

Item No. **Report of the Head of Planning & Enforcement Services**

Address 36 & 38 CHESTER ROAD NORTHWOOD

Development: Changes to rear elevation, windows to include wider rear doors. (Application for non-material amendment following grant of appeal decision ref: APP/R5510/A/06/2008833/NWF dated 27/07/2006; Erection of 24-bedroom care home with refurbishment and alterations to no.34 Chester Road and associated parking, involving the demolition of nos.36 and 38 Chester Road)

LBH Ref Nos: 50613/APP/2011/397

Drawing Nos: Un-numbered Approved and Proposed Elevations
Un-numbered Approved and Proposed Floor Plans

Date Plans Recieved: 17/02/2011

Date(s) of Amendment(s):

Date Application Valid: 18/02/2011

REASON FOR URGENCY

An appeal has been lodged against non-determination of the application within the statutory time frame and the Council needs to submit its statement against the appeal by the 4th November, which is prior to the date of the next available North Planning Committee meeting.

Amendment Details

This non-material amendment application seeks part retrospective approval for 'changes to the rear elevation, windows to include wider doors etc'.

There is no requirement to carry out any consultation on non-material amendment applications, as by definition, the changes should not be material. However, in this case, the following correspondence has been received:

A petition with 22 signatories has been received, stating:

'The petition is in two parts:

(A) Against application 50613/APP/2011/397 which is a proposal to accept deviations in the designs approved by the Government Inspector APP/R5510/A/06/2008833 dated 27/07/2006.

(B) Against other serious deviations which are not being included in applications 50613/APP/2011/397 and are therefore not subject to the approval of the planning committee.

We the undersigned are opposed to Application 50613/APP/2011/397 which is a major deviation from the Inspector's approved design. The rear design of the

building has been reversed, external windows have been replaced by enlarged doors, and the decking at the main rear exit is too large and too high, overlooking neighbours gardens.

We the undersigned are opposed to other deviations which have not been included in Application 50613/APP/2011/397, namely: The lift shaft protrudes through the roof - not approved because it does not appear on any of the design drawings; All dormer windows are too large - without approval; Windows shown to have obscure glass on the design drawings have been fitted with clear glass - so that neighbours can see through each others building; Large satellite, TV and radio antenna has been erected without planning approval; Foul drainage, which is ultimately the responsibility of the London Borough of Hillingdon, does not follow the original design.

It is important to note that without the support of Councillor Scott Seaman-Digby and Malcolm Ruddock (Northwood Residents) Application 50613/APP/2011/397 would not have been listed to come before the Planning Committee.'

A neighbour has also commented on this application in two letters as follows:

- (i) We were not consulted on this application,
- (ii) Current application is incomplete as a number of deviations from the planning permission have been ignored, namely (i) all dormers at the front and rear have been extended and size of mansard roof has increased, (ii) lift shaft protrudes through the roof which restricts light within building, which does not form part of approved scheme or on this application, (iii) rear elevation has been reversed with two windows/doors increased in size - to decking area and adjacent to No. 40 and size of doors on site are twice that shown of the plans,
- (iii) Proposed glass balustrade to lounge will restrict outward opening doors but if changed so open inwards, proposed doors would allow noise from this very large lounge, compounded by adjacent decking area,
- (iv) Doors to lounge adjacent to No. 40 would allow greater overlooking of neighbouring garden,
- (v) Documents do not show length of decking area,
- (vi) Side windows have been fitted with clear glass and approval was for obscure glass so kitchen/dining area of NO. 40 is overlooked,
- (vii) Any deviations from approved drawings need to be considered and this should be by Members of the Planning Committee,
- (viii) A Party Wall Act prepared between No. 40 and Seymour Homes to deal with drainage has been ignored.
- (ix) Antennas have been installed on the building without the necessary permission,
- (x) 14 external lights have been sited on the building and are left on overnight,
- (xi) Assume rubbish enclosure and bike store still to be sited at rear of building,
- (xii) Height and length of decking is unacceptable and they do not have approval for this.

