

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

**Address** 43 HARLYN DRIVE PINNER

**Development:** Single storey rear extension and conversion of roof space to habitable use to include rear dormer with Juliette balcony, 3 front rooflights and conversion of roof from hip to gable end and additional hardstanding to front

**LBH Ref Nos:** 69719/APP/2014/1104

**Drawing Nos:** Ex GF Plan  
Prop Front Rear Elevation  
Prop Front Garden Site Layout  
Ex Site Layout  
Ex Elevation  
Prop Loft Plan & Rear Elevation  
Location Plan  
Prop Section  
Ex Section  
proposed ground floor plan and side elevation

**Date Plans Received:** 31/03/2014                      **Date(s) of Amendment(s):** 31/03/2014  
**Date Application Valid:** 11/04/2014                      03/04/2014

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property comprises a semi detached bungalow on the east side of Harlyn Drive. The property is constructed of brick and render beneath a tiled roof and is sited on a reasonably sized plot. There is a modest front garden with vehicular access off Harlyn Drive for one vehicle.

The wider area comprises similar style properties although a number have been extended and altered including at roof level and other properties comprises a more chalet style of bungalow with rooms in the higher roofspace. Some of the nearby properties are set forward of the application property and its neighbouring properties to the south.

To the east of the application property are the grounds of the primary school.

The site lies within the developed area as identified in the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

#### 1.2 Proposed Scheme

The proposed scheme comprises a single storey rear extension and conversion of roof space to habitable use to include a rear dormer with Juliette balcony, 3 front rooflights and conversion of roof from hip to gable end.

The proposed rear extension measures 3.6m deep, 7.8m wide and 3.0m high.

The change from hip to gable will measure 3.4m high, 8.2m wide and 3.9m deep and provide an additional floorspace of 18.12 cubic metres  $[(3.4 \times 8.2 \times 3.9) / 6]$

The rear dormer measures 6.6m wide, 2.4m high and 2.8m deep, this adds a volume of 22.18 cubic metres  $[(6.6 \times 2.8 \times 2.4) / 2]$ . It will be sited 0.5m above eaves, 0.5m below ridge and 0.5 and 0.7m from the side margins.

Two car parking spaces are proposed at the front of the property.

The proposed extension will provide kitchen/dining room, additional bedroom and ensuite.

Materials to match existing property.

The scheme has subsequently been amended to remove bedroom 3 and the associated window, and replace with a utility room incorporating a door in a comparable position to the existing glazed door.

### 1.3 Relevant Planning History

69719/APP/2014/257      43 Harlyn Drive Pinner

Single storey rear extension and conversion of roof space to habitable use to include a rear dormer with Juliette balcony, 3 front rooflights and conversion of roof from hip to gable end

**Decision Date:** 25-03-2014      **Refused**      **Appeal:**

#### Comment on Planning History

Planning permission for a single storey rear extension and conversion of roof space to habitable use to include a rear dormer with Juliette balcony, 3 front rooflights and conversion of roof from hip to gable end, reference 69719/APP/2014/257, was refused on 25 March 2014, for the following reasons

1. The proposal by reason of the size, scale, bulk, width, height and design of the single storey rear extension represents an unduly intrusive and incongruous form of development, detrimental to the character and appearance of the existing dwelling and the visual amenities of the street scene and the wider area. As such it would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed ground floor bedroom would be served by a single window which is sited 1m off the boundary fence with No. 39 Harlyn Drive and as such would provide an unsatisfactory outlook and level of daylight to the bedroom, leading to the provision of an unsatisfactory residential living environment. The proposal would be contrary to policy BE20 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposed development does not demonstrate the provision for two off street car parking spaces to serve the enlarged 4 bedroom property. As such the proposed development would lead to demand for on street parking which would not be in the interest of highway safety. Therefore, the proposal would not comply with policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

The current application has been submitted to address these reasons of refusal.

## **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**

8 letters were sent to local residents and The Residents Association on 15 April 2014 and the site notice was posted on 25 April 2014. 3 representations have been received in response to the public consultation commenting and objecting to the proposed development, one objection was sent on behalf of two properties.

The Residents Association Objected as follows:

This is the second application for this site. The previous 69719/APP/2014/257 was refused for three reasons. The current application shows parking spaces in the front garden, however the other two reasons for refusal have not been addressed. The change of the roof shape from hip to gable end will give an unbalanced aspect to this pair of semi detached bungalows. Bedroom three will still have an outlook of a brick wall a metre away from the window. We request that the application be refused.

The 2 other objections raised are as follows:

- The minor amendments made would not alter the reason for refusal of the previous decision.
- Furthermore, when the houses in this road were built the intention was to provide a mixture of houses, chalet bungalows, two-bedroom bungalows and maisonettes in order that there would be a diversity of provision and therefore a diversity of residents. Transforming two-bedroom bungalows into four bedroom houses diminishes this original intention and the character of the road.
- The second ground of refusal of planning permission was to do with the nature of the proposed ground floor bedroom window and its level of outlook and daylight. We cannot see how the new proposals significantly change this.
- The third ground of refusal was related to the lack of provision for two off-street parking places and therefore additional on-street congestion in an already congested street which has school and driving school parking issues. The new submission does include additional off-street parking provision but we doubt whether the space is sufficient for the Luton-lorry-sized vehicle and private car which those submitting the proposal have? Or is it most likely that this vehicle will be parked on the road?
- Loss of outlook and overly dominant on neighbouring property
- No. 43 already deeper than neighbouring properties
- Bedroom 3 overlooking and close to neighbouring property
- These type of small 2 bed houses should be retained to allow for down sizing
- Not provide out of character and oversized enlargements.

