

Report of the Head of Planning, Sport and Green Spaces

Address 11 THE BROADWALK NORTHWOOD

Development: Single storey rear extension

LBH Ref Nos: 16871/APP/2014/297

Drawing Nos: 1407-P-500A
1407-P-300A
1407-P-310A
1407-P-100
1407-P-110A
Design and Access Statement

Date Plans Received: 29/01/2014

Date(s) of Amendment(s): 28/01/2014

Date Application Valid: 03/02/2014

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to No.11 The Broadwalk, which is a large, two-storey detached property located to the south side of The Broadwalk. There was a rear extension under construction at the time of the case officers site visit which is the subject of this application and the dwelling has previously undergone a two storey side extension.

The land to the front of the dwelling is mostly laid to hardstanding and provides space to park at least two cars within the curtilage of the site. To the rear is a garden area which provides amenity space to the occupiers of the property, the land in the rear garden slopes downhill away from the site.

The area is characterised by large detached houses with varied designs. To the west of the site lies No.13 The Broadwalk and to the east lies No.9 The Broadwalk, both of which are sizeable two storey detached dwellings.

The application property lies within the 'Copsewood Estate' Area of Special Local Character as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and is also covered by TPO 395.

1.2 Proposed Scheme

The application seeks retrospective planning permission for a single storey rear extension. The extension is currently under construction with a large amount of the extension complete at the time of writing. The 'L' shaped extension measures 7.45m deep along the boundary with No.13 and reduced to 3.45m deep along the boundary with No.9. The extension has a flat roof measuring 3m to 4m high as the ground steps down into the rear garden. A green roof as well as three rooflights are proposed. The extension would comprise a family room and the materials match those of the existing dwellinghouse.

Revised plans were submitted showing the ground level to be raised, which appears to

reduce the height of the extension from ground level, however the overall height is still the same.

1.3 Relevant Planning History

16871/A/74/0190 Lingmoor, 11 The Broadwalk Northwood

Alterations and extensions to existing house to provide an additional living room, bedroom accommodation, sauna and games room and double garage

Decision Date: 12-08-1974 **Approved** **Appeal:**

16871/APP/2013/3187 11 The Broadwalk Northwood

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.5 metres, for which the maximum height would be 4 metres, and for which the height of the eaves would be 4 metres

Decision Date: 03-12-2013 **Refused** **Appeal:**

16871/APP/2013/808 11 The Broadwalk Northwood

2 x single storey rear extensions including installation of terrace with habitable basement space

Decision Date: 31-05-2013 **Refused** **Appeal:**

16871/B/76/1070 Lingmoor, 11 The Broadwalk Northwood

Erection of a single storey extension with a flat roof

Decision Date: 20-05-1977 **Approved** **Appeal:**

16871/C/77/0425 Lingmoor, 11 The Broadwalk Northwood

Erection of 2 storey side extension

Decision Date: 16-05-1977 **Approved** **Appeal:**

16871/D/86/0015 Lingmoor, 11 The Broadwalk Northwood

Erection of a patio (Section 53 certificate)

Decision Date: 04-02-1986 **GPD** **Appeal:**

Comment on Planning History

16871/APP/2013/808 - 2 x single storey rear extensions including installation of terrace with habitable basement space. Refused on 31.05.2013 for the following reasons:

1. The proposal, by reason of its siting, bulk, excessive depth, height and design, would fail to appear as subordinate additions and result in an incongruous addition which would be detrimental to the architectural composition of the existing building and would harm the character and appearance of the Copsewood Estate Area of Special Local Character. The proposal is therefore contrary to Policy BE1 of the Council's Local Plan: Part 1 - Strategic Policies and Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed development, by reason of the rear terrace, would result in an unacceptable degree of overlooking and loss of privacy of the adjoining properties and gardens and such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to Policies BE19,

BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

16871/APP/2013/3187 - Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6.5 metres, for which the maximum height would be 4 metres, and for which the height of the eaves would be 4 metres. Refused for the following reasons:

1. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the enlarged part, when considered in conjunction with the attached conservatory extension and two storey side extension, would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would exceed 3 metres.

2. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the enlarged part of the dwellinghouse, when considered in conjunction with the attached conservatory extension and two storey side extension, would extend beyond a wall forming a side elevation of the original dwellinghouse and would exceed 4 metres in height, would have more than one storey and would have a width greater than half the width of the original dwellinghouse.

3. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the development has commenced ahead of the submission of the required information to the local planning authority.

4. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the proposal includes the provision of a raised platform.

5. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the proposed development would unduly detract from the amenities of the adjoining occupiers, 9 and 13 The Broadwalk by reason of visual intrusion and overdomination.

The application is also a result of an enforcement complaint (ref.ENF/557/13/).

