

Report of the Head of Planning & Enforcement Services

Address 19A CHURCH ROAD COWLEY

Development: Single storey rear extension

LBH Ref Nos: 48960/APP/2012/2505

Drawing Nos: Proposed Site Plan
Location Plan
100.004/101
Existing Site Plan
100.004/102
100.004/201
100.004/202
100.004/203

Date Plans Received: 15/10/2012

Date(s) of Amendment(s):

Date Application Valid: 15/10/2012

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the eastern side of Church Road and comprises a detached bungalow set within an 18.3m wide plot. The site is located within a small cul-de-sac where there is one other detached bungalow (No. 19b) set away from the road and behind No. 17a and No. 19 Church Road. The property has been extended by way of a single storey side and rear extension and a small conservatory which has recently been demolished. It has a large rear garden which backs onto the Metropolitan Green Belt and to the front there is a small garden and driveway which provides space for one vehicle.

To the north, the neighbouring bungalow (No. 19b) has not been extended. To the south the application property is adjacent to the rear garden of a block of flats which front Church Road.

The site is situated within the Developed Area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) where the prevailing character of the area is residential comprising mainly of two storey detached houses. The site is also subject to a Tree Preservation Order (TPO).

There is not a significant difference in site levels between the site and No. 19b Church Road.

It is noted that this property has been sub-divided into two units without the benefit of full planning consent. The Council's Enforcement Team are currently investigating this breach in planning control. The existing plans and elevations submitted fail to demonstrate that the property has been sub-divided.

1.2 Proposed Scheme

The application seeks planning permission to erect a single storey rear extension which would adjoin the existing single storey rear extension and replace the existing conservatory. It would be 7.1m wide, 3.1m deep with a flat roof measuring 2.8m in height. It would be constructed using matching materials and would include two patio doors to its rear elevation.

The plans show that internally the extension would provide a fourth bedroom, however it was evident on site that the property has been sub-divided into two units and that the proposed extension would in fact provide a second bedroom for one of the unlawful self-contained units.

It is considered that the plans submitted with the application are misleading as they do not reflect the sub-division of the site.

It should also be brought to the Committees attention that the Enforcement officer requested that an application be submitted to address the planning breach, officers did not expect instead to receive an application both extending the property and implying no subdivision has occurred.

1.3 Relevant Planning History

48960/APP/2007/1134 19a Church Road Cowley

CONVERSION AND EXTENSION OF EXISTING PROPERTY TO CREATE A ONE-BEDROOM DWELLING, TOGETHER WITH RAISING THE ROOF HEIGHT, FRONT DORMER WINDOW AND REAR GABLE WALL WINDOW.

Decision Date: 07-06-2007 Refused **Appeal:**

48960/APP/2007/2635 19a Church Road Cowley

ERECTION OF SINGLE STOREY SIDE EXTENSION, WITH PITCHED ROOF OVER EXISTING REAR EXTENSION.

Decision Date: 02-11-2007 Approved **Appeal:**

Comment on Planning History

The Council's Enforcement Team are investigating a breach in planning control in relation to the sub-division of the existing property into two self-contained units. During the Enforcement Officer's site visit on the 5th September 2012 it was evident that the property had indeed been sub-divided into two units. Officers are aware that the two self-contained units are occupied by different members of the same wider family (the parents in one house, a sibling and their family in the other part of the property). Officers do not consider that the subdivision should be confused with the concept of 'granny annexes' where a subdivision of sorts can occur without the need for planning permission. In this case the property has been subdivided from one family dwelling to two family dwellinghouses, therefore planning permission is required.

During the planning Officer's site visit on the 20th November 2012 it was evident that the property was still being used as two self-contained units with the rear garden sub-divided into two.

No planning applications have been submitted in an attempt to regularise this breach in planning control. It is therefore considered that no extensions or alterations can be

granted permission until the change of use has been regularised.

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

One neighbour and the St Laurence (Cowley) Residents Association were notified on 26/10/2012. A site notice was also posted on 01.11.12. No responses were received.

A ward Councillor has requested that this application be determined by the planning committee.

Trees/Landscaping

This site is covered by TPO 333; however no trees, protected or otherwise, will be affected. The proposal is considered acceptable in terms of its impact on trees and landscape.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

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.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

LPP 3.5 (2011) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the impact of the proposal on the character of the existing property and surrounding area, upon residential amenity and private amenity space and parking provision.

In regard to detached dwellings paragraph 3.3 of the Council's HDAS states that single storey rear extensions should be no more than 4.0m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3.0m in height. This is to ensure that the extension appears subordinate to the main house.

Both in terms of its height and depth, the proposal would accord with the above criteria and therefore as part of the original, detached property would appear subordinate. Moreover it would not be visible from the street scene and would be constructed using matching brickwork.

Compliance with the height and depth restrictions as recommended above means that the extension would not harm the amenity of residents at No. 19b through loss of daylight or overbearing impact. No side facing windows are proposed that would result in loss of privacy.

However the property is not in use as a detached dwelling in that it has been divided into two units and no planning consent has been granted for such a conversion. The existing and proposed plans and elevations submitted with the application fail to show that the property has been sub-divided and therefore it is considered that it is not possible to properly assess the impact of the proposal, particularly in respect of its impact on residential amenities.

