

## Report of the Head of Planning, Sport and Green Spaces

**Address** WALDERTON NORTHGATE NORTHWOOD

**Development:** Two storey, 6-bed, detached dwelling with habitable roofspace and associated parking and amenity space, involving demolition of existing dwelling

**LBH Ref Nos:** 47749/APP/2013/153

**Drawing Nos:** Tree Protection Plan  
TP08/e  
Energy Statement  
Arboricultural Survey  
TP07/e  
TP06/e  
TP04/e  
TP03/e  
TP05/e  
TP02/e  
TP13  
TP12  
TP10  
TP11  
Design and Access Statement  
Location Plan to Scale 1:1250

**Date Plans Received:** 22/01/2013                      **Date(s) of Amendment(s):**

**Date Application Valid:** 22/01/2013

### DEFERRED ON 25th June 2013 FOR FURTHER INFORMATION .

This application was deferred at the meeting of the 25th June for officers to consider information provided relating to the approval of crown roofs at two sites in close vicinity of the application site. The two sites being: 1. Woodhurst, situated opposite the site, where permission was granted for a two storey rear extension (Ref: 34996/APP/2008/2166) which involved the provision of a crown roof: and 2. Land adjacent to Oakhurst, which adjoins the application site, where permission was granted, on appeal, for a new dwelling (Ref: 67012/APP/2011/2712). □

□  
Your officers have considered these permissions and visited the site to view the completed development at Woodhurst and consider that there are a number of differences between the schemes such that the proposed development is still considered unacceptable. □

□  
The main difference between Woodhurst and the proposed scheme is that the roof profile is broken up, using devices such as set backs from the main front of the property and set down from the roof, such that the actual size of the crown roof is not as apparent. The proposed scheme does not benefit from any of these elements and thus the size of the crown, which is extremely large is very apparent and gives the impression that there is almost a flat roof to the building. This is accentuated by the fact the site is on an elevated position, whereas, Woodhurst is set below the level of the road, due to the sloping nature of the area. □

□  
The proposal for a new dwelling on the adjoining site at Oakhurst is, again, considered to be

substantially different in terms of the size of the crown and the overall design of the property, including a staggered footprint, and subordinate gables and wing again resulting in a scheme where the overall impact on the street scene is not as apparent as would be the case with the application scheme.□

□  
Furthermore, as noted in the Conservation Officers comments above, there are other design elements of the scheme which are at odds with the vernacular tradition and character of the Copse Wood Estate Area of Special Local Character and thus the scheme is recommended for refusal on the basis of the overall design of the proposal.

## 1. **SUMMARY**

The scheme would be detrimental to the visual amenities of the streetscene and the wider Copsewood Estate Local Area of Special Character.

## 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

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

The proposed development by reason of its siting, size, scale, bulk, layout and appearance in respect of its design features and architectural style, detailing and roof form would result in an incongruous and intrusive form of development that would be detrimental to the character, appearance and visual amenities of the street scene and the wider Copsewood Estate Area of Special Local Character. It would therefore be contrary to Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the council's adopted Supplementary Planning Document HDAS: Residential Extensions.

## **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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
LPP 7.4	(2011) Local character
LPP 8.2	(2011) Planning obligations

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site lies to the south of Northgate and is occupied by a two storey detached dwelling. The surrounding residential area is characterised by varied architectural designs, where many of the original houses have been replaced by good quality, vernacular style buildings. □

□

Walderton itself is of no particular architectural merit, but its modest proportions render it a foil for Oakhurst next door, a locally listed, timber framed building of 1922, set in large grounds with mature planting. Two dwellings have recently been built in the grounds of Oakhurst, the access drive for which passes close by the boundary with Walderton. The detached dwellings in Northgate are mainly set back a little from the road and are within a pleasant wooded suburban landscape □

□

The site is part of the 'Developed Area' as identified in Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and is located within the Copsewood Estate Area of Special Local Character (ASLC).

