

Report of the Head of Planning & Enforcement Services

Address 39 HIGHFIELD DRIVE ICKENHAM

Development: Demolition of existing dwelling and erection of new 6 bedroom dwelling

LBH Ref Nos: 67201/APP/2010/1803

Drawing Nos: Design & Access Statement
01A (Location & Block Plan)
01B
02A
03A - Proposed Plans & Elevations

Date Plans Received: 03/08/2010 **Date(s) of Amendment(s):**

Date Application Valid: 29/09/2010

1. **SUMMARY**

Planning permission is sought for the erection of a 6 bedroom detached house. The proposed house, whilst it would provide a satisfactory standard of accommodation for future occupiers and would not harm the amenities of nearby residents, is not considered to relate satisfactorily with the character and appearance of other houses in the street, the street scene and surrounding area generally.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed house, by reason of its size, scale and design including a large crown roof, would appear as an incongruous addition failing to harmonise with the established character of the surrounding area. It would therefore be detrimental to the visual amenities of the street scene and the character and appearance of the surrounding area generally. The proposal is therefore contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS:: Residential Layouts.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 **Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national

guidance.

BE13	New development must harmonise with the existing street scene.
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.
H7	Conversion of residential properties into a number of units
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS	Residential Developments
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 5.3	(2011) Sustainable design and construction
LPP 3.4	(2011) Optimising housing potential
LPP 3.8	(2011) Housing Choice
LPP 7.1	(2011) Building London's neighbourhoods and communities

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The applicant is informed that there are inaccuracies in the drawings provided in relation to the position of the dwelling in comparison to the position of the adjoining dwellings and in the event of any resubmission completely accurate plans should be provided.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the east side of Highfield Drive and comprises a detached 3 bedroom house. To the north lies 37 Highfield Drive and to the south lies 41 Highfield Drive, both detached houses. The street scene is residential in character and appearance comprising large detached houses set within spacious plots and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of a six bedroom detached house, involving demolition of the existing house.

The proposed house would be set some 8m from the front boundary and 1m off the side boundaries. At ground floor level, it would measure 11.7m wide, 12m deep and be

finished with a crown roof 5.6m high at eaves level and 8.6m high at ridge level. At front, the proposed house would incorporate a two storey front gable projection set flush with the southern flank wall, measuring 4.5m wide, extending 2.1m from the front wall, and finished with a hipped ridged roof set 0.3m below the main roof ridge.

At first floor level, a centrally positioned first floor extension supported by columns, creating an entrance porch below, is proposed attached to the inner flank wall of the front projection. It would project 0.6m beyond the front projection and would measure 3.4m wide, 2.4m deep and finished with a hipped ridged roof set 1m below the main roof ridge. At rear, a part first floor rear extension is proposed set flush with the northern flank wall. It would measure 7.2m wide and 4.1m deep. The main crown roof would extend over this extension. The proposed part single storey rear element would be finished with a flat roof 3.2m high.

Two dormer windows are proposed in the rear roofslopes, one on the main roof and the other on the first floor rear extension. They would each measure 1.5m wide, 1.7m deep and finished with a canopy roof 1.9m high. They would be set 0.9m from the eaves, over 1m from the edges and 0.5m from the ridge, of the main roof.

A chimney stack is proposed along the north facing roofslope, casement windows are proposed at front and rear and French windows are proposed at ground and on the first floor rear elevation; the first floor window of which, has a Juliet balcony.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history associated with this site.

4. Planning Policies and Standards

The London Plan (2008) under Policy 3.4 (Maximising the potential of sites) seeks to ensure that development proposals achieve the maximum intensity of use compatible with local context, the design principles in Policy 7.1 and with public transport capacity. The London Plan: Interim Housing Supplementary Planning Guidance dated April 2010 provides further guidance on the interpretation of density guidelines, emphasising the importance of considering local context.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- | | |
|------|---|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE22 | Residential extensions/buildings of two or more storeys. |
| BE23 | Requires the provision of adequate amenity space. |

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H7	Conversion of residential properties into a number of units
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LPP 3.8	(2011) Housing Choice
LPP 7.1	(2011) Building London's neighbourhoods and communities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

13 adjoining owner/occupiers and the Ickenham Residents' Association have been consulted. 3 letters of objection (2 from the same occupier) and a petition with 21 signatories have been received making the following comments:

Letters of objection:

- (i) The proposal would result in a significant increase in overshadowing;
- (ii) The proposal would result in direct overlooking onto 37 Highfield Drive;
- (iii) The existing plans are inaccurate;
- (iv) Increase noise/disturbance and parking problems during construction.

