. The side rooflights can also be fitted with obscure glazing to prevent overlooking. The proposed front dormers would overlook the street, the proposed rear dormers would overlook the rear garden of the application property and the inner facing rooflight would overlook the rear patio of the application property. Therefore, no direct overlooking of neighbouring properties would result. The proposal would comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

Private amenity space and off-street parking are not affected by the proposed development, and the new gates would not cause an obstruction on the highway by vehicles waiting to enter the application property. The proposal would comply with policies BE23 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007). Given the siting and location of the proposed development, no protected trees will be affected, in accordance with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

6. RECOMMENDATION

APPROVAL subject to the following:

1 HH-T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 HH-M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 HH-OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE5, BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 HH-RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 29A Linksway

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 HH-RPD2 Obscured Glazing and Non-Opening Windows (a)

The rooflights facing 29A Linksway shall be glazed with obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 M6 Boundary Fencing - retention

A 1.8 metre high close boarded fence or imperforate wall shall be maintained on the boundary with 29A Linksway for the full depth of the development hereby approved, and shall be permanently retained for so long as the development remains in existence.

REASON

To safeguard the privacy and amenity of neighbouring occupiers in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

8 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 1. There shall be no changes in ground levels;
- 2. No materials or plant shall be stored;
- 3. No buildings or temporary buildings shall be erected or stationed.
- 4. No materials or waste shall be burnt; and.
- 5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

Standard Informatives

- The decision to GRANT 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).
- The decision to GRANT 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.

BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
RF19	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	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 5.0 Side and First Floor Side Extension: Two Storey 7.0 Loft Conversions and Roof Alterations 8.0 Front Extensions, Porches.0 Detached Outbuildings 10.0 Walls, Enclosures, Layouts and Materials

London Plan Policy 4A.3 - Sustainable Design and Construction.

- You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and

LPP 4A.3

- advice, contact Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

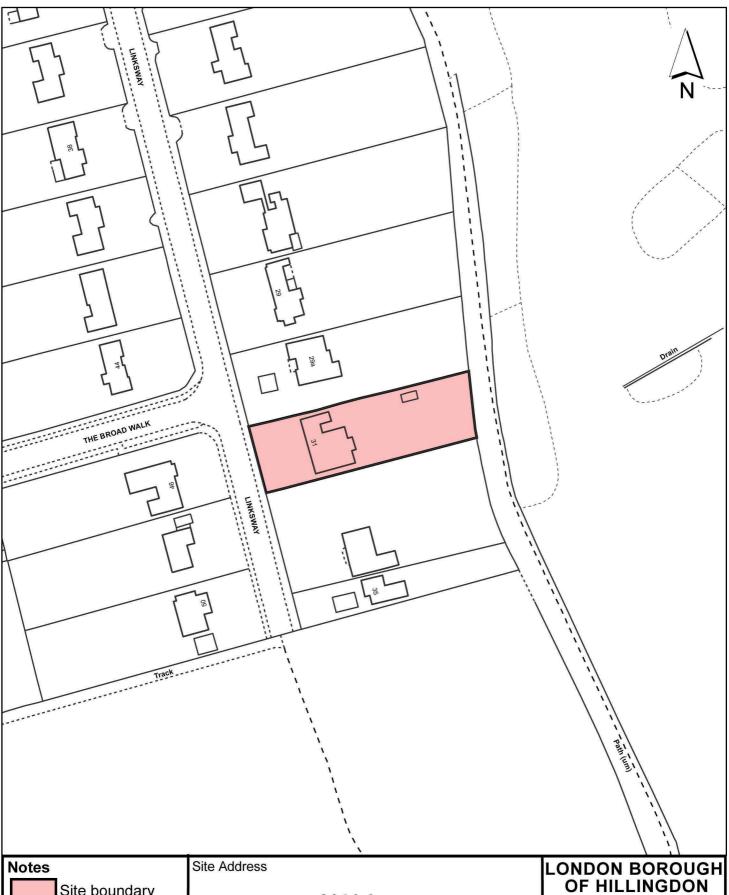
- Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
 - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays.
 - B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
 - C) The elimination of the release of dust or odours that could create a public health nuisance.

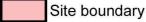
D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact Highways Maintenance Operations, Central Depot Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Sonia Bowen Telephone No: 01895 250230





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31 Linksway **Northwood**

Planning Application Ref: 41694/APP/2009/226 Scale

1:1,250

Planning Committee

North Page 44

Date

May 2009



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



Agenda Item 9

Report of the Director of Planning & Community Services Group

Address 88 HILLSIDE ROAD NORTHWOOD

Development: Erection of a single storey side and rear extension with lower ground floor

level and conversion of roofspace to habitable use involving the installation of

a rear and side dormer, 1 side rooflight and alterations to roof.

LBH Ref Nos: 65810/APP/2009/327

Drawing Nos: 2640/SK/01

2640/02 REV A

Site Location Plan at Scale 1:1250

2640/01

Date Plans Received: 19/02/2009 Date(s) of Amendment(s):

Date Application Valid: 09/03/2009

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south west side of Hillside Road and comprises a detached bungalow with a front projection and a single storey side garage along the boundary with 86 Hillside Road. To the north west lies 86 Hillside Road, a detached bungalow with a single storey side garage attached to the garage at the application site. To the south east lies 90 Hillside Road, a detached bungalow which partially projects beyond the rear wall of the application property. To the rear lies the rear garden of 123 Potter Street, a two storey semi-detached house. The street scene is residential in character and appearance comprising detached bungalows of varying designs. The bungalows on this side of Hillside Road are staggered in that the application property and 90 Hillside Road project beyond 86 and 92 Hillside Road. The gradient of the land rises from the south west to the north east resulting in the rear gardens being at a lower level to the street. The application site lies within the Hillside, Northwood Hills Area of Special Local Character, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

1.2 Proposed Scheme

It is proposed to raise the existing central flat roof element by 0.6m (3.8m above eaves level) to form a new ridge roof and extend the existing bungalow rearwards to form a two storey rear extension, incorporating habitable rooms within the new roof void. It is also proposed to excavate 2.8m below the current ground floor level (1.1m below the garden level) to form a basement area beneath the proposed rear extension.

The proposed rear extension incorporating the basement would measure 8.6m wide and 3.6m deep. The rear elevation would have an overall height of 9m measured from the proposed lower ground level and new roof ridge. New casement windows are proposed at basement and ground floor levels and a dormer window is proposed in the new rear roof

slope. The proposed rear dormer window would measure 1.8m wide, 2.4m deep and finished with a flat roof 2m high. It would retain gaps of 0.15m to the edges, 0.9m to the eaves and 0.8m to the roof ridge.

A side dormer window is also proposed facing 90 Hillside Road measuring 2.4m wide, 2.6m deep and finished with a flat roof 2m high. It would retain gaps of 0.3m and 0.6m to the edges, 0.9m to the eaves and 0.8m to the roof ridge. A rooflight is proposed in the roofslope facing 86 Hillside Road.

The proposed single storey side extension would be located to the rear of the existing garage. It would measure 1.9m wide, 2.7m deep and finished with a flat roof 3.3m high, matching the eaves of the main roof and projecting 0.4m above the roof of the existing garage, measured from the rear wall of the existing garage. A raised patio area with steps leading down to the new garden level is proposed immediately to the rear of the proposed side extension. It would be accessed via French doors in the flank wall of the proposed rear extension facing 86 Hillside Road. New steps leading to the new garden level are also proposed along the flank wall of the proposed extension facing 90 Hillside Road.

1.3 Relevant Planning History Comment on Planning History

None.

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

External:

7 adjoining occupiers have been consulted. 3 letters of objection (2 from the same objector) have been received making the following comments.

- (i) The raising of the roof and installation of a side dormer window would result in a loss of light and overlooking onto 90 Hillside Road;
- (ii) The excavation could cause surface water drainage problems;
- (iii) The proposed 3 storey rear extension would be out of keeping with the character and visual amenities of this area of special local character;
- (iv) The proposal would result in a loss of sunlight to 90 Hillside Road;
- (v) The proposal would fail to harmonise with the architectural composition of the original bungalow. It would be out of keeping with the surrounding area and represent a visually intrusive form of development;
- (vi) The side dormer window would be visually intrusive and detrimental to the original bungalow;
- (vii) The proposal would result in an increase in additional cars; and
- (viii) The proposal would affect the public sewerage which is managed by Thames Water.

Thames Water: No comments received.

Internal:

Ward Councillor: Requests that this application is determined by the North Planning Committee.