#### 3.2 Proposed Scheme

Planning permission is sought for a two storey, 6- bed, detached dwelling with habitable roofspace and associated parking and amenity space, involving demolition of existing dwelling. Planning permission was granted application ref. 47749/APP/2012/2400 for a similar scheme for a four bedroom property in December 2012. □

□

The current application is a resubmission of a previous approved scheme and now seeks to create two additional bedrooms in the roof space through the provision of the following: □

□

- a new crown roof □
- increasing the height of the proposed dormers □
- rooflights □

- French doors and balcony

### 3.3 Relevant Planning History

47749/93/0040 Walderton Northgate Northwood

Erection of single storey side and front extension incorporating garage (involving demolition of existing garage and single-storey side extension)

**Decision:** 18-05-1993 Approved

47749/APP/2012/2400 Walderton Northgate Northwood

Two storey, 4- bed, detached dwelling with associated parking and amenity space, involving demolition of existing dwelling

**Decision:** 07-12-2012 Approved

47749/C/97/0626 Walderton Northgate Northwood

To fell two Oak trees (T48 and T51) on TPO 173

**Decision:** 20-06-1997 Refused **Appeal:** 19-06-1998 Dismissed

### Comment on Relevant Planning History

As above.

### 4. Planning Policies and Standards

On the 8th November 2012 the adoption of the Council's Local Plan: Part 1 - Strategic Policies was agreed at the Full Council Meeting. Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) is relevant to this application and in particular the following parts of that Policy:

BE1 - The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;

2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;

3. Be designed to include Lifetime Homes principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives

7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character

and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife (7.20), encourage physical activity and where appropriate introduce public art;□

8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals.□

9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.□

10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within□

the Hillingdon Local Plan: Part 2 - Development Management Policies LDD. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the□

amount disposed to landfill. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill.□

□

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and development management policies Hillingdon Local Plan: Part 2 -Development Management Policies.

### **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:

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.

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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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LPP 7.4	(2011) Local character
LPP 8.2	(2011) Planning obligations

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

18 neighbours were consulted on 28th January 2013 and a site notice was erected adjacent the site, which expired on 22 February 2013. No individual letters were received commenting on the application but a petition with 22 signatures was received in support of the proposed development stating that crown roofs and dormer windows are a feature of the buildings in the area surrounding the application site.

### Internal Consultees

URBAN DESIGN & CONSERVATION:

BACKGROUND: Permission was given for a four bed house one month before this application was lodged. This application proposes two extra bedrooms, to be accommodated in a very large crown roof, with tall roof lights in the side roof, and two tall dormers and a pair of French doors and balcony in the rear roof slope.

The proposed crown roof, the height of the proposed dormers and rooflights, and the French doors and balcony are features alien to the vernacular tradition and character of the Copse Wood Estate Area of Special Local Character. They would constitute inappropriate amendments to the previously approved scheme.

RECOMMENDATIONS: Unacceptable

TREE & LANDSCAPE OFFICER

Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 173



Significant trees/other vegetation of merit in terms of Saved Policy BE38: There is a large, protected Oak (T51 on TPO 173) in the front garden, which formerly contained three more protected trees, that have died and have not been replaced (the plans show several trees that are no longer there). The other protected trees on-site are mostly Hornbeams, which are in or overhang the rear garden of the existing house. All of these protected trees contribute to the arboreal/wooded character of the Copse Wood Estate Area of Special Local Character and have high amenity values.

The important trees are retained as part of this scheme and the tree protection plan provides adequate protection.

Scope for new planting: The scheme should make provision for new planting in the front garden. In this case, three new trees (standard size and short staked) should be shown on the plans (along the front boundary) and should either be Wild Cherry or Field Maple; the chosen species of tree should be shown on the plans by way of notes.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to the amendment of the plans to show the existing tree cover and the new tree planting as described above, and conditions RES8, RES9 (1, 2, 5) and RES10.

ACCESS OFFICER

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document Accessible Hillingdon adopted January 2010. The proposal seeks to erect a six bedroom new dwelling which would be subject to the above policy requirements. The proposal appears not to have incorporated the 16 Lifetime Home standards which should be shown on revised plans.

The following access observations are provided:

1. Level access should be achieved. Entry to the proposed dwelling appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to the ground floor entrance door.

2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.

3. A minimum of one bathrooms/ensuite facility should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.

4. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.

5. The plans should indicate the location of a future through the ceiling wheelchair lift.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

Level or ramped access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000

(2004 edition), and shall be retained in perpetuity.