Petition:

- (i) The proposed extension completely destroys the privacy to garden and outside eating areas of 39 and 41 Highfield Drive;
- (ii) Significant overshadowing onto the rear garden of 37 Highfield Drive;
- (iii) The submitted plans are inaccurate.
- (iv) The proposed house would be out of character with the existing houses in the street;

Ickenham Residents' Association:

"The vagueness of the application does not allow us to make a constructive comment, and there should be an indication on the drawings where the footprint of the existing house (to be demolished) is located in relation to this current application.

Clarification of this point would be helpful.

This proposal represents a massive change from a 3-bedroom to a 6-bedroom dwelling (we assume the 2 dormers in the roof at the rear indicate the planned 2 extra bedrooms) and would be creating a 3-storey house, if approved.

Your assistance in clarifying the above mentioned queries would be appreciated."

Internal Consultees

Trees/Landscape:

The site is not covered by a TPO, nor within a Conservation Area. There are no trees of merit on site, however in terms of landscaping, it appears that, unlike the original house, the proposed dwelling will not incorporate a garage. There may, therefore, be an increased pressure to park in the front garden.

A landscaping scheme should be provided to show the car parking details and soft landscaping for the front garden, and should take into account HDAS and SUDS recommendations.

Therefore, subject to conditions TL5 (car parking details and materials; and soft landscaping) and TL6, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

EPU (Contamination):

No objections subject to an importation of fill condition, should planning permission be granted.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This proposal is for a replacement dwelling and in this context the principle of development is not at issue.

7.02 Density of the proposed development

The proposed scheme would have a density of 134 habitable rooms per hectare. This is below the London Plan density range of 150-250 habitable rooms per hectare based on the site's Public Transport Accessibility Level (PTAL) score of 1. However, this is considered to be acceptable as it would be compatible within the local context and would result in a good standard of amenity for the future occupiers. Accordingly, no objection is raised to the proposed density in this instance.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area.

The street scene is characterised by detached houses of varying sizes and design, some set within long, spacious plots with mature trees in the front. It is considered that the position of the dwelling is considered acceptable, in principle. The first floor front extension is supported by columns and this type of front gable projection is a characteristic feature to houses in the street. However, the proposed crown roof design would not harmonise with the character and appearance of other dwellings in the vicinity and would introduce a roof form that would be substantially different from that of the

original house and other house in the street scene. Furthermore, the roof design when read with the quite substantive massing of the house would give the appearance of a bulky and excessively large dwelling to the detriment of the character and appearance of the street scene.

The proposed house would retain sufficient gaps between it and side boundaries and this together with the overall size of the plot, would result in a form of development that would not appear cramped in the street scene.

Overall, it is considered that the proposed house would detract from the character and appearance of the street scene and the surrounding area generally, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraph 4.23 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.08 Impact on neighbours

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, and a minimum of 21m overlooking distance should be maintained.

The proposed house would not project beyond the front wall of 41 Highfield Drive. However the ground floor of the new house would project 0.7m beyond the existing rear extension and 6m beyond the rear first floor elevation, of that house, while the proposed first floor rear wall would project 2.1m beyond the rear first floor wall of 41 Highfield Drive. These distances, together with the retention of a 2m wide gap between the new house and 41 Highfield Drive, are sufficient to ensure that the proposal will not have a visually intrusive or overdominant impact on the residential amenities of the occupiers of that house. Furthermore, as 41 Highfield Drive lies to the south, no overshadowing will result. There are no habitable room windows facing 41 The Drive.