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**

3 neighbouring properties have been consulted on 4th February 2014 and a site notice was also displayed on 11th February 2014. Two responses received with the following objections:

Overlooking:

1. The structure sticks out down the rear garden and is a tall structure overlooking gardens on both side;
2. Large windows to the rear will have impact on the privacy to No.9;
3. Possible access to the flat roof from the larger patio door, resulting in loss of privacy.
4. Lack of dense planting and loss of vegetation, which has been replaced with a boundary fence has increased overlooking;

Design:

5. The size and bulk of the development which is a visual intrusion and does not complement the house or the Copsewood ASLC;
6. The extension is an eyesore and is not well constructed;
7. It lacks character;
8. The single storey extension has been built on a completely new extended raised terrace and therefore this would not be considered as a single storey application.
9. No.11 is on higher ground than No.9. The new platform is therefore only just below the border fence with No.9.

Other issues:

10. Affect property prices;
11. Foundations were dug before planning permission was granted, which causes instability issues as the properties have been underpinned;
12. At no stage was a party wall agreement discussed;
13. Light nuisance from the rooflights as No.11 is elevated above No.9 and the flat roof is almost on a level with No.9's bedroom windows.
14. There was never an existing conservatory.

(Officer comment: Issue nos. 10, 11, 12 & 14 are not material planning considerations. All other issues are discussed in the main body of the report).

Northwood Residents Association: The size and bulk of the proposed extension would be in breach of Policies BE19 and BE21.

Trees and Landscape:

Tree Preservation Order (TPO)/Conservation Area: This site is covered by TPO 395.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (on-site): There are several protected Birch trees in the rear garden, quite close to the rear of the house. No tree-related information has been provided to support this application, and therefore I cannot yet comment on its viability.

Recommendations: In accordance with BS5837:2012, a tree survey and tree constraints plan (and possibly a tree protection plan) should be provided to demonstrate that the scheme makes adequate protection and long-term retention of the protected Silver Birches to the rear of the house.

Conclusion (in terms of Saved Policy BE38): Please re-consult on receipt of the requested information.

External Consultees:

Thames Water: No Objection

Ward Councillor: Requests this application be determined at planning committee.

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:

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.

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 issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original house, the impact on the visual amenities of the surrounding area and the ASLC and the impact on residential amenity of the neighbouring dwellings. As the application would not increase the number of bedrooms, parking provision does not need to be considered in this instance.

The depth of the extension at mostly over 4m and partly 7.5m in depth and finished height of the flat roof extension from ground level at up to 4m, as the garden slopes down into the

garden, would not be consistent with the relevant criteria for single storey rear extensions as set out in Section 3 of the HDAS: Residential Extensions. The extension, in terms of its overall bulk, height, excessive depth and size would fail to appear as subordinate addition and would be detrimental to the appearance of the original dwellinghouse.

The applicant has amended the scheme during the course of the application to increase the ground levels to reduce the visible built form of the extension, however, this has not overcome the main issue of the depth of the extension. Furthermore, the extension being proposed is very modern and block like in appearance. Whilst modern extensions can be successfully integrated into traditional dwellings, the overall size and design does not harmonise with the appearance of the dwelling and causes unacceptable harm to the character of the Area of Special Local Character. As such, the extension would be contrary to Policy BE1 of the Councils Local Plan: Part 1 - Strategic Policies and Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The applicant has referenced that extensions larger than HDAS have been permitted in the surrounding area. However, these have been permitted when they have successfully integrated within the dwelling and the current proposal is not considered to achieve this.

In terms of the impact on the neighbouring properties, the proposal would have windows facing the rear garden and side elevation of No.13 The Broadwalk. There is a boundary fence/wall between Nos.11 and 13, however, this drops down in height with the land and the hedge along the boundary adjoining No.9 has been removed. The extension would be within 1m of the boundary with No.9 The Broadwalk with a depth of 3.45m and would then increase to 7.45m.

It is considered that the proposal given its overall height and depth would result in an overbearing addition to the neighbouring dwellings and is an un-neighbourly form of development. Furthermore, the proposal would result in overlooking into the habitable room windows on the rear elevation of No.9 The Broadwalk and the rear garden/patio area of the adjoining properties, given the sizeable patio area being proposed at a raised height to the rear of the extension.

The overall excessive height and depth would be overbearing to adjoining properties. Therefore, the application proposal would constitute an un-neighbourly form of development and would be in conflict with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) BE19, BE21 and BE24 and section 3.0 of the HDAS: Residential Extensions.

Over 100sq.m of private amenity space would be retained, in accordance with paragraph 3.13 of the HDAS: Residential Extensions and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) BE23.

Whilst the proposal is part retrospective in nature, the trees and landscaping officer has raised concerns about the protected Birch Trees in the rear garden of the site. The lack of a tree survey or arboricultural impact assessment to show the protection of these trees is contrary to Policy BE38 of the Hillingdon Local Plan (November 2012).