Urban Design/Conservation:

BACKGROUND: This is one of a large group of bungalows that form the Hillside Area of Special Local Character. The bungalows that front this part of Hillside Road are of modest proportions, they are predominantly detached and tend to be separated by single storey garages. They have varied elevational detailing, although nearly all have characteristic pyramid like roof forms of a similar ridge height. The properties on this side of Hillside Road are set lower than street level, hence the roofs etc are clearly visible from the road. Very little information has been provided with regard to existing ground levels to the rear of the property.

CONSIDERATION: Whilst the depth of the proposed extension accords with the HDAS guidance, the overall bulk of the addition is large as it includes a substantial basement area and also additions/alterations at roof level. The latter include raising the ridge of the property, a large rear addition to the roof, together with two dormers, one of which is of sufficient size to house a bathroom. This feature, which is quite large in comparison with the original roof size, together with the additional bulk and height of the roof, will be highly visible and very prominent in the street scene. Overall, the extensions in total cannot be considered as 'subordinate' to the original house.

It is unclear as to how much excavation will be required to achieve the basement- the proposed cross- section annotated as 'side elevation' appears to indicate the extent of the basement, but does not show its full depth, which includes storage areas to the rear.

The proposed appearance of the rear elevation of the bungalow, which resembles a three and a half storey house, is as far as we are aware, not a characteristic feature of this area. Our understanding is that where there is a change (lowering) in ground level, properties tend to be 'sitting' on a solid brick plinth, rather than a useable basement.

RECOMMENDATIONS: The proposals would create additions that were not subservient to the original bulk of what is a very modest the building. They would substantially and detrimentally alter the character and appearance of the building, and have a negative impact on the streetscape of the Area of Special Local Character.

Recommend refusal in this case.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE5 New development within areas of special local character

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.0 Side Extensions: Single Storey 6.0 Rear and First Floor Rear Extensions: Two Storey 7.0 Loft Conversions and Roof Alterations

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

5. MAIN PLANNING ISSUES

The proposed rear extension would represent a significant increase in the bulk and scale of the original bungalow to its detriment. It is considered that the raising of the roof to form a ridge is not considered to have an unacceptable impact when viewed from the street. However, from the rear, the proposed rear extension would appear as a detached house and this is not considered to harmonise with the character of the original bungalow or the rear of the properties in the terrace. In particular, the proposed rear extension, by reason of its overall size, siting, scale, bulk and design would not appear subordinate to the character and proportions of the original bungalow and would represent a visually intrusive and overdominant form of development that would be detrimental to the character and appearance of the surrounding area generally and the character and visual amenities of the Hillside, Northwood Hills Area of Special Local Character, contrary to policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and sections 6.0 and 7.0 of the Hillingdon Design & Accessibility Statement(HDAS):Residential Extensions.

The proposed side and rear dormer windows would further exacerbate the bulk and scale of the roof alterations. Both dormers fail to maintain sufficient gaps to the edges of the new roof and as such, they would fail to appear subordinate on the roofslope within which they would be set, contrary to policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 7.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposed single storey side extension and rear patio area would be set behind the existing garage. Although the proposed side extension would project above the roof of the existing garage, this increase is minimal and is not considered to detract from the appearance of the street scene in accordance with policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 4.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposed rear extension would not project more than 3.6m beyond the rear walls of

86 and 90 Hillside Road. Only 90 Hillside Road has a habitable window along the side boundary facing the application property however this window provides a secondary source of natural light to a habitable room. As 90 Hillside Road lies to the south east, the proposal would only overshadow the front of that property during the late afternoon hours. As such, the proposal would not result in a loss of sunlight to the rear of 90 Hillside Road. The proposal would result in an increase in overshadowing onto 86 Hillside Road during the morning hours, however this increase is not considered to be so significant as to justify a refusal of planning permission.

The proposed side dormer window can be fitted with obscure glass to prevent overlooking onto 90 Hillside Road. The proposed steps along the side with 90 Hillside Road would provide access to the rear garden from an existing door in the flank wall. That door faces the flank wall of 90 Hillside Road which would also prevent overlooking from the proposed steps onto the private amenity space of that property. The proposed rear dormer window would overlook the rear garden and would not result in direct overlooking onto the private amenity space of the adjoining properties. The proposed rooflight would overlook the roof of 86 Hillside Road. The submitted plans indicate that the side boundary wall with 86 Hillside Road would be 1m high from the ground floor level where it is proposed to erect a patio and install French windows facing that property. The proposed French window would be sited some 2.5m from the side boundary, however, it is considered that given the proximity of the side patio, the height of the side boundary at that point would not be sufficient to prevent overlooking onto the private amenity space of 86 Hillside Road.

Therefore, the proposal is not considered to harm the residential amenities of the adjoining properties through overdominance, visual intrusion or overshadowing, but the proposal is considered to result in a significant increase in overlooking of the rear amenity space of 86 Hillside Road thereby representing an un-neighbourly form of development which would be contrary to policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Over 100sq.m of private amenity space would be retained and off-street parking will not be affected by the proposed development, in accordance with policies BE23 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

With regards to third party comments, points (i), (iii), (iv), (v) and (vi) have been addressed in the report. On point (ii), the application site does not lie within a flood plain and on point (vii), the proposal is unlikely to result in an increase in additional cars. Finally, point (viii) is not a material planning consideration but a matter for Building Control and/or Thames Water.

For the reasons outlined above the proposal would be contrary to the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed two storey and basement rear extension, by reason of its overall size, siting, scale, bulk and design would represent a visually intrusive and overdominant form

of development, which would fail to harmonise with the character and proportions of the original bungalow and would be detrimental to the character and appearance of the surrounding area generally and Northwood Hills Area of Special Local Character, contrary to policies BE5, 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 NON2 Non Standard reason for refusal

The proposed side patio and French window would result in perceived and actual overlooking of the private amenity space of 86 Hillside Road resulting in an unneighbourly form of development and an unacceptable loss of privacy to the adjoining occupier. The proposal is therefore contrary to Policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

INFORMATIVES

Standard Informatives

- 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).
- 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.

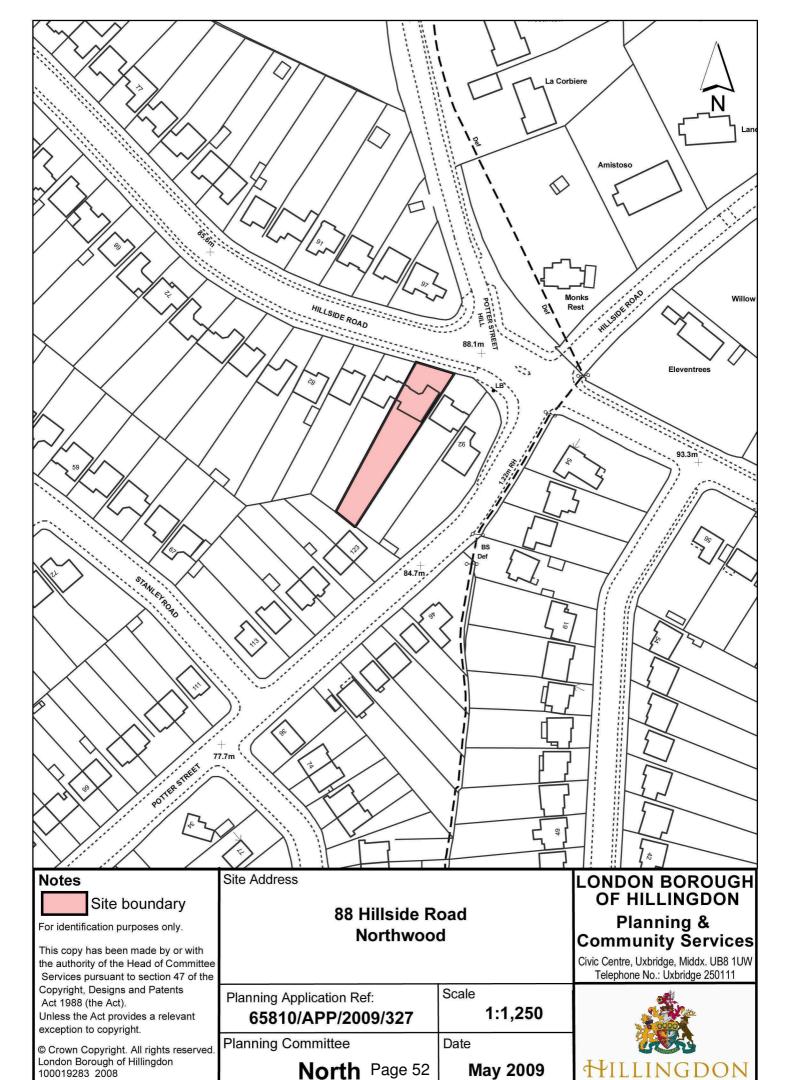
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.0 Side Extensions: Single Storey