The proposed house would be constructed on the front building line of the existing house, which is set some 3m beyond the front wall of 37 Highfield Drive. At rear, the submitted plans show the rear wall of the new house in line with the rear wall of 39 Highfield Drive, however it would appear from the site inspection that the proposed house would project some 0.5m beyond the rear wall of that house. The applicant was advised of the inaccuracies in the submitted plans, however amendments have not been received. Notwithstanding this, sufficient information has been submitted to determine this application, subject to an informative clarifying that had the application been considered acceptable, the local planning authority would have had to condition precisely the dimensions that were being approved. Thus any resubmission should contain completely accurate plans.

The proposed house would retain a 2m wide gap between it and the flank wall of 37 Highfield Drive and this distance is sufficient to ensure that the proposal will not have a visually intrusive or overdominant impact on the residential amenities of the occupiers of that house. With regards to the increase in overshadowing, a sun on the ground diagram as at the 21st March has been carried out at 10.00, 12.00 14.00 and 16.00 hours to assess the increase in shadow over and above that currently created by the existing

house. At 10.00 hours, the increase in shadow will be to the front of 37 Highfield Drive. At midday, it will be to the front and along the side of that house, and at 1400 hours, the increase in shadow would be over 37 Highfield Drive itself and partly to the side/rear. At 1600 hours, the existing house creates a shadow over the side and rear garden of that house. The proposed house would extend this shadow into the rear garden, however, it is considered that this increase is not considered to be so significant over and above that created by the existing house.

The proposed rear dormer windows would overlook the rear garden and would not result in an increase in overlooking over and above that from the existing house onto the adjoining properties. Furthermore, as the new house projects beyond the rear wall of the adjoining houses, the proposed first floor French window would not result in direct overlooking onto the private amenity spaces of the adjoining houses. No windows are proposed facing 37 Highfield Drive.

The properties to the rear in Lodore Green are over 70m from the rear wall of the new house.

Overall, it is considered that the proposed house would not cause an unacceptable impact on the residential amenities of the occupiers of the adjoining properties through overdominance, visual intrusion, overshadowing or overlooking. The proposals are therefore in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts. The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy and Policy BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

The internal size of the proposed house would be in excess of 250sq.m which would exceed the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 4 or more bedroom houses, in accordance with policies BE19 and H7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

With regard to amenity space, some 600sq.m would be retained and this would meet the recommended standards of 100sq.m for 4 or more bedroom houses as advised at paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts. Therefore, the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The area has a PTAL accessibility rating of 1, which means within a scale of 1 to 6, where 6 is the most accessible, the area has a low accessibility level. Therefore, the Council's maximum parking standard of 2 spaces is required for the proposed dwelling.

The proposed front driveway can accommodate 2 off-street parking spaces. As such, it is considered that the proposal would not result in an increase in on-street demand for parking to the detriment of highway and pedestrian safety, and would meet sustainability objectives, in accordance with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.33 and 4.39 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

7.11 Urban design, access and security

London Plan Policy requires all new housing to be built to 'Lifetime Homes' standards. The

Hillingdon Design & Accessibility Statement: Accessible Hillingdon also requires all new housing to be built to 'Lifetime Homes' standards.

The proposed house would not fully comply with these standards. In particular, the ground floor WC is not wheelchair accessible. However, this can be overcome by a suitably worded planning condition. Therefore, the proposal could satisfy 'Lifetime Homes' standards, subject to an appropriate condition, in accordance with policy 3.8 of the London Plan (2008) as well as the Council's Hillingdon Design & Accessibility Statement: 'Accessible Hillingdon'

7.19 Comments on Public Consultations

With regard to the third party comments, construction noise and disturbance is incidental to the grant of planning permission. The remaining points are addressed in the report.

7.20 Planning obligations

The proposed house would not result in a net increase of 6 habitable rooms and therefore would not fall within the threshold for seeking a contribution towards school places.

