

Report of the Head of Planning, Sport and Green Spaces

Address 14 MOORFIELD ROAD COWLEY
Development: First floor extension to side and alterations to elevations
LBH Ref Nos: 69313/APP/2015/3137
Drawing Nos: PL/ASB/A/AMD2 received 26-11-2015
PL/ASB/A/AMD1 received 26-11-2015

Date Plans Received: 18/08/2015 **Date(s) of Amendment(s):**
Date Application Valid: 09/09/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the eastern side of Moorfield Road and is occupied by a detached bungalow. To the front of the property is a small paved area. At the rear there is a substantial garden (44 metres in length) which backs onto the designated Metropolitan Green Belt and a Nature Conservation Site of Borough Grade II of Local Importance.

No. 16, the neighbouring dwelling to the north is one of a terrace of three Victorian cottages, each with an L-shaped footprint and set within a narrow plot. The neighbouring property to the south (No. 12) is one of a pair of unaltered semi-detached inter-war period dwellings.

The surrounding area is primarily residential in character comprising of a mix of housing types including several bungalows, semi-detached and terraced two-storey dwellings. The application site thus forms part of the Developed Area of the Borough as identified in the Hillingdon Local Plan. Most of the site and the road lies within Flood Zones 2/3 of the River Pinn which flows to the south.

The site is also located within an area covered by an Article 4 Direction that removes permitted development rights for the conversion of residential properties to Houses in Multiple Occupation without planning consent.

1.2 Proposed Scheme

The application seeks permission for the raising of the roof to create a first floor extension and alterations to the front elevation.

The property would remain as a single unit of accommodation.

1.3 Relevant Planning History

69313/APP/2014/1561 14 Moorfield Road Cowley

Single storey detached outbuilding to rear for use as a gym/store (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 02-07-2014 Approved **Appeal:**

69313/APP/2014/1566 14 Moorfield Road Cowley

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.5 metres, for which the maximum height would be 4 metres, and for which the height of the eaves would be 2.4 metres

Decision Date: 16-06-2014 **Approved** **Appeal:**

69313/APP/2014/2335 14 Moorfield Road Cowley

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.5 metres, for which the maximum height would be 4 metres, and for which the height of the eaves would be 2.4 metres

Decision Date: 11-08-2014 **Approved** **Appeal:**

69313/APP/2015/669 14 Moorfield Road Cowley

Raising of roof to create first floor

Decision Date: 21-04-2015 **Approved** **Appeal:**

Comment on Planning History

The planning history for the site is varied, with proposals for re-development of the site to dwellings (69313/APP/2014/2213) 2 x two storey, 3-bed semi detached dwellings with associated parking - refused 30-01-2015

34264/APP/2012/1322 - 3 x two storey, 3-bed terrace dwellings with habitable roofspace including associated parking and amenity space - refused 05-09-2012).

Extant permission granted for rear and side extensions to the existing dwelling, plus an outbuilding, falling within the current permitted development rights for the property including those introduced under the prior approval legislation from May 2013. These extensions have now been implemented.

A more recent approval 69313/APP/2015/669 for the raising of the roof to create first floor accommodation was approved by Committee and has been implemented. This has resulted in a Structural Survey being carried out and provided which gives evidence that the foundations and structural materials of the existing bungalow are not strong enough to withhold the building of the first floor. The existing building has been partially demolished in order to provide a strong enough basis for the first floor extensions.

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

The public consultation period ran from 10th September to 1st October 2015 and a site notice displayed adjacent to the site which expired on 16th October 2015. Objections have been received from both neighbouring properties and a petition with more than 20 signatures opposing the proposal has been submitted.

The local ward councillor has called in the application for a committee decision.

The main objections are over development of the site, flood risk, loss of parking, precedent, possible future sub-division and detriment to existing neighbouring properties.

Flood and Water Management Officer: has no objections as the ground floor rear extension has now been removed and therefore no additional flood risk.

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
- PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.

- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 5.3 (2015) Sustainable design and construction
- LPP 5.12 (2015) Flood risk management
- LPP 7.4 (2015) Local character
- NPPF National Planning Policy Framework
- NPPF10 NPPF - Meeting challenge of climate change flooding coastal

5. MAIN PLANNING ISSUES

The main issues relate to the impact the proposals may have on the character and appearance of the property and on the street scene in general, the impact the proposals may have on the adjacent neighbouring properties; the retention of private amenity space and parking are also discussed.

Hillingdon Local Plan: Part Two Policies BE13, BE15 and BE19 seek to resist any development which would fail to harmonise with the existing street scene or would not complement the character and amenity of the residential area in which it is situated.