## **7. MAIN PLANNING ISSUES**

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

The site is currently previously developed land in residential use, therefore there is no objection to the principle of the redevelopment of the site, indeed, this was established by the previous approval on the site.

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

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and should not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

As detailed in this report at Section 7.09 it is considered that the proposal would adversely impact on the character of the Copsewood Estate Area of Special Local Character.

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

Policy BE1 requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area. Policies BE13 and BE19 seek to ensure that new development complements and improves the character and amenity of the area. □

□

The scheme approved in October 2012 was considered to reflect, though not totally, the vernacular tradition and character of the Copse Wood Estate Area of Special Local Character. However, the current proposal with its very large crown roof, the height of the proposed dormers and rooflights, the French doors and balcony are all design features and elements which are alien to the design ethos of the ASLC. The proposed development fails to complement or improve the character and amenity of the area in terms of its detailing, design, siting, massing and large 'crown roof' feature and is therefore considered to represent an incongruous and intrusive form of development in the street scene and the Copsewood Estate Area of Special Local Character, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2011) and the adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts.

### **7.08 Impact on neighbours**

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. All of these requirements are met by the proposed development and overall the proposed development would not constitute an un-neighbourly form of



development by virtue of its siting, massing, projection, distance to the boundary and existing screening and would thus accord with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Paragraphs 4.6 to 4.8 and Table 2 of the Council's SPD HDAS: Residential Layouts advises that 5 bedroom two-storey units should have a minimum floor area of 101 square metres. Furthermore, London Plan Policy 3.5 and Table 3.3 states that 5 bedroom two-storey houses should have a minimum size of 107 square metres. The proposed development meets minimum standards providing 528 square metres of gross internal floor area. The Mayor's Housing Supplementary Planning Guidance (November 2012) requires the minimum area for a single bedroom to be 8 square metres and a minimum floor area for a double bedroom to be 12 square metres. The proposed dwelling complies with these standards. □

□  
HDAS advises in Paragraph 4.15 that four bedroom plus houses should have a minimum private amenity area of 100 square metres. The proposed development exceeds amenity standards by providing approximately 200 square metres. □

□  
It is therefore considered that the proposed development would provide a high standard of living for future occupiers in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 and Table 3.3 of the London Plan (2011), the adopted SPD HDAS Residential Layouts and the Mayor's Housing Supplementary Planning Guidance (November 2012).

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

2 parking spaces are proposed on the site as existing as per Policy 6.13 of the London Plan and in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The Highways officer raises no objection.

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

See section 7.09.

#### **7.12 Disabled access**

The Access Officer has confirmed the use of a condition to secure Lifetime Homes Standards is acceptable in this instance as the proposed dwelling has a spacious interior which could accommodate the requirements.

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

Not applicable to this application.

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

The Tree and Landscape Officer raises no objections to the proposal on soft landscaping and protection terms subject to the imposition of conditions, which could be added if the scheme were recommended for approval. As such the proposal would not conflict with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy 5.6 of the London Plan requires development to have regard to and contribute to a reduction in waste produced. This could have been conditioned had the scheme been recommended favourably.

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

Policy 5.3 of the London Plan requires the highest standards of sustainable design and construction in all developments to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. This could have been conditioned had the scheme been recommended favourably.

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

The application site is not within a Flood Risk Area and the issue of sustainable urban drainage could have been conditioned had the scheme been recommended favourably.

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

Not applicable to this application.

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

The issues raised are covered in the main report.

#### **7.20 Planning Obligations**

The proposed development would exceed 100sq.m and therefore there would be a requirement to make a CiL contribution.

The proposed development would not give rise to a net increase of 6 habitable rooms and as such would not trigger the requirement for Educational Contributions in accordance with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Not applicable to this application.

#### **7.22 Other Issues**

Not applicable to this application.

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

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

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

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

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

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

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

Not applicable to this application.