Accordingly, this application is recommended for refusal for the reasons stated above.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by reason of its overall scale, bulk, excessive depth, height and design, would fail to appear as a subordinate addition and results in an incongruous addition which would be detrimental to the architectural composition of the existing building and would harm the character and appearance of the wider Copsewood Estate Area of Special Local Character. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its overall scale, bulk, height, depth and raised patio, would be detrimental to the amenities of adjoining occupiers by reason of overdominance, loss of outlook and loss of privacy/ overlooking. The proposal is therefore contrary to Policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

In the absence of a Tree Survey, Tree Constraints Plan and Tree Protection Plan, the application has failed to demonstrate that the development will safeguard existing trees on the site and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

- 1 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 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils 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) 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.

Part 1 Policies:

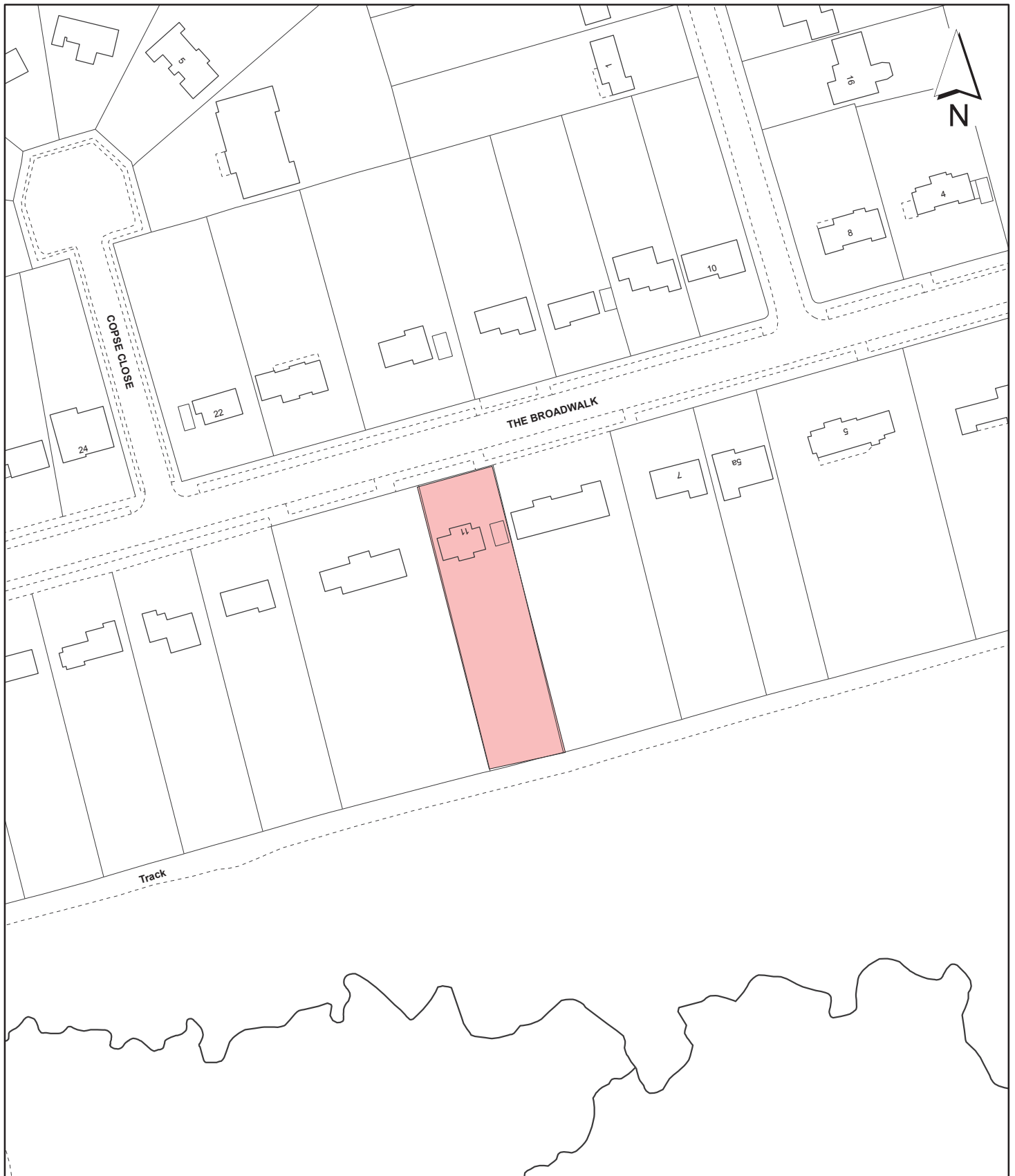
PT1.BE1 (2012) Built Environment



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.
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

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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 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">11 The Broadwalk Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">16871/APP/2014/297</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">North Committee</p>	<p>Date</p> <p style="text-align: center;">May 2014</p>	
		 HILLINGDON <small>LONDON</small>	