

Report of the Head of Planning, Sport and Green Spaces

Address 3 CANTERBURY CLOSE NORTHWOOD

Development: First floor side extension

LBH Ref Nos: 68984/APP/2014/1820

Drawing Nos: 2013082/PLG/07
2013082/PLG/08
2013082/PLG/09 Rev. A
2013082/PLG/11
2013082/PLG/12

Date Plans Received: 27/05/2014

Date(s) of Amendment(s):

Date Application Valid: 04/06/2014

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey detached dwelling located on the northern side of Canterbury Close. The building is set back from the main highway and accommodates off road parking to the front driveway and the attached garage, which projects to the side and front of the dwelling at single storey with a pitched roof above. The property has a centrally pitched gable ended roof and is adjoined by a detached dwelling to the west. The detached dwelling to the east is set at a 90 degree angle to the application site facing towards the flank elevation.

The street scene is residential in character and appearance and the application site lies within the developed area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is also covered by TPO 149.

1.2 Proposed Scheme

The application is a resubmission which seeks planning permission for a first floor side extension measuring 2.5m wide, 6.75m long and 7.1m high (max). The extension would be built on top of the existing side extension. There is a first floor window which is proposed to be obscure glazed and the materials would match the existing.

The internal layout of the extension has been amended to create an master bedroom with ensuite and wardrobe, in order to overcome the previous refusal reason relating to a lack of outlook from a habitable room.

1.3 Relevant Planning History

68984/APP/2013/186 3 Canterbury Close Northwood

Part two storey, part first floor, part single storey side and rear extensions, and porch to front

Decision Date: 08-05-2013

Refused

Appeal:29-JUL-13

Dismissed

68984/APP/2014/1027 3 Canterbury Close Northwood
First floor side extension

Decision Date: 23-05-2014 Refused **Appeal:**

68984/APP/2014/1395 3 Canterbury Close Northwood

Two storey rear extension, single storey side extension and conversion of roof space to habitable use to include rear dormer (Application for a Lawful Development Certificate for a proposed use/development)

Decision Date: 04-06-2014 Withdrawn **Appeal:**

68984/APP/2014/1942 3 Canterbury Close Northwood

Two storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: **Appeal:**

Comment on Planning History

Planning permission was refused for a part two storey, part first floor, part single storey side and rear extensions, and porch to front on 9 May 2013, reference 68984/APP/2013/186, for the following reasons:

1. The proposed two storey side/rear extension by reason of their overall size, scale, bulk, depth and design, in particular the resultant flat roof would constitute an overdevelopment of the dwelling, to the detriment of the character and appearance of the original dwelling and the visual amenities of the street scene and the surrounding area. The development is therefore contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed extensions by reason of their overall size, scale, bulk, width, depth, appearance and orientation in relation to the adjoining dwelling at 2 Canterbury Close would constitute an un-neighbourly form of development resulting in an unacceptable loss of residential amenity in terms of over-dominance, overshadowing, loss of light, loss of outlook and visual intrusion. The development is therefore contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE19, BE20 and BE21 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposed single storey side/rear extension by reason of its overall size, scale, depth and position in relation to the side boundary would result in a cramped form of development which would increase the built up appearance of the site to the detriment of the host dwelling and the visual amenities of the street scene and the surrounding area. The development is therefore contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

A subsequent scheme for a first floor side extension reference 68984/APP/2014/1027 was refused on 23 May 2014 for the following reason:

1.The proposed development would result in the only window to a habitable room (bedroom 2) being only 2.5m from the side wall of the adjacent property, 2 Canterbury Close, and being obscured glazed. It is considered that this would not provide adequate outlook and light to this habitable room. As such the proposed development would not provide a satisfactory residential living environment for current or future occupiers of the property, contrary to policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 of the London Plan (July 2011) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

In addition there is a current application for a certificate of lawfulness awaiting to be determined reference 68984/APP/2014/1942 for a two storey rear extension.

The current scheme has changed the internal layout by removing a bedroom and providing an en suite to a large master bedroom to address the previous 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 5 June 2014 and a site notice was posted on 11 June 2014. One letter of objection has been received objecting to the proposal on the following grounds:

1. Overshadowing
2. loss of light to patio area and main internal living space.

Ward Councillor: Objects to the proposed scheme with regard to its impact upon the neighbouring property and requests that the application be reported to the Planning Committee for determination.

Officer Comment: The above matters are considered in the planning assessment below.

Tree Officer:

This site is covered by TPO 149, however no trees, protected or otherwise, will be affected.

Conclusion: Acceptable.

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.
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 relate to the effect of the application proposal on the character and appearance of the original house, visual amenities of the surrounding area, parking issues, residential amenity of proposed and adjoining occupiers and the retention of sufficient private garden.

The side extension, would involve building on top of the existing garage. The resultant structure would be compliant with the requirements set out in paragraphs 4.5 of the HDAS: Residential Extensions. The extension would not be more than two thirds the width of the original house and would have a height at eaves and ridge level that is the same as the original house. The extension would be in line with the front elevation of the main house but set down behind the front elevation of the ground floor garage. The front elevation of No. 3 is set back behind the front elevation of No.2 Canterbury Close. As such the principle of the first floor extension would comply with the requirements in chapter of 5 of HDAS: Residential Extensions. It is considered that the current proposal addresses the previous reason for refusal.