In addition the original objection of one resident was resubmitted with a note advising that these comments applied to the current proposal

- Noise from development
- Construction noise and disturbance over a long period
- Overlooking of garden
- Loss of Chimney

- Congestion on street
- Unable to park near property
- Party Wall Act issues
- Property set back further than application property increasing loss of outlook. Not aesthetically pleasing
- Loss of house value
- Loss of privacy
- Need to retain and not lose small bungalows
- Juliette balcony would overlook school possible issues with regard to children safety
- School parking in Harlyn Drive is an issue
- Too much development changing Harlyn Drive

The comments are primarily dealt with in the planning assessment below. However, matters such as future occupiers, house values, construction matters, unable to park near property, Party Wall Act issues and keeping the bungalows small are not considered material planning considerations for the determination of the application. Equally with regard to parking space it would not be reasonable to request a space for a large van.

It has also been requested by the Ward Councillor that the application be referred to the Planning Committee for determination.

#### **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
BE18	Design considerations - pedestrian security and safety
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

#### **5. MAIN PLANNING ISSUES**

The main issues for consideration relate to the effect of the application proposal on the character and appearance of the original house, visual amenities of the surrounding area, residential amenity of the occupiers of adjoining properties as well as the future occupiers, provision of adequate parking and providing adequate private amenity space.

The depth and height of the proposed single storey rear extension would be consistent with those as set out in paragraphs 3.3 and 3.7 of the HDAS: Residential Extensions. This guidance advises that extensions to semi detached properties should be a maximum of 3.6m deep and 3m high with a flat roof. The proposed extension is 3.6m deep and 3.3m high. The single storey rear extension, by reason of its scale, form and design would therefore appear subordinate to the original house and would harmonise satisfactorily with its character and appearance. It is noted that the adjacent properties are set forward of the building line of the proposed application property, however, this is not seen on its own as an issue of concern. Therefore, the single storey rear extension would not detract from the visual amenities of the surrounding area and would be in compliance with policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved Policies (November 2012) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposed extension is sited 1.1m from boundary with No 39 and 0.2m from the boundary to No. 43. Both these properties benefit from rear conservatory extensions. Also No. 39 is set back from the rear building line of the application property. However, it is not considered that the proposed extension would lead to an unacceptable loss of sunlight/daylight or outlook from the adjacent properties. The proposed dormer extension would have a window overlooking the rear garden and this is not considered any more harmful to the amenity of adjoining occupiers including the school than the established first floor windows on the adjoining properties. The Juliette balcony would not extend any view from the window/doors it serves. As such, the proposed scheme would not harm the residential amenities of the occupiers of the above properties from increased overshadowing, visual intrusion and/or over-dominance.

The proposed dormer extension would be viewed from neighbouring rear gardens and also from the school. The overall size, scale, bulk and design of the rear dormer is considered to comply with guidance in HDAS chapter 7. Whilst paragraph 7.11 advises that hip to gable extension would normally be refused the current proposal would constitute permitted development as it is less than 50 cubic metres additional space and meets the other criteria for such roof extensions. In light of this it is not considered reasonable to refuse planning permission on this ground.

The proposal also provides for the internal conversion of a bathroom and cloakroom to a utility room, the scheme was amended from the original bedroom following discussions with planning officers. This room has a side door which is comparable in siting to the existing part glazed side door, it is recommended that the glazed part of the door is obscure glazed and this can be secured by a condition. The utility room would be 1.1m off the boundary of the property with No. 39 and whilst it is not considered that this will lead to unsatisfactory overlooking indeed it is a similar situation to the existing kitchen which has a part glazed door.

The rear windows and door proposed to the extension would provide an adequate outlook and natural light to the room they would serve.

As such, the application proposal would not represent an unneighbourly form of development and in this regard, would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part 2 - Saved Policies (November 2012) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions as well as the London Plan (2011).

The proposed scheme provides an additional bedroom which would normally require 2 of street parking spaces. The proposed plan shows sufficient space for two parking spaces and retain a garden area. There is also unrestricted on street parking. Therefore it is considered that this is satisfactory for the enlarged property. As such the proposal complies with policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

Over 100 sq.m of private amenity space would be retained (approximately 135 sq.m) and which is considered to be adequate for the enlarged property and would be in compliance with paragraph 3.13 of the HDAS: Residential Extensions and policy BE23 of the Hillingdon Local Plan: Part 2 - Saved Policies (November 2012).

## **6. RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 HO1 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990.