6.0 Rear and First Floor Rear Extensions: Two Storey

7.0 Loft Conversions and Roof Alterations

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

Contact Officer: Sonia Bowen Telephone No: 01895 250230



100019283 2008

Plans for North Planning Committee

21st May 2009





Contents Page

Item No.1 Page 1 - 6

4 plans and Site Location Plan

Item No.2 Page 7 - 12

4 plans and Site Location Plan

Item No.3 Page 13 - 29

15 plans and Site Location Plan

Item No.4 Page 30 - 34

3 plans and Site Location Plan

Report of the Corporate Director of Planning and

Community Services

Address: 23 AND 25 CRESCENT GARDENS, EASTCOTE

Development: CONVERSION OF HIPPED ROOFS TO GABLE ROOFS ON

BOTH 23 AND 25 CRESCENT GARDENS, INVOLVING THE INSTALLATION OF ONE FRONT ROOFLIGHT TO EACH PROPERTY AND CONSTRUCTION OF A REAR DORMER TO

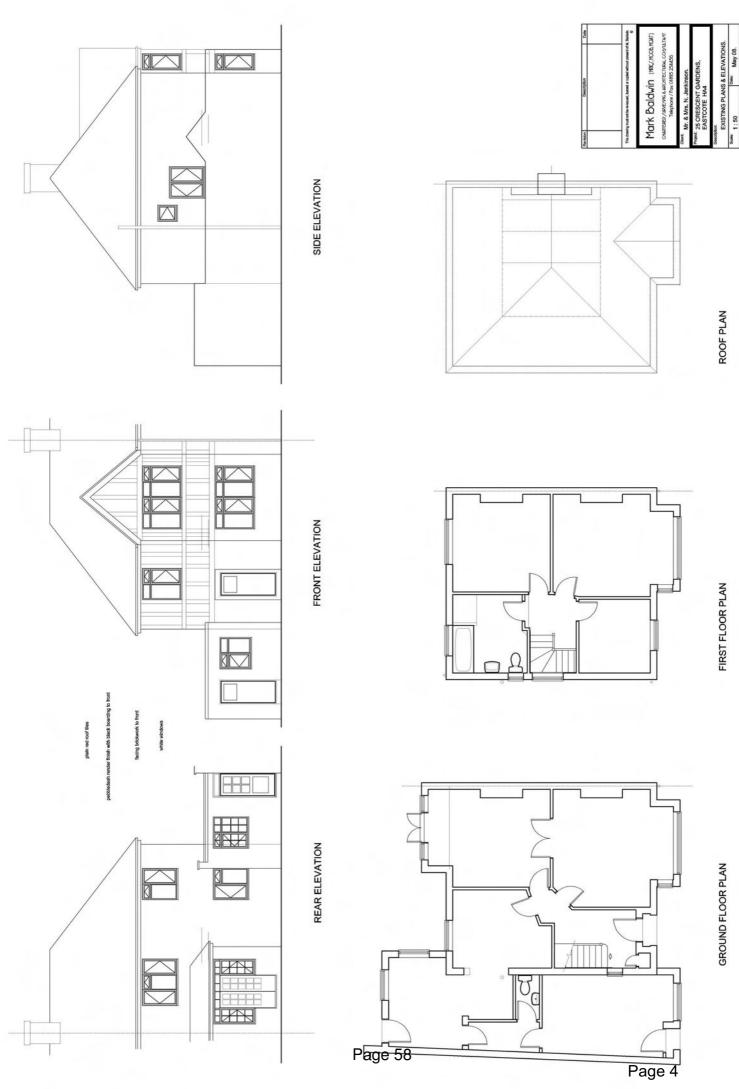
EACH PROPERTY (RETROSPECTIVE)

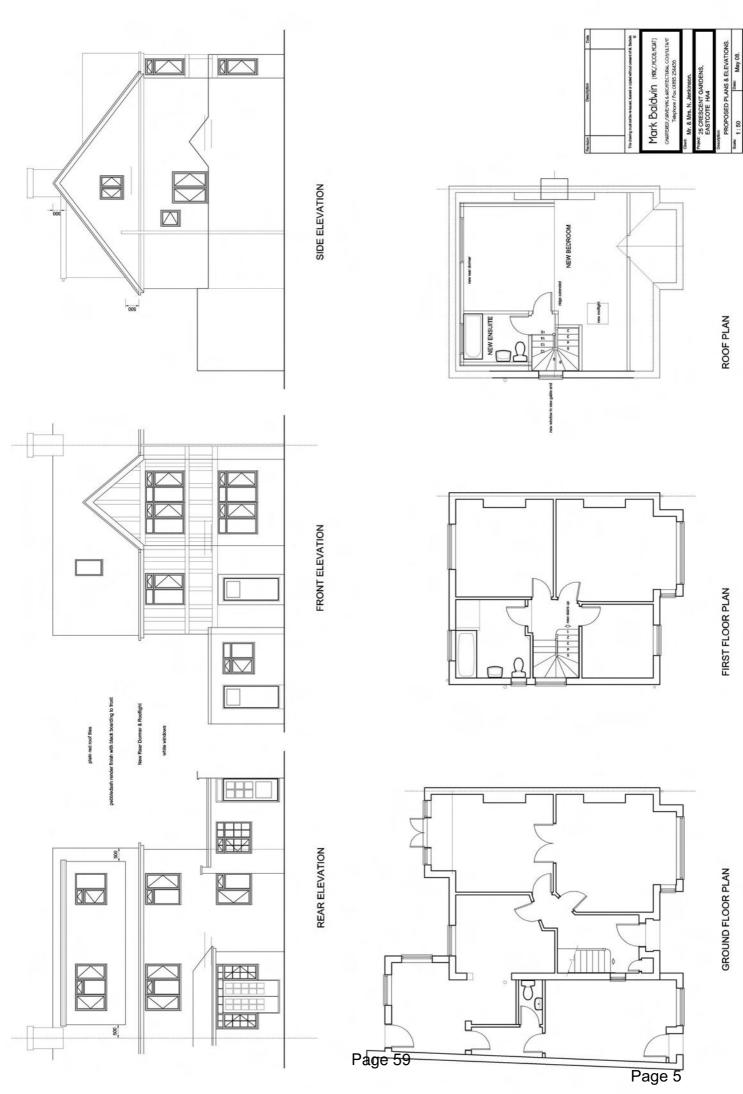
LBH Ref Nos: 64562/APP/2008/1582

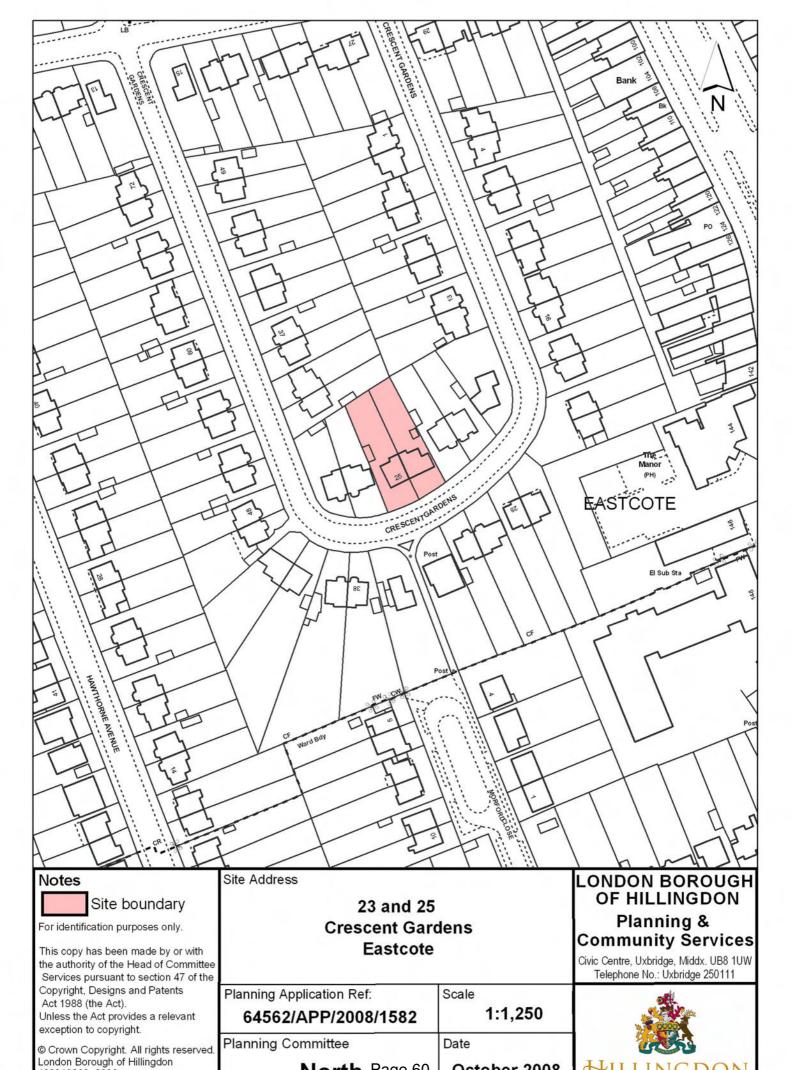
Date of receipt: 20/05/08 **Date of Amendments:**