Therefore, the proposed extension is not considered to harm the appearance of the existing dwelling or detract from the visual amenities of the street scene and the surrounding area and would be in compliance with policy BE1 of the Local Plan: Part One and policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed windows overlook the front and the rear of the property and there is one window in the side of the proposed extension, which is proposed to be obscure glazed and a condition requiring this is recommended. Therefore it is considered that the proposal does not give rise to overlooking of the neighbouring properties. In addition, given the distance of the extension and position of No.2 Canterbury Close, it is considered that the proposed first floor side extension would not harm the residential amenities of the occupiers of the above properties from increased overshadowing, visual intrusion and/or over-dominance, as it would not breach the 45 degree guideline when measured from the nearest habitable room window of this neighbouring occupier. As such, the 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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed development provides a side window approximately 2.5m off the flank elevation of No.2 and would be obscured glazed to serve proposed bedroom 2. However, the internal layout has been changed since the previous refusal and this window now serves an ensuite which is considered satisfactory. It is considered that the proposed windows would provide adequate outlook and light to the bedroom. As such the proposed development would provide a satisfactory residential living environment for occupiers of the property and the application proposal would be in compliance with policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposal would still retain over 100 sq.m of private amenity space which is considered to be adequate for the enlarged property and therefore would be in compliance with paragraph 3.13 of the HDAS: Residential Extensions and policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

With regard to parking there would be space provided within the existing garage and also in front of the garage. This is considered adequate for the property and the proposal therefore complies with policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The Council's Tree Officer has advised that the plans would not impact on any protected trees within the site and the proposal complies with policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Therefore, for the reason stated above, the application is recommended for approval.

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, numbers 2013082/PLG/07, 2013082/PLG/08, 2013082/PLG/11 and 2013082/PLG/12.

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. 2 Canterbury Close.

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 first floor window in the side elevation facing 2 Canterbury Close shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level 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
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.
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments

- 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.

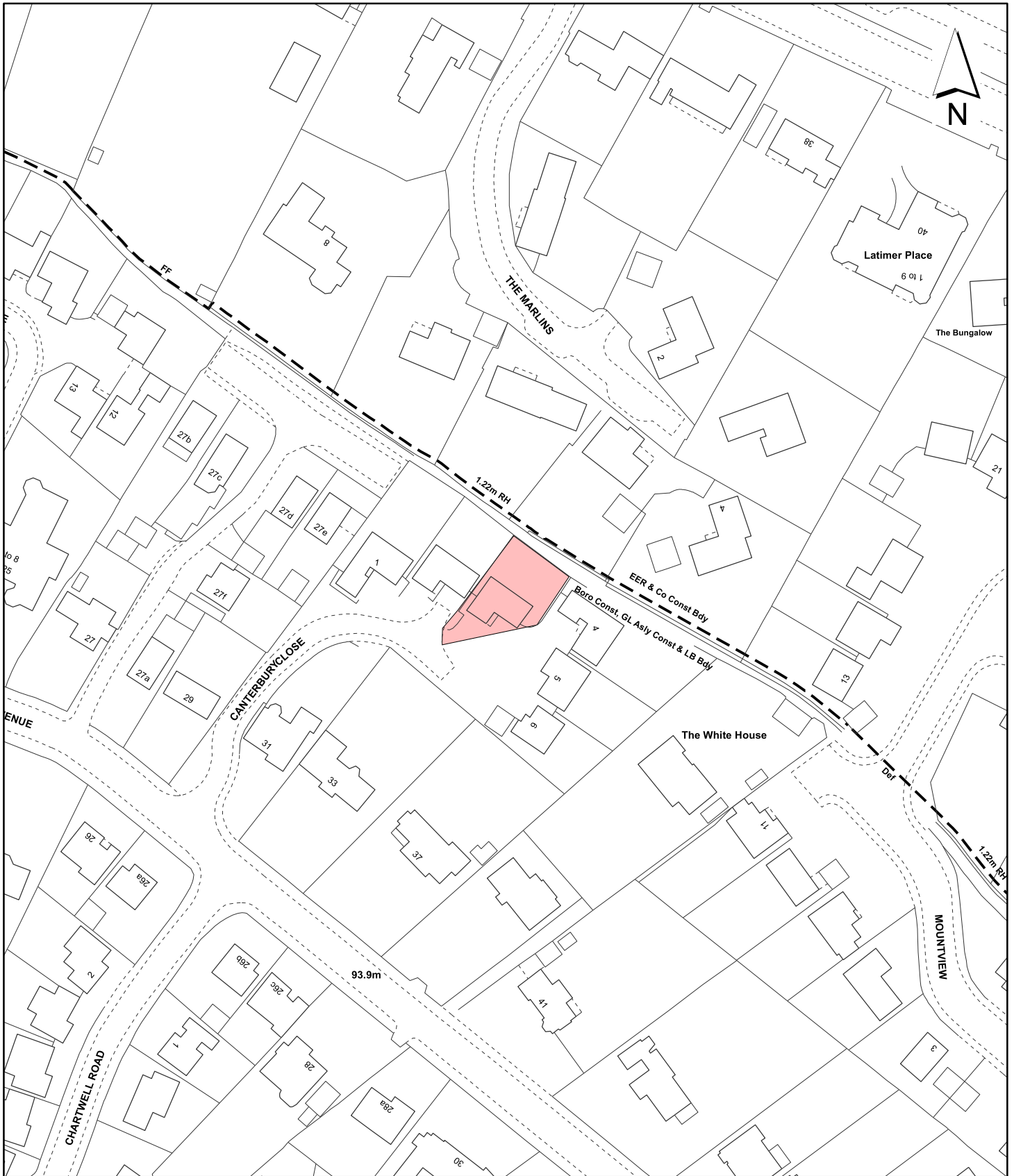
D) No bonfires that create dark smoke or nuisance to local residents.


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 (CO₂) 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



<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>3 Canterbury Close 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>68984/APP/2014/1820</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>July 2014</p>	
		