## **10. CONCLUSION**

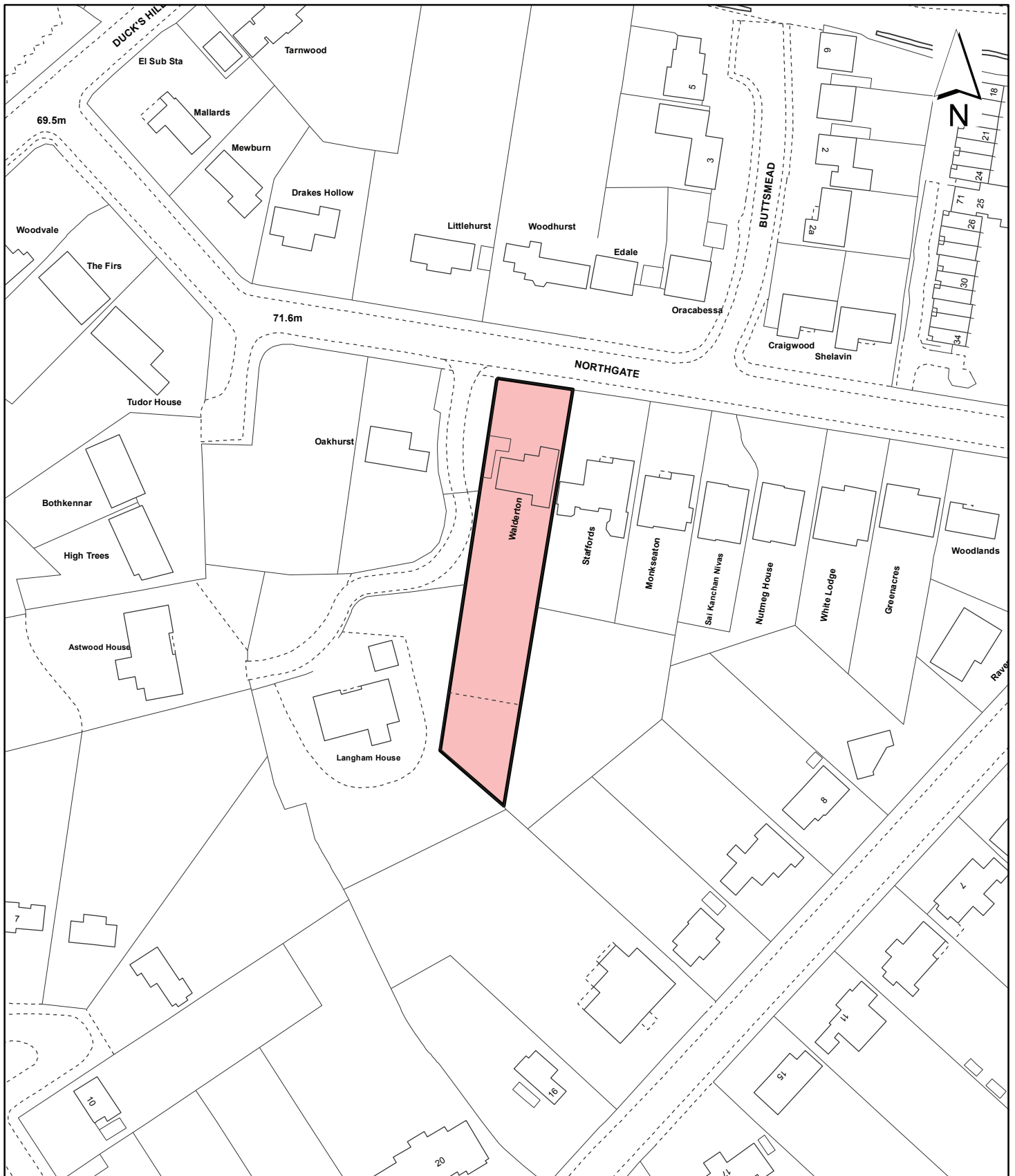
It is considered that overall the scheme is contrary to the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), HDAS Residential Layouts and the London Plan (2011). The application is therefore recommended for refusal.



## **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) □  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) □  
HDAS: Residential Layouts □  
The London Plan 2011 □  
The Mayor's Housing Supplementary Planning Document (November 2012) □  
HDAS: Accessible Hillingdon □  
National Planning Policy Framework

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<p><b>Notes</b></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 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Walderton, Northgate Northwood</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>47749/APP/2013/153</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>June 2013</b></p>	
		 <p><b>HILLINGDON</b> LONDON</p>	