#### **2 HO2 Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, titled proposed front rear elevation, amended proposed ground floor plan, amended proposed side elevation, proposed section, proposed front garden site layout & proposed loft plan & rear elevation.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

#### **3 HO4 Materials**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### **REASON**

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **4 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be

constructed in the walls or roof slopes of the development hereby approved facing No 41 and No.45 Harlyn Drive.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 HO6 Obscure Glazing**

The window in the side door facing No.39 shall be glazed with permanently obscured glass and non-opening for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 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.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Standard Informatives**

- 1 The decision to GRANT 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 GRANT 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:

AM14 New development and car parking standards.  
BE13 New development must harmonise with the existing street scene.  
BE15 Alterations and extensions to existing buildings  
BE18 Design considerations - pedestrian security and safety  
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.  
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building

Control,

3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).



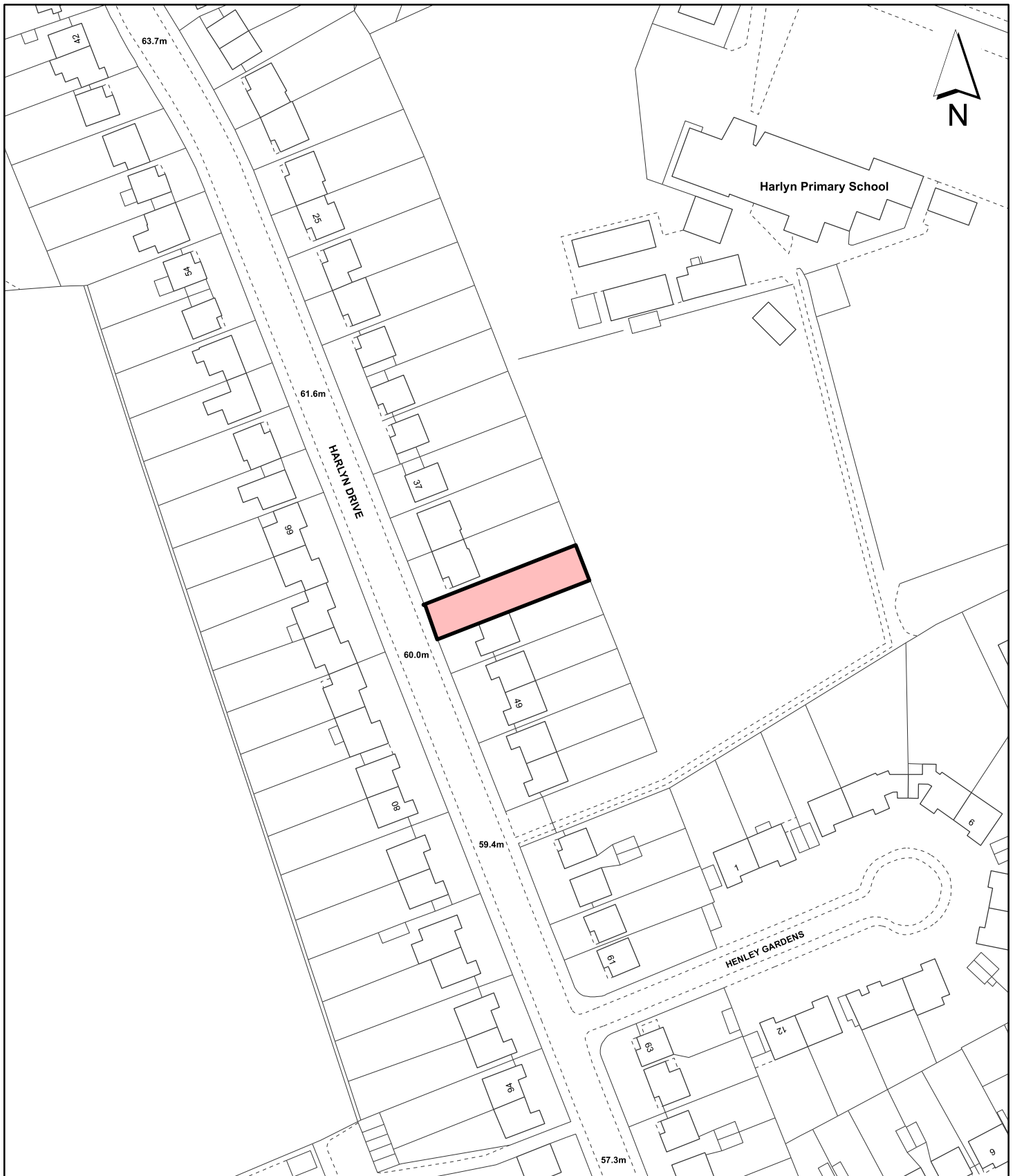
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.
- Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
- A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.
  - B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
  - C) The elimination of the release of dust or odours that could create a public health nuisance.
  - D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.


- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Contact Officer:** Mark Jones

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**43 Harlyn Drive  
 Pinner**

Planning Application Ref:  
**69719/APP/2014/1104**

Planning Committee  
**North**

Scale  
**1:1,250**

Date  
**June 2014**

**LONDON BOROUGH  
 OF HILLINGDON**  
**Residents Services  
 Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111



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