Northwood Residents' Association:

BE13: All the dormer windows are larger than those shown upon the current plan.

The current plan does not show the front elevation. These large windows do not match the others in this Area of Special Architectural Interest. They have not been approved. The exposed lift housing has not been approved and is unsightly. BE19: the same exposed lift casing obstructs light to an adjacent rooflight. BE23: The window on the ground floor east elevation has clear glass and overlooks the kitchen window of number 40 and allows the occupants of 40 to see through to the opposite end of 36-38. This window should be obscurely glazed. The glazed doors to the eastern end of the rear elevation, when open will allow the noise from the lounge to affect neighbours at number 40. This room was not a lounge in the previous application and the elderly occupants are likely to be hard of hearing which means the television will be louder than normal. The doors are not glazed as per the diagram in this application. They should be replaced by the windows in the original application. The 14 external lights are on throughout the night and disturb nearby neighbours. This business premises is in a residential road and must not infringe on the amenity of residents. Environmental Protection UK recommend a maximum of 5 lux for suburban environments. The lights must be removed or their wattage compulsorily reduced. The raised decking outside the central doors of the rear elevation has not been erected yet but it will allow people using it to overlook the gardens of number 40 and 34. (The erection of a fence between 36 and 34 suggests 34 will not be part of the business and may become private accommodation.) This decking should be limited to a narrow platform to access the stairs to the garden. According to the Planning Portal the primary antenna should not exceed 100cms and the secondary should not exceed 60cms without planning permission. Both exceed these dimensions without prior planning permission.

Ward Councillor: Re-iterates the points raised by the Northwood Residents Association and requests that the application be presented to the North Planning Committee.

Planning Considerations

The submitted plans do show a wider opening in the previously approved dining room, described as a lounge on the proposed floor plan and French doors and side lights with a Juliette balcony to the lounge adjacent to No. 40. However, more extensive alterations are indicated on the plans, including the re-arrangement of internal rooms, installation of a new external staircase, alterations to the fenestration at basement level for which no floor plans have been provided and alterations to the openings in the front elevation for which no elevations have been provided.

In the absence of the application providing a full description and full details on plan of the amendments being sought, the Local Planning Authority cannot be sure that the amendments are non-material or assess the impact that they may have on the appearance of the building, the street scene and on adjoining occupiers.

Officer comments on correspondence received.

In terms of the concerns raised by the individual consultee, as regards point (i), there is no requirement to consult on a non-material amendment, although officers

would need to satisfy themselves that the amendments are indeed non-material. Point (ii) is noted and in part, forms part of the reason for refusal. Points (iii) and (iv) are noted, but as the openings are at the rear, a reason for refusal could not be justified. The other points raised are noted, but do not raise planning issues that specifically fall to be considered as part of this application, however the matter has been referred to the enforcement section for further investigation.

RECOMMENDATION

The reason for urgency is that an appeal has been lodged against non-determination of the application within the statutory time frame and the Council needs to submit its statement against the appeal by the 4th November.

1 NON2 Non Standard reason for refusal

In the absence of the application providing a full description of the amendments sought, comprehensive floor plans of all the floors affected and elevation drawings showing the full extent of the amendments shown on plan, the Local Planning Authority is unable to consider the full extent and impact of the proposed amendments. As such, the application fails to demonstrate that the amendments are non-material and would not be harmful to the appearance of the building, the street scene and the amenities of the surrounding area. The proposal is thus contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