8. Observations of the Borough Solicitor

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

10. CONCLUSION

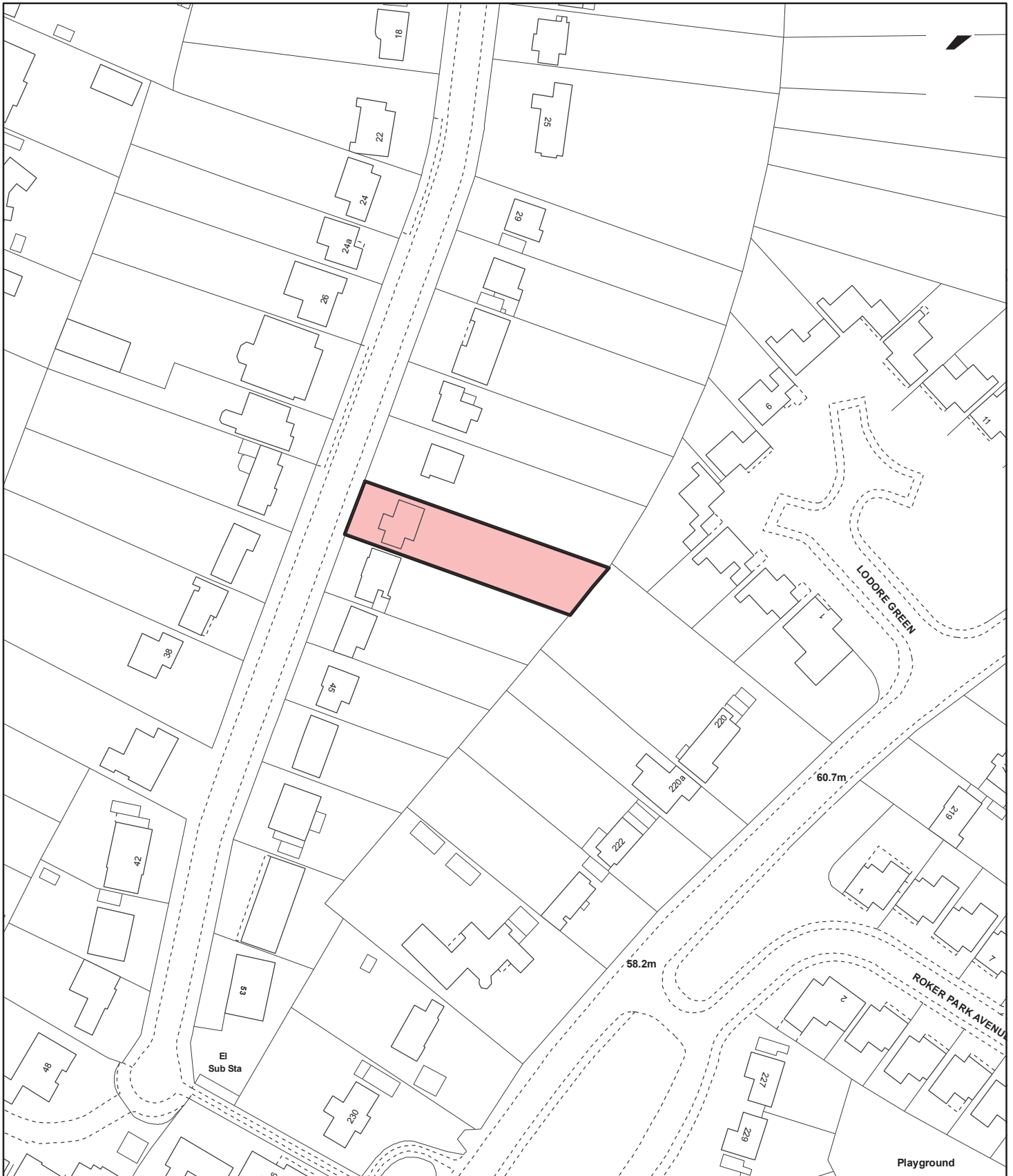
For the reasons outlined above and that the proposed development fails to comply with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and Hillingdon Design & Accessibility Statement: Residential Layouts, this application is recommended for refusal.



11. Reference Documents

London Plan 2011
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)
Hillingdon Design & Accessibility Statement: Residential Layout
Hillingdon Design & Accessibility Statement: Accessible Hillingdon

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">39 Highfield Drive, Ickenham</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>	
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	<p>Planning Committee</p> <p style="text-align: center;">North</p>	<p>Date</p> <p style="text-align: center;">September 2011</p>		