The rear garden has been divided into two without planning consent and therefore it is not possible to ascertain whether or not the proposed extension would leave a sufficient level of amenity space for existing residents.

Overall it is considered that planning consent can not be granted as the extension would provide additional accommodation for a self-contained unit which does not have the benefit of full planning consent. It is also considered that the plans fail to accurately demonstrate the existing layout of the site.

It is therefore considered that the proposal is contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Saved UDP Policies (November 2012) and Policies BE13, BE15, BE19, BE20, BE24 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

In the absence of accurate and consistent drawings of the existing layout of the property that appears to have been converted into two units, it is not possible to fully assess the planning merits of the proposed extension in terms of its impact upon the amenities of the adjoining dwellings, the provision of private amenity space and the parking

implications. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Saved UDP Policies (November 2012) and Policies BE13, BE15, BE19, BE20, BE24 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

- 1 The property has been divided into two self-contained residential units without the benefit of full planning consent. It is therefore not possible to approve an extension to a property for which there is no planning consent. You are advised that the Council will not favourably consider any future planning applications relating to the alterations or extension of No. 19a Church Road until the use of the site has been regularised.
- 2 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 7th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

Standard Informatives

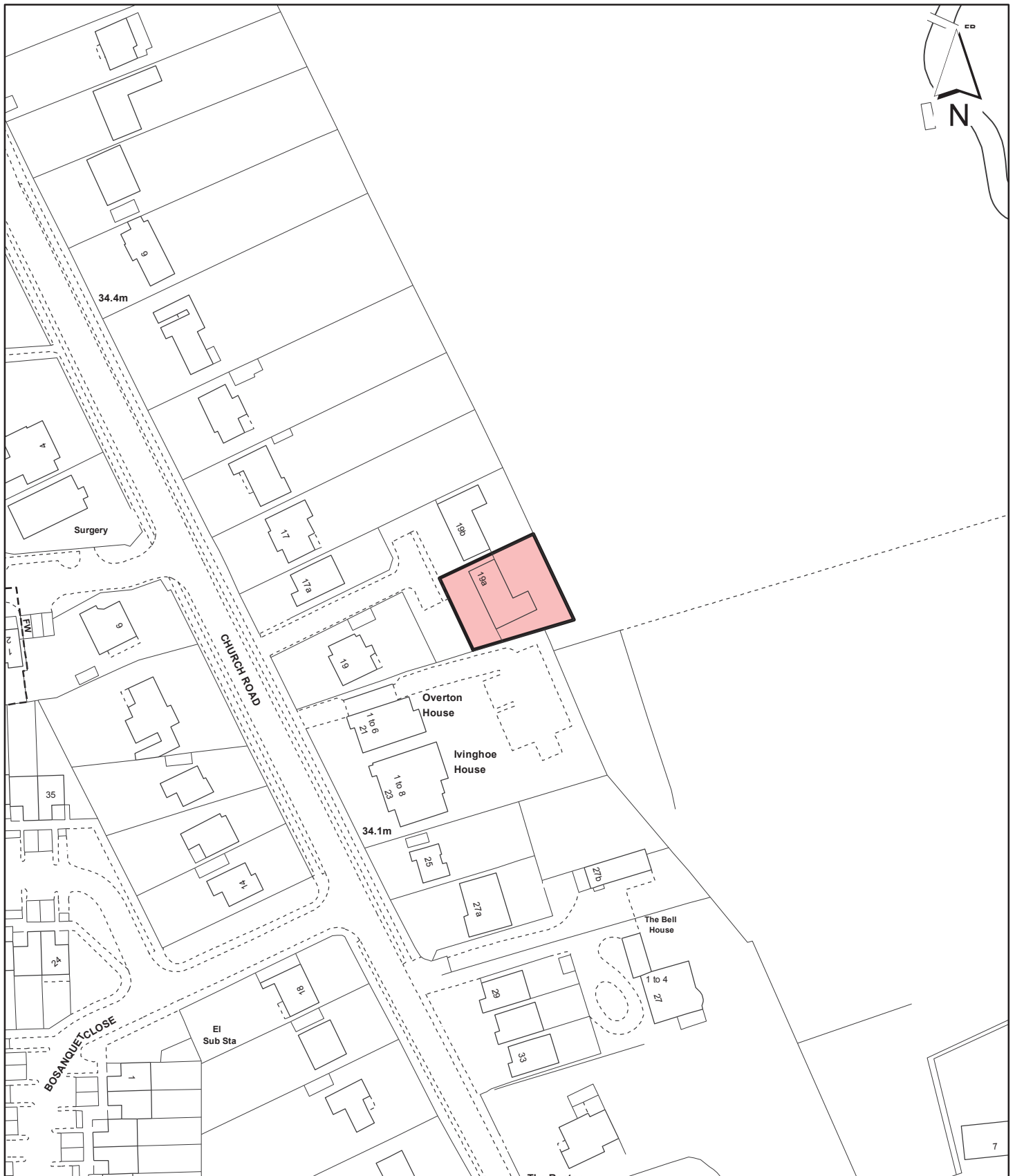
- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.



AM14	New development and car parking standards.
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.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2011) Quality and design of housing developments

Contact Officer: Kelly Sweeney

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 and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">19A Church Road Cowley</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">48960/APP/2012/2505</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">Central and South</p>	<p>Date</p> <p align="center">December 2012</p>	