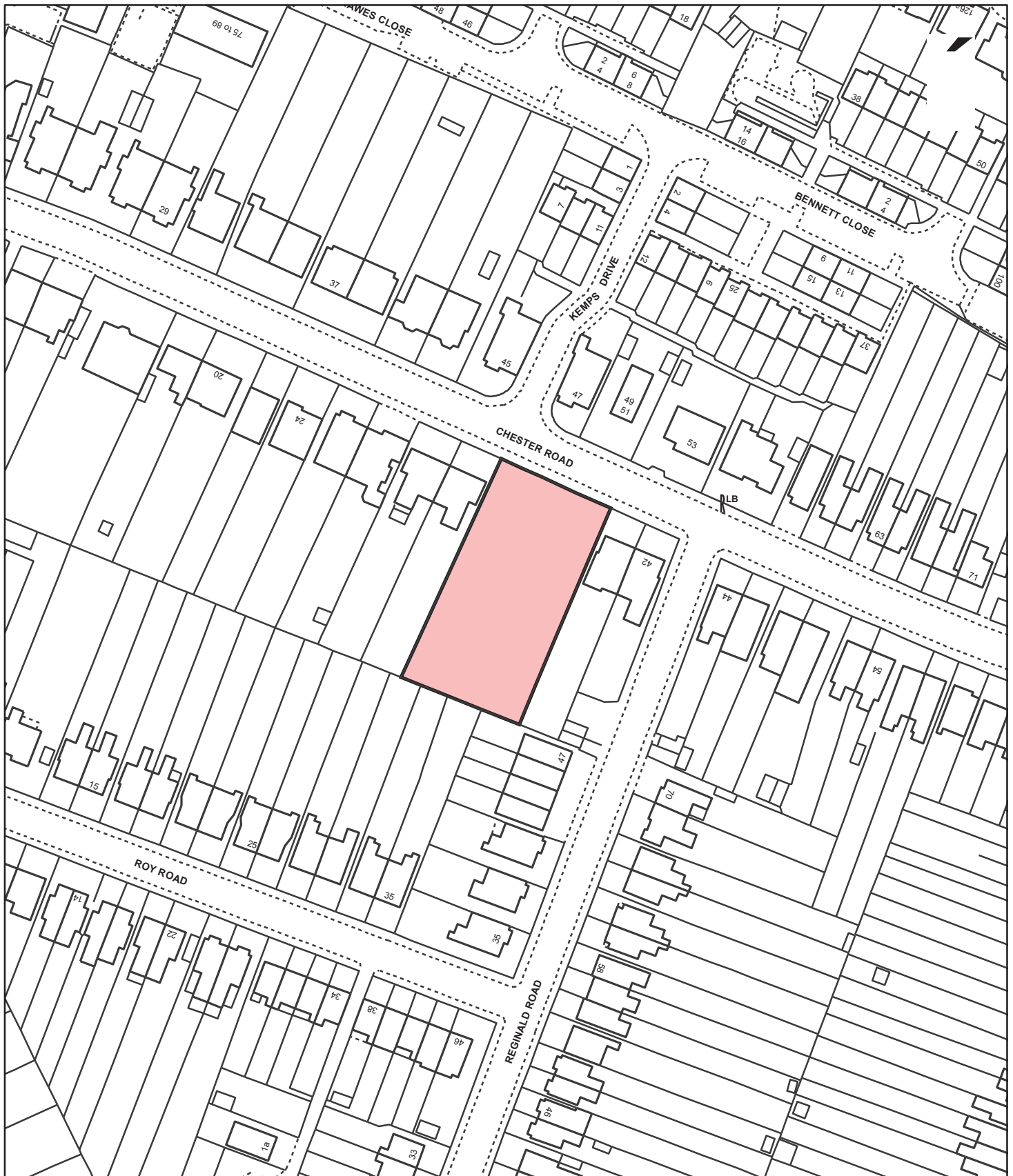
Informatives:



Policies:

- | | |
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| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |

Contact Officer: Richard Phillips

Telephone No: 01895 250230



<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). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2011</p>	<p>Site Address</p> <p align="center">36 & 38 Chester Road Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p align="center">Planning, Environment, Education & Community Services</p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">50613/APP/2011/397</p>	<p>Scale</p> <p align="center">1:1,250</p>	 <p align="center">HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">March 2011</p>	