

Report of the Head of Planning, Sport and Green Spaces

Address 38 ELGOOD AVENUE NORTHWOOD

Development: Part two storey, part single storey rear extension

LBH Ref Nos: 8469/APP/2015/3883

Drawing Nos: HH01-SM-10-15 Rev 0
HH02-SM-10-15 Rev 0
HH03-SM-10-15 Rev 0
HH04-SM-10-15 Rev 0
HH05-SM-10-15 Rev 0
HH06-SM-10-15 Rev 0
HH07-SM-10-15 Rev 0
HH08-SM-10-15 Rev 0
HH09-SM-10-15 Rev 0
HH10-SM-10-15 Rev 0
HH11-SM-10-15 Rev 0

Date Plans Received: 19/10/2015

Date(s) of Amendment(s):

Date Application Valid: 30/10/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the western side of Elgood Avenue and comprises a large detached two storey house. The property is brick built with a hipped roof and has an existing two storey side extension and has a single storey extension and glass conservatory to the rear. The property benefits from good sized front and rear landscaped gardens, with parking provision for 2 cars.

The street scene is residential in character and appearance comprising mainly large detached properties.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and lies within the Gatehill Farm Estate Area of Special Local Character.

This application has been requested to be considered by Committee by Cllr Jonathan Bianco.

1.2 Proposed Scheme

The application seeks permission for a part two storey, part single storey rear extension.

1.3 Relevant Planning History

Comment on Planning History

None

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 following neighbours were consulted for a period of 21 days expiring on the 24 November 2015 as follows: -

- Ellesselle
- 40 Elgood Avenue
- 36 Elgood Avenue

One response was received from the neighbours outlining the following concerns:

- The proposal fails to maintain sufficient separation between neighbouring properties, detrimental to the character and appearance of the ASLC
- 38 and 40 would have more appearance of being semi-detached houses from the rear view
- Loss of views and sun light
- Over bearing and visually intrusive
- Loss of outlook
- The view from the rear of no.40 would be roof and brick walls
- Not subordinate in scale or proportion of the main property and fails to harmonise with the design, scale and architectural integrity of the original dwelling
- The proposal would give clear views into the conservatory and the rear garden of no.40 contrary to the Human Rights Act (right to respect private and family life)
- Contravenes the 45 degree line of site from a bedroom
- Nos 38 and 40 are already joined at the ground floor and there are concerns regarding possible damage and structural integrity
- The roof of the single storey element would be higher than the current felt roof which would be obstructive and add to the impact of having semi-detached properties

Applicant Response:

- The existing context is unique as the property is already built up to the boundary
- At 5m in depth this would match the rear building line of no. 40 and as a result there would be no impact as light, views and windows remain unaffected
- The current imposing building of no. 40 along the boundary on the ground floor reduces the enjoyment of the applicants property and garden, the extension will seek to ensure the rear bedroom windows once again retain their 45 degree rights
- On the side with no. 36 the extension is only 3m deep in line with HDAS and will level the rear elevation which will look far better architecturally
- There would be no increase of visual terracing as the existing property already extends to the boundary
- The proposal will address the issue with the gutter and foundation

Officer Response: Issues regarding damage and structural integrity are covered within the Part Wall Act and are not planning considerations. All other aspects are addressed within the body of the report. With regard to the Human Rights Act, case law has determined that impact on residential amenity is not necessarily a Human Rights matter, as proportionality

and wider concerns are to be taken into account.

Northwood Residents Association: No response has been received

Northwood Hills Residents Association: No response has been received

Gatehill (Northwood) Residents Association: The design shows a 5m deep ground floor extension. Part of the two storey extension is on the side boundary with no.40 and not set back 1.5m, so not in accordance with HDAS. The proposed ground floor roof sheds rainwater right on the boundary.

Trees/Landscape: Acceptable

Conservation and Urban Design: The design, in particular the roof form raises concerns. I object to this application.

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.

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.

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.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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 dwelling, the impact on the visual amenities of the surrounding area and the Gatehill Farm Estate Area of Special Local Character, the impact on residential amenity of the neighbouring dwellings, provision of

acceptable residential amenity for the application property and the availability of parking.

It is proposed to erect a part two storey and part single storey rear extension across the whole width of the dwelling, levelling the rear elevation and incorporating the existing two storey and single storey rear projections. The two storey element has maximum depth of 3m with a dual hipped roof detail measuring 7.8m in height set down from the roof line by 0.2m matching the existing roof detail of the existing rear projection. The single storey element extends a further 2m and has a mono pitch detail of 3.25m in height. HDAS advises that extensions should be designed to appear subordinate to the original dwelling and for a single storey rear extension a depth of 4m with a height for a pitched roof not exceeding 3.4m would be acceptable. It also advises that two storey rear extensions will only be allowed where there is no significant over dominance. The overall depth of the extension where it is adjacent to the boundary with no.40 exceeds the guidance by 1m, however given this is a large property in a good sized plot; it is not considered that the proposed extension at that depth would be out of keeping with the character of the building

Notwithstanding the above, the proposed two storey element resulting in the dual pitched roof detail, with an extremely shallow pitch to the main roof is considered to be at odds with the character of the original building and is not in keeping with the character of the Area of Special Local Character. Therefore the proposed rear extensions are considered to detract from the visual amenities of the surrounding area and be harmful to the character and appearance of the subject property and as such would be contrary to Policies, BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Sections 3.0 and 6.0 of HDAS: Residential Extensions.

Concern has been raised that the proposed two storey extension right up to the boundary would not maintain the 1.5m gap as required by HDAS. However this property, uniquely for the area, already sits on the boundary with no. 40 and the proposed extension would not result in any additional closing of the gaps between the properties that already exist.

Concern has been raised by the occupiers of no. 40 over the impact of the development on the amenity of their property, including the loss of light, overbearing and compromising of the 45 degree line of site from their windows. This property sits to the south of the application site and is set deeper in the plot. It also benefits from a large single storey rear and side extension which extends to the boundary with the application site. The proposed extension is set back 1.95m from the rear elevation of the existing neighbouring extension and the first floor element does not extend beyond the rear of the wall of the main dwelling. To the north the properties are set apart by 3.4m and the extension includes just 1m at first floor level and 2m at the ground floor. The proposed extensions do not harm the 45 degree line of site and are not considered to significantly harm the residential amenities of the occupiers of the adjoining detached properties from increased overshadowing, loss of sunlight, visual intrusion and over-dominance. As such, the proposal is in compliance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Paragraph 5.13 of HDAS: Residential Extensions requires sufficient garden space to be retained as a consequence of an extension. The property benefits from a good sized rear garden and adequate garden space would be retained.

There is no impact on parking provision as a result of this proposal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed two storey rear extension by virtue of its size, scale, bulk and design would be detrimental to the character and appearance of the existing dwelling and the visual amenity of the street scene and the wider Gatehill Farm Estate Area of Special Local Character. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1 On this decision notice policies from the Council's 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 (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's 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:

AM14 New development and car parking standards.

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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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