Mark Baldwin (MRC/MC03,MCMT) SIDE ELEVATION ROOF PLAN facing brickwork to front FRONT ELEVATION FIRST FLOOR PLAN REAR ELEVATION GROUND FLOOR PLAN Page 56 Page 2

Mark Baldwin (MC/MCO&MONT) SIDE ELEVATION NEW BEDROOM ROOF PLAN plain red roof tiles nder finish with black boarding to front FRONT ELEVATION FIRST FLOOR PLAN REAR ELEVATION GROUND FLOOR PLAN Page 57 Page 3







North Page 60

100019283 2008

October 2008

Rage 6

Report of the Corporate Director of Planning and Community Services

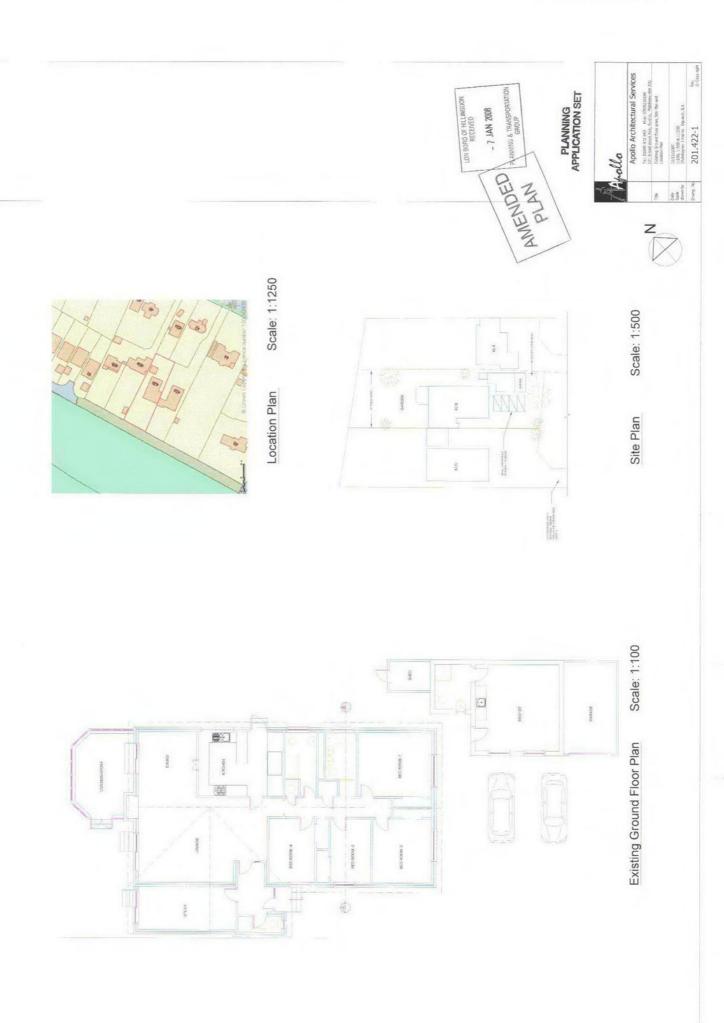
Address: 42B THE DRIVE, NORTHWOOD

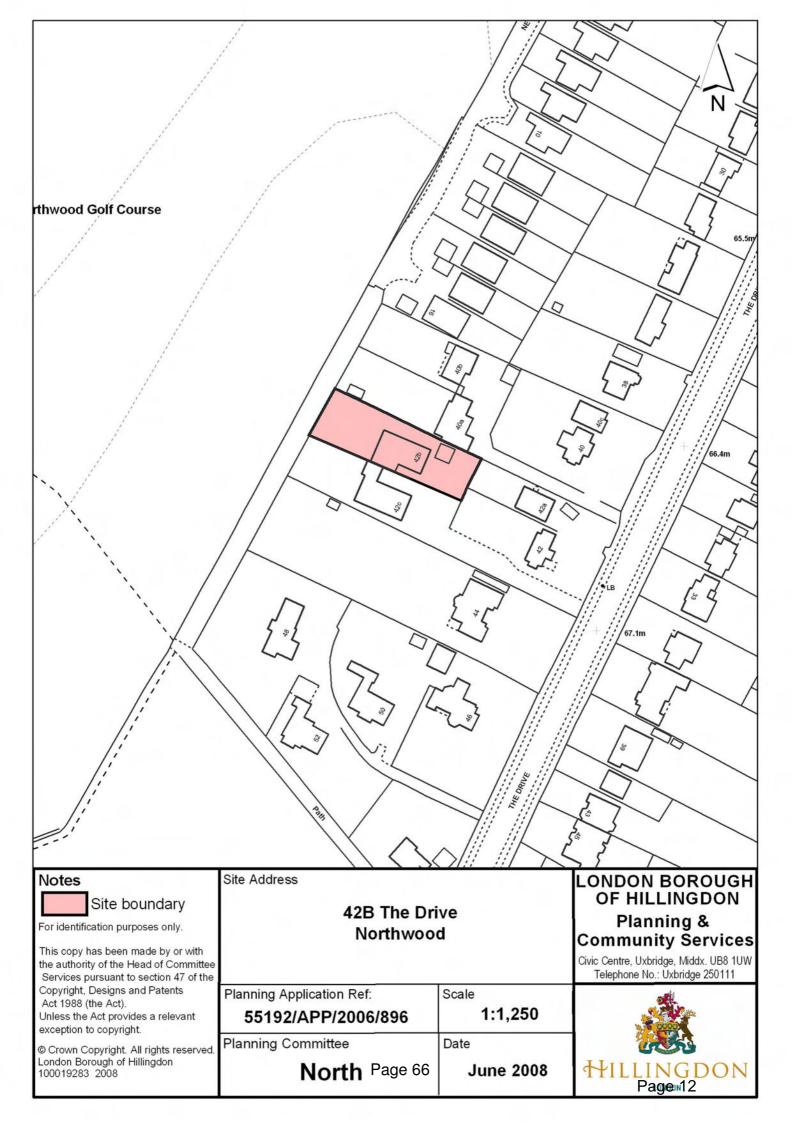
Development: CONSTRUCTION OF NEW FIRST FLOOR WITH PITCHED

ROOF TO PROVIDE RESIDENTIAL ACCOMMODATION WITH SEPARATE ACCESS AND CONVERSION OF PROPERTY TO PROVIDE TWO, 3-BEDROOM FLATS TOGETHER WITH

FRONTAGE PARKING SPACES

LBH Ref Nos: 55192/APP/2006/896





Report of the Director of Planning & Community Services Group

Address 31 LINKSWAY NORTHWOOD

Development:

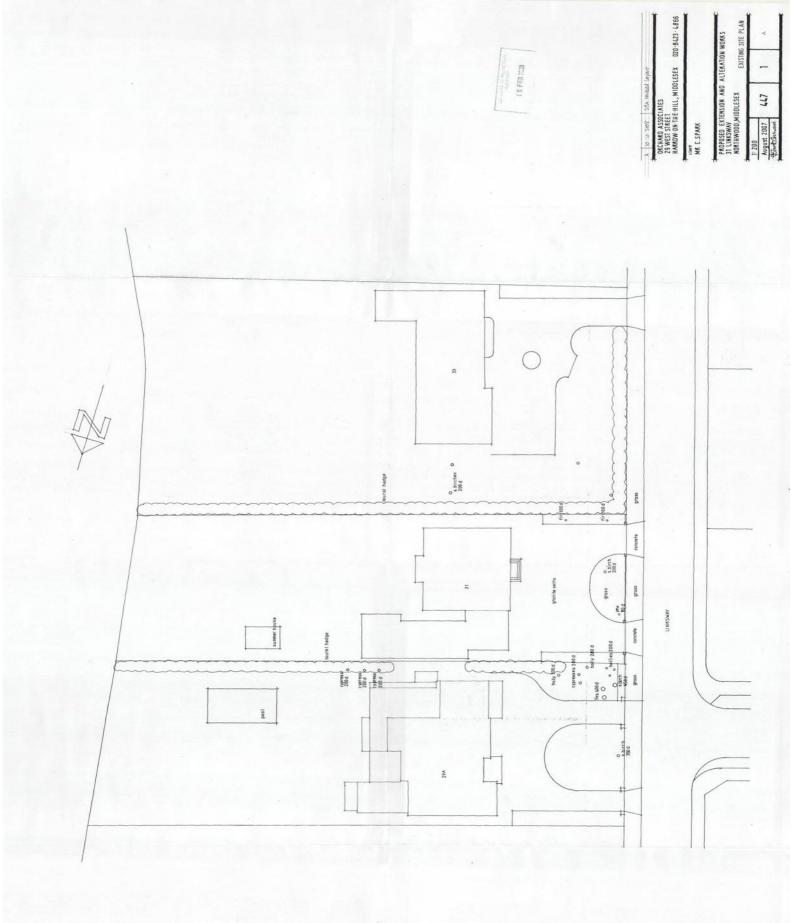
Erection of a part two storey, part first floor side/rear extension with front dormer and 4 side rooflights, involving the conversion of the side garage for habitable use and installation of two front and two rear dormers, rear hipped roof extension and a side rooflight to allow habitable use of existing and proposed roofspace, installation of replacement front porch and entrance

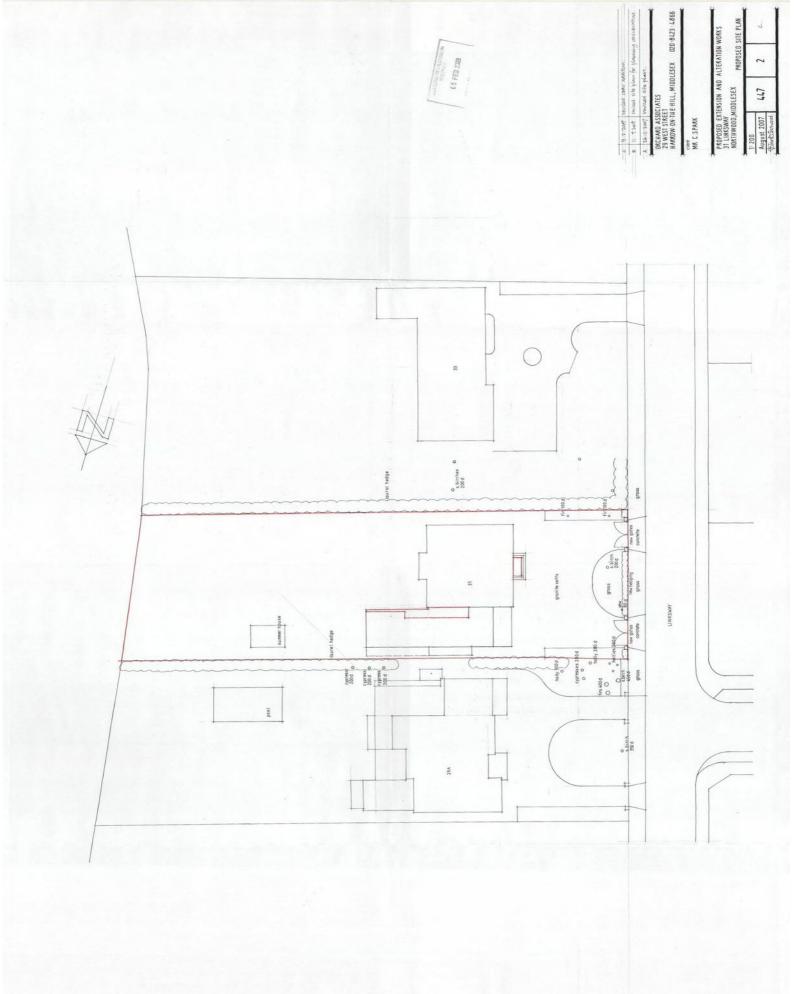
gates and piers

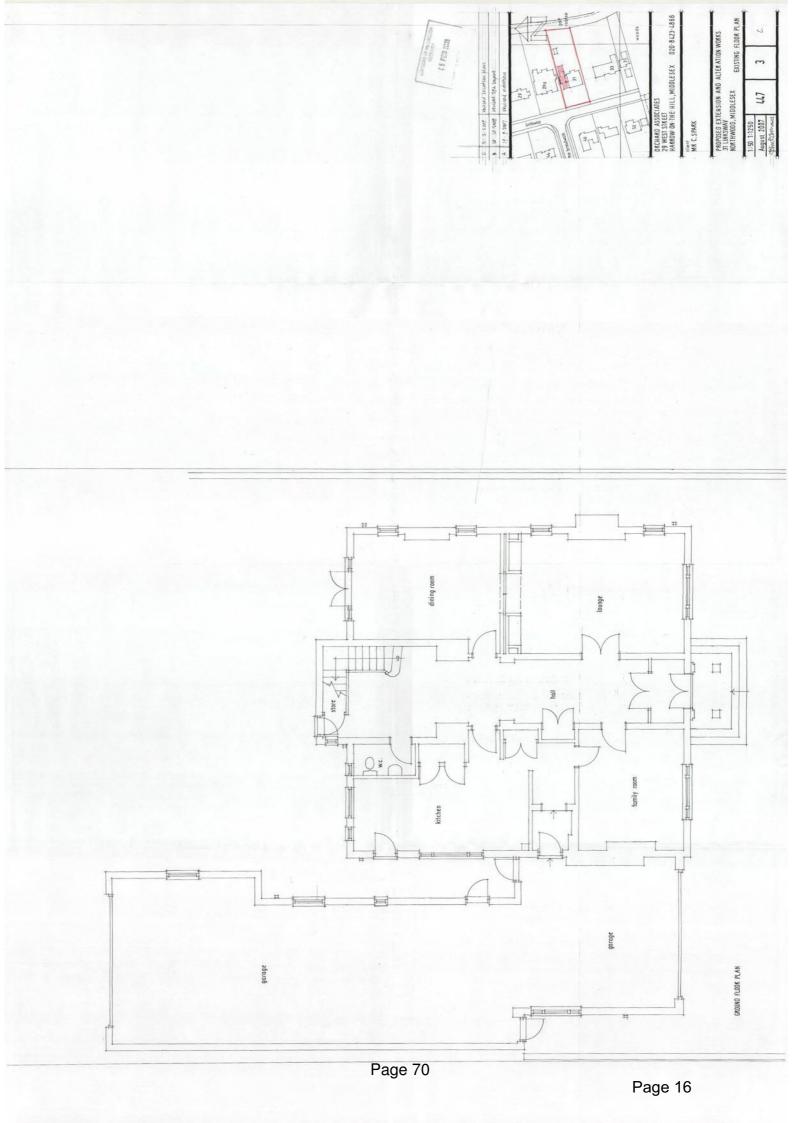
LBH Ref Nos: 41694/APP/2009/226

Date Plans Received: 05/02/2009

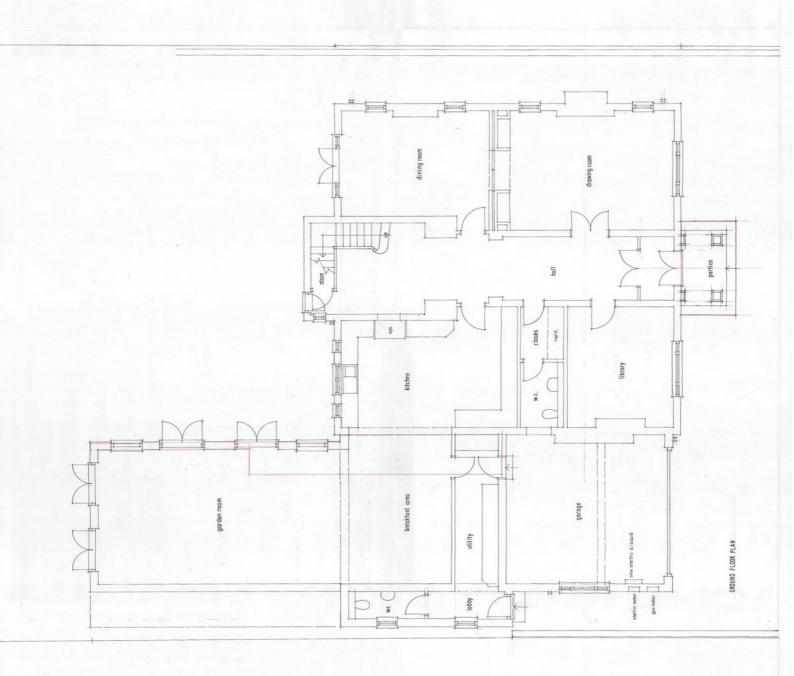
Date(s) of Amendment(s): **Date Application Valid:** 05/02/2009