The previous application approved the creation of a first floor extension with a new gable end roof on the application property, resulting in a two storey dwelling. It was considered that the angle of pitch of the roof, its design and overall height were consistent with the adjoining and surrounding residential properties.

This application seeks permission to add a further first floor extension above the garage thus providing a further bedroom on the first floor. The first floor extension on this side is set in 1.5m from the side boundary with the adjacent dwelling as per the guidelines within the HDAS: Residential Extensions.

With regard to the appearance of the enlarged dwelling, although the previous permission allowed for a first floor extension, this was to be built on top of the existing bungalow with the existing detached garage retained on the north side, thus leaving a gap of 5.37m between the north wall of the property and no 16 and a gap of 2.6m between the south side wall and the adjacent dwelling (no 12) to the south. The original footprint of the bungalow was not being extended. Although the application site is double the width of the other dwellings, ground floor extensions built under permitted development have now enlarged the ground floor footprint and the proposal is to build over the side extensions at first floor. The originally detached garage now forms an integral part of the dwelling and the first floor is proposed to extend over the garage so the gap between the north side wall and no 16 at first floor is now 1.57m. On the south side the original gap of 2.6m has been retained. The main entrance door has been relocated to the centre of the front elevation and is shown on the drawings as being a double door.

Taking into account the works on site, the proposed enlargement of the property still appears as relatively comfortable within the plot allowing 1.5m gap on the north side and 2.3m on the south side, the ridge height is similar to those adjacent and the enlarged dwelling remains compliant with Policies BE13, BE15 or BE19.

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

The proposal seeks to extend the first floor over the integral garage. A rear window would not give rise to any overlooking or loss of privacy to no 16. No 16 has a deep outrigger and the first floor extension would not extend beyond this. There would be no loss of residential amenity to the neighbour on the south side (no 12). In this regard the proposal is acceptable.

The Hillingdon Local Plan: Part Two Policy BE23 states that sufficient external amenity space should be retained to protect the amenity of existing and future occupants which is usable in terms of its shape and siting. The supporting text relating to this policy emphasises the importance of protecting private amenity space and considers it a key feature of protecting residential amenity.

Paragraph 3.13 of the SPD, the Hillingdon Design and Accessibility Statement: Residential

Extensions (July 2006) recommends that a dwelling with four bedrooms should have at least 100sq.m. The garden area retained as a consequence of the extension would be in excess of 400sq.m thus in accordance with both HDAS and Local Plan Policy BE23.

Hillingdon Local Plan: Part Two Policy AM7 considers the traffic generation of proposals and will not permit development that is likely to prejudice the free flow of traffic or pedestrian safety generally. Policy AM14 states the need for all development to comply with the Council's adopted parking standards. The Council's maximum parking requirement for off street parking (2 spaces per dwelling) would require two spaces in total.

The PTAL score for the site is 1b (low) and as a result it is considered that the maximum level of spaces should be provided.

Moorfield Road is regularly parked to capacity during the daytime. Currently the property is a 3 bedroom dwelling and the proposal would result in the provision of a 4 bedroom dwelling. The existing dwelling had a garage and the proposed drawing shows a garage incorporated on the north side of the dwelling and a parking space on the south side. The space between the side wall and the boundary fence with no 12 is 2.5m and a new wall has been demolished in order to provide adequate space for parking. The garage on the north side has been altered internally to 3m which complies with the dimensions required for a garage. Although there have been concerns raised as to how the garage is to be accessed as this has not yet been finished it is considered that the new floor will be adjusted to provide adequate access. A condition is to be imposed to prevent the use of the garage for any other purposes. The traffic generated in association with the proposal is unlikely to have a significant effect on general traffic conditions in the immediate vicinity or the parking requirements for the site and for this reason, the proposal is considered to comply with the aims of Policies AM7 and AM14 of the Local Plan.

The site lies within Flood zone 3. Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies relates to flood risk management and directs new development away from Flood Zones 2 and 3.

The Flood Management team originally raised an objection stating that no suitable evidence of flood proofing and resilience had been provided. However as the ground floor rear extension has subsequently been removed there is no additional risk of flooding and the objection has been removed.

In conclusion, the proposal accords with Policies BE1 and EM6 of the Hillingdon Local Plan: Part One - Strategic Policies and Policies AM7, AM14, BE13, BE15, BE19, BE20, BE21, BE23, BE24 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP 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, numbers PL/ASB/A/AMD1 and PL/ASB/A/AMD2 both received 26-11-2015.

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 (March 2015).

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 of the 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) (England) Order 2015 (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 12 or 16 Moorfield Road.