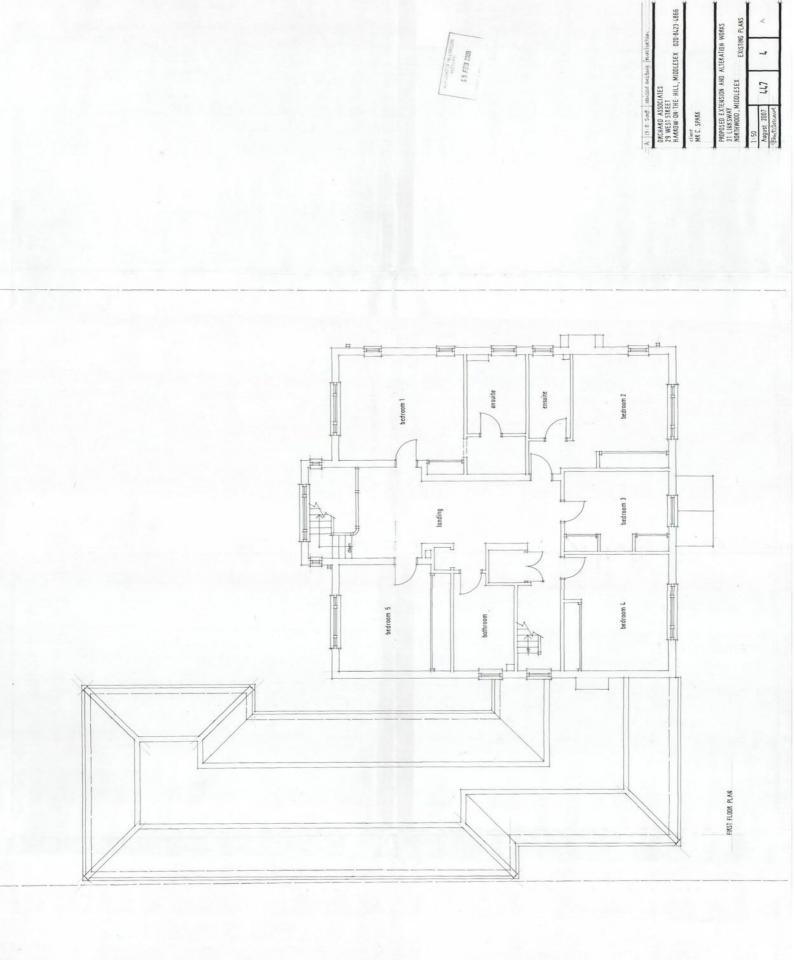




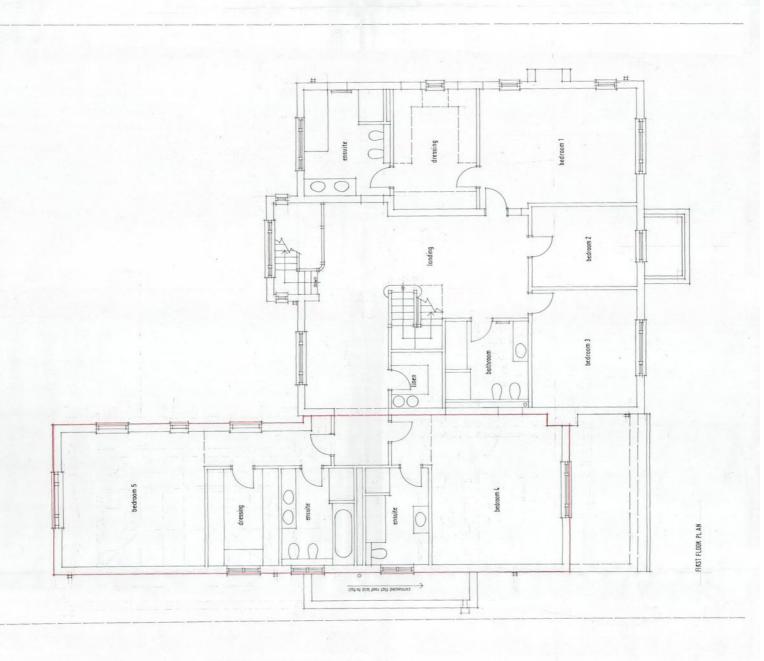


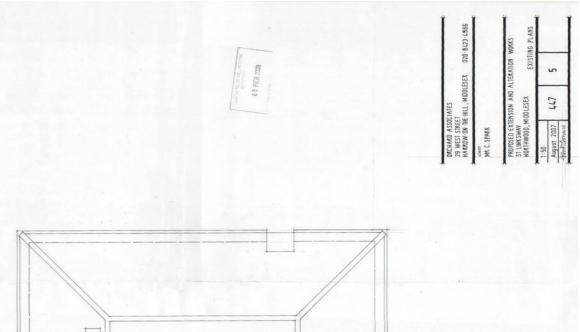


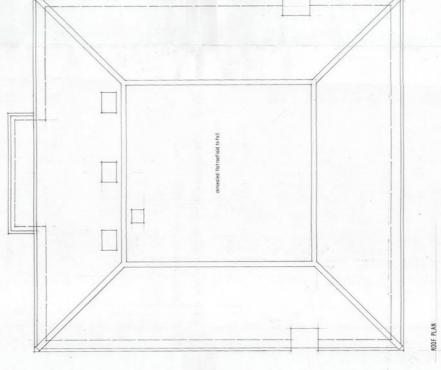


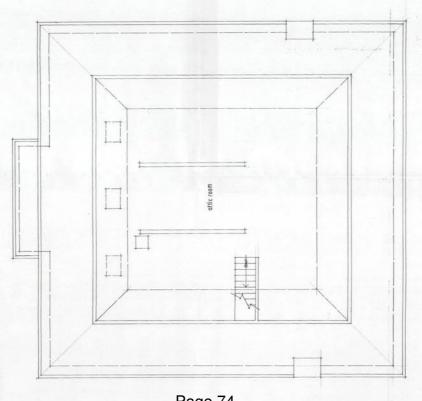










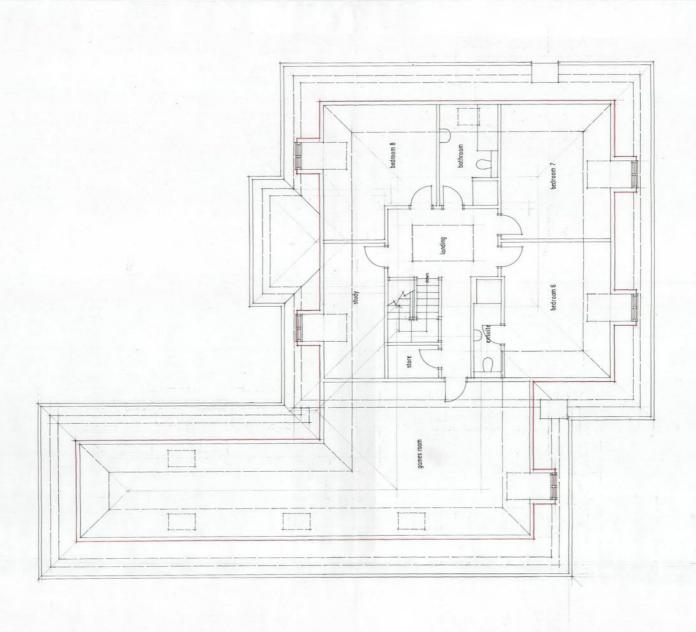


Page 74

Page 20

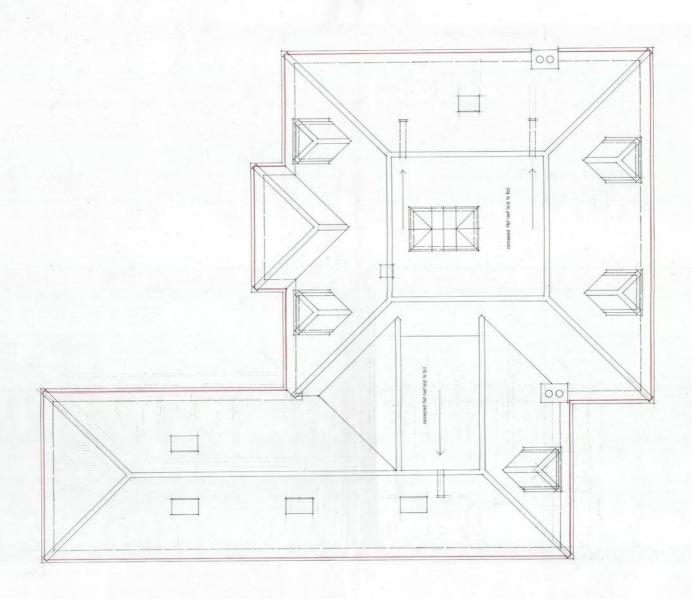
SECOND FLOOR PLAN





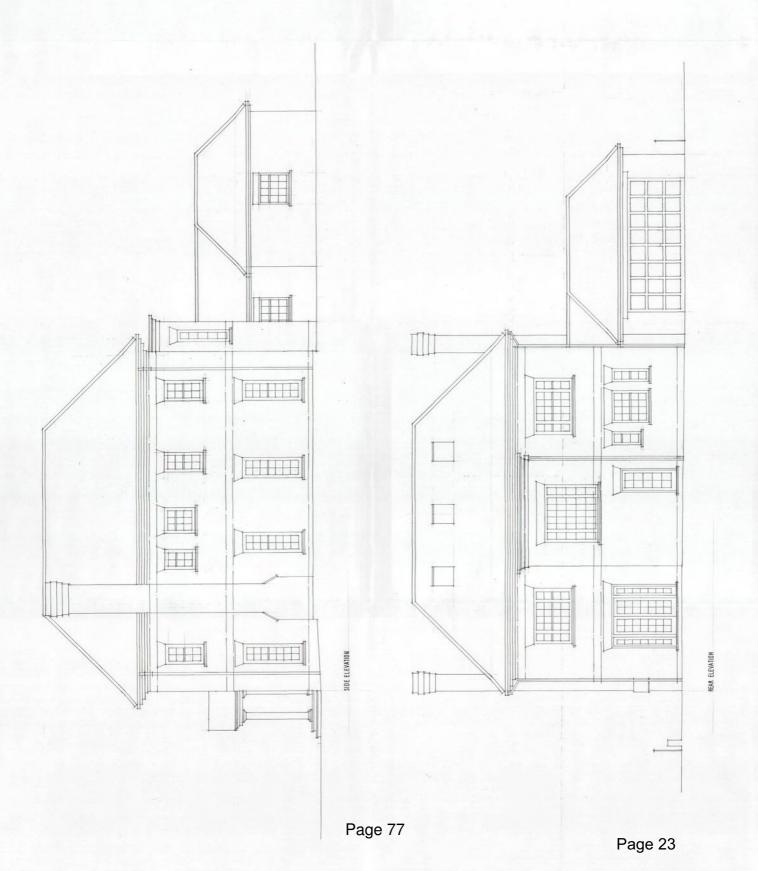
SECOND FLOOR PLAN

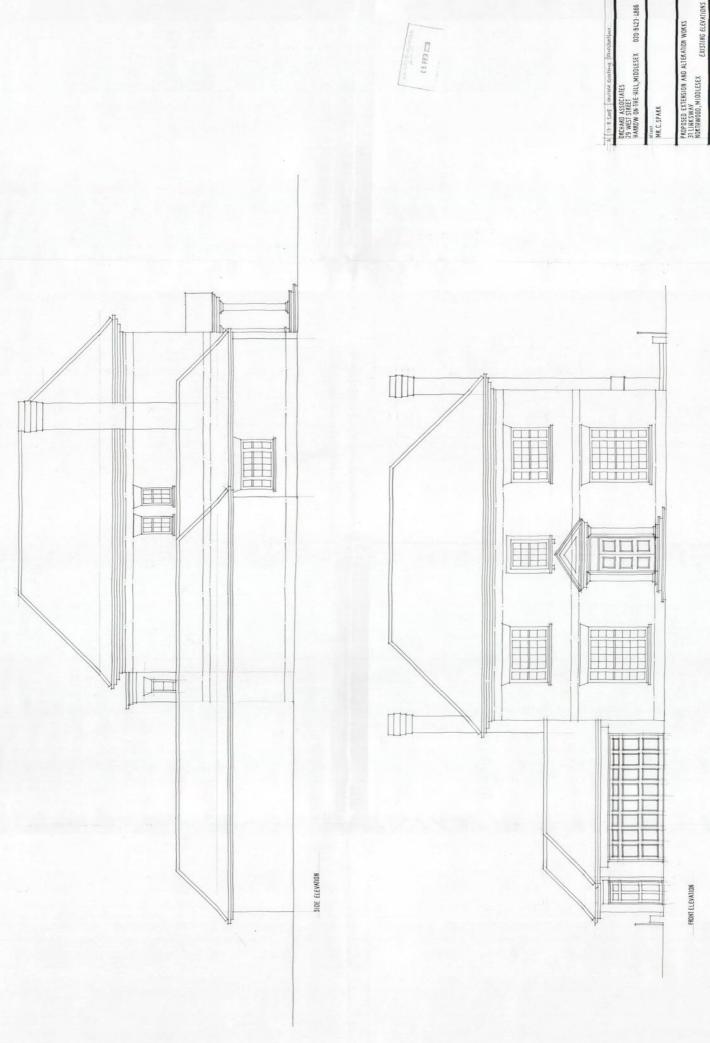


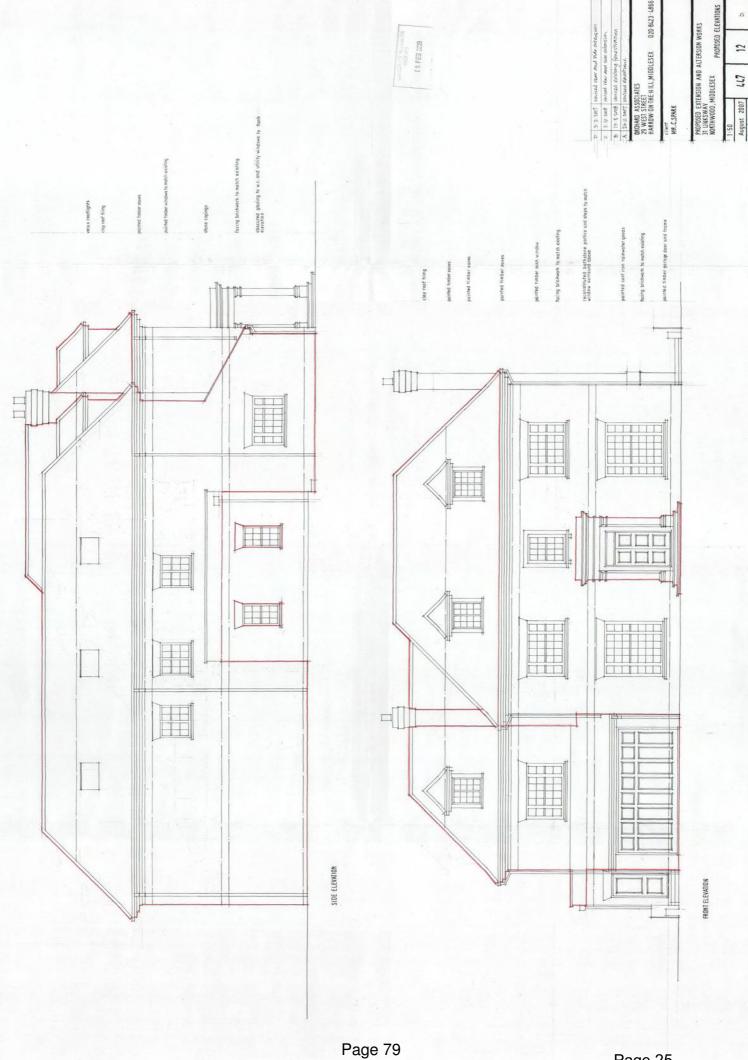