REASON

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

5 MRD4 Single Dwellings Occupation

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 HO8 Garage retention

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990, the garage(s) shall be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse as a residence.

REASON

To ensure that adequate off-street parking to serve the development is provided and retained, in accordance with policy AM14 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.
- 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
PT1.EM6	(2012) Flood Risk Management

Part 2 Policies:

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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BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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NPPF	National Planning Policy Framework
NPPF10	NPPF - Meeting challenge of climate change flooding costal

- 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.

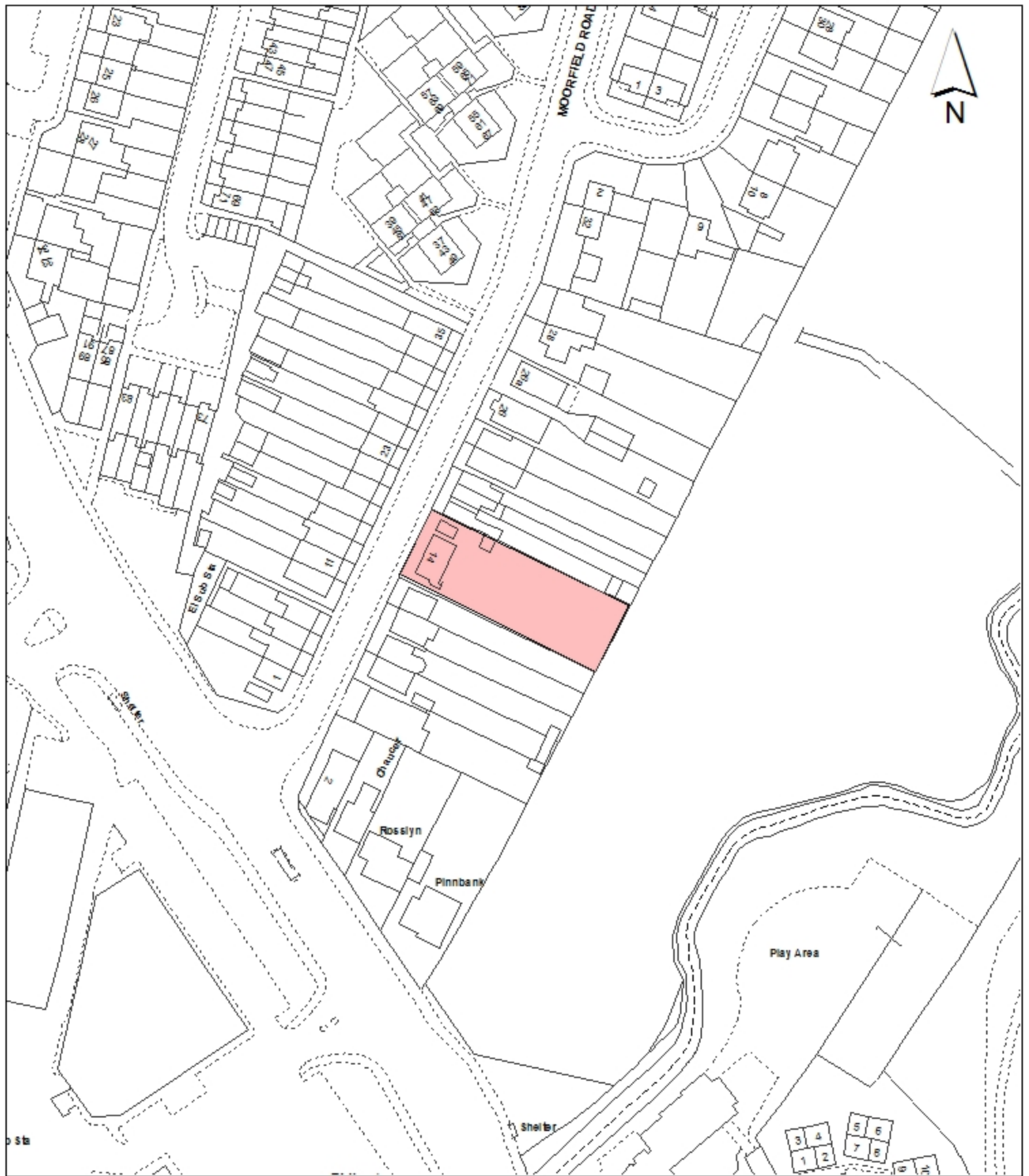
D) No bonfires that create dark smoke or nuisance to local residents.

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: Carol Grant

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**14 Moorfield Road
Cowley**

Planning Application Ref:

69313/APP/2015/3137

Planning Committee:

Central and South

Scale:

1:1,250

Date:

January 2016

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

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



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