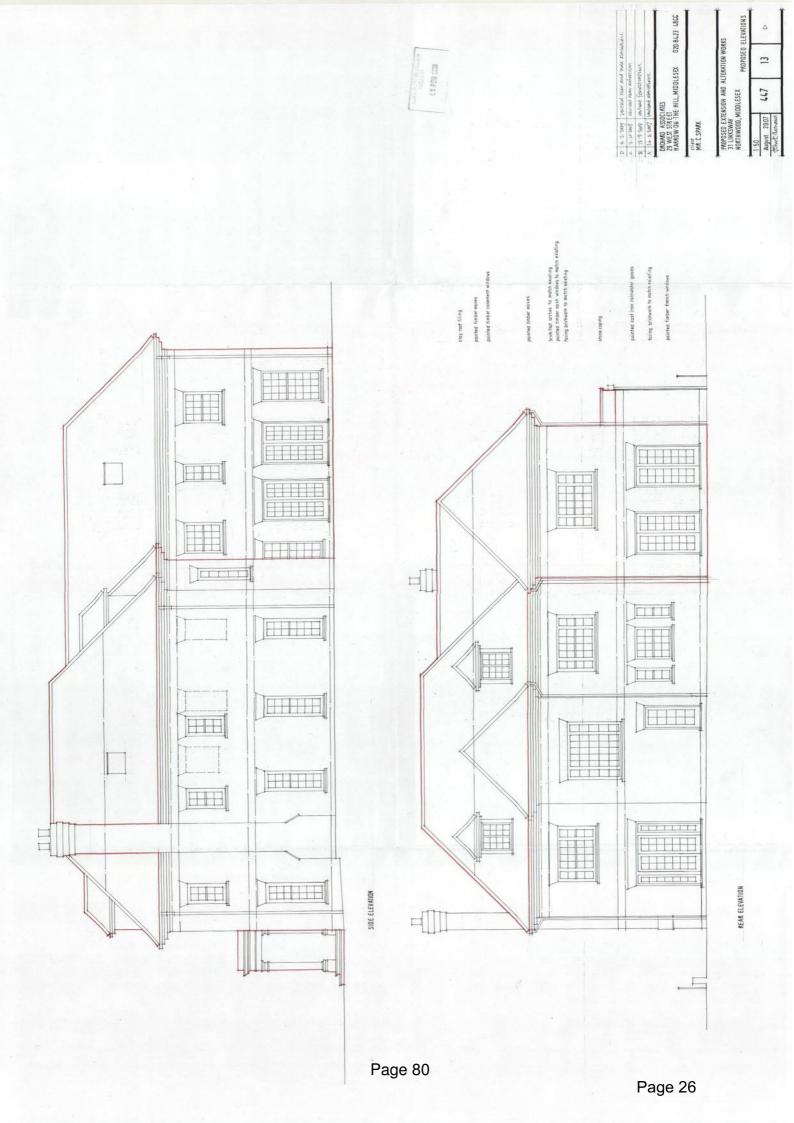
ROOF PLA

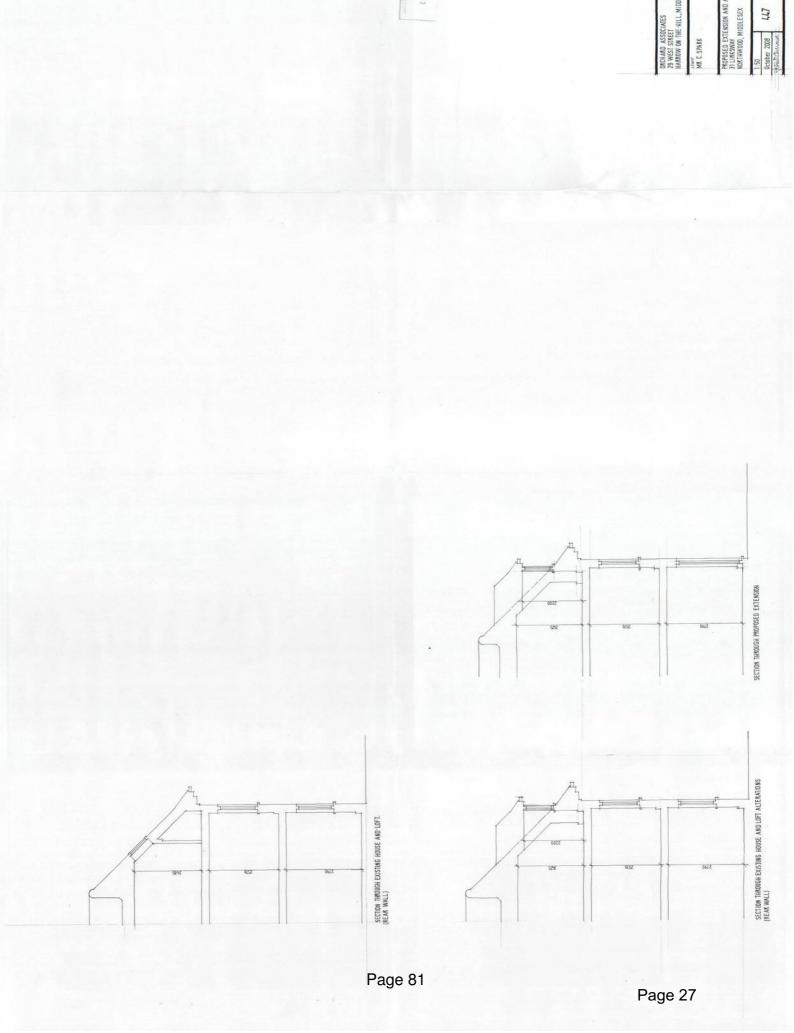


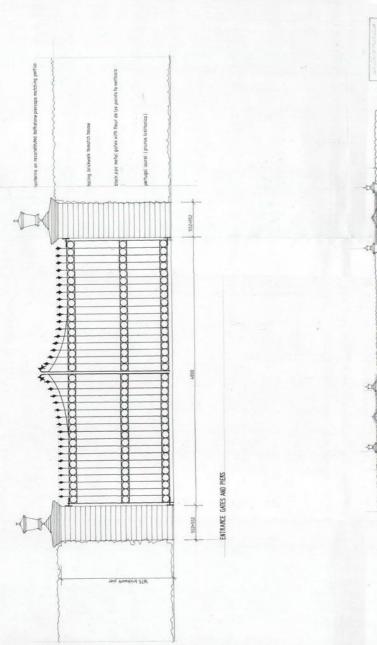


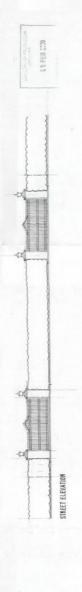


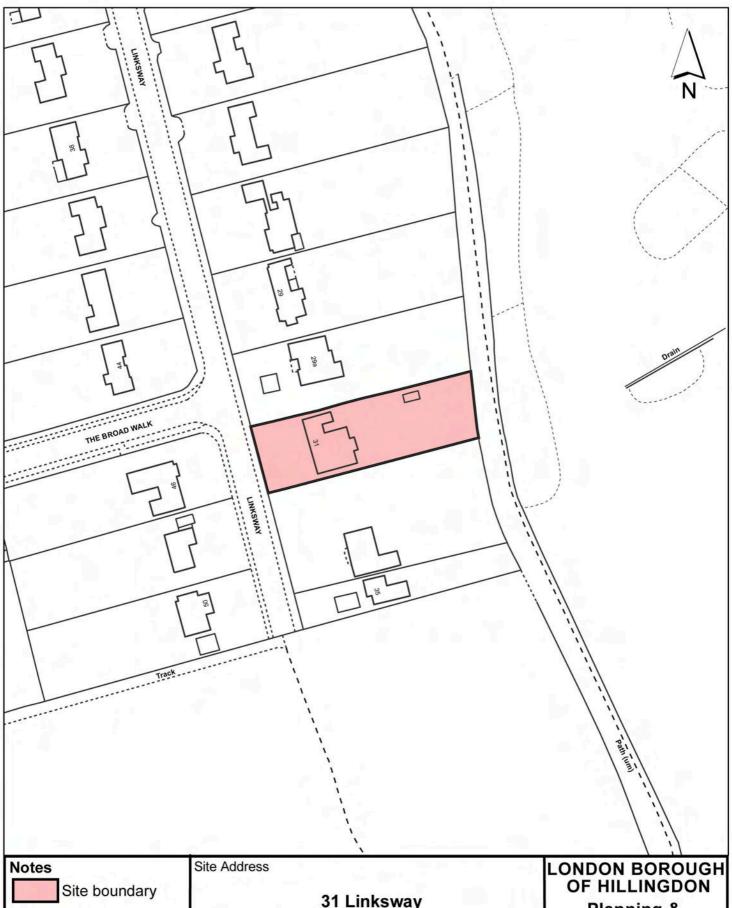












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31 Linksway **Northwood**

Scale Planning Application Ref: 1:1,250 41694/APP/2009/226 **Planning Committee** Date

North Page 83

May 2009

Planning & Community Services

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



Report of the Director of Planning & Community Services Group

Address 88 HILLSIDE ROAD NORTHWOOD

Development: Erection of a single storey side and rear extension with lower ground floor

level and conversion of roofspace to habitable use involving the installation of

a rear and side dormer, 1 side rooflight and alterations to roof.

LBH Ref Nos: 65810/APP/2009/327

Date Plans Received: 19/02/2009 Date(s) of Amendment(s):

Date Application Valid: 09/03/2009

