

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
HH02-SM-10-15
HH03-SM-10-15
HH04-SM-10-15
HH05-SM-10-15
HH06-SM-10-15
HH07-SM-10-15
HH08-SM-10-15
HH09-SM-10-15

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 the Ward Councillor.

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**

- Original Application:

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.

- Amended Application

Following the receipt of amended plans, neighbours were re-consulted for a period of 21 days expiring on the 14 April 2016.

One response was received from the neighbour confirming that their original concerns (as summarised above) remain.

Northwood Residents Association: No response has been received

Northwood Hills Residents Association: No response has been received

Gatehill (Northwood) Residents Association: No response has been received

Trees/Landscape: Acceptable

Conservation and Urban Design: The amended design does represent an improvement and the extension would now be less visible in wider public views. On balance there is now no objection.

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.

- Design

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 (as per the amended design) a hipped roof covering part of the first floor element and a flat roof section infilling between it and the existing hipped roof projection over the existing two storey rear extension. 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.

The proposed two storey element results in an atypical roof form which is compounded by the angled side elevation the existing house has to the adjacent number 40. The amendments to the design of the scheme have pulled in the first floor side elevation of the extension in from the boundary creating a visual break in the building line and reducing the visual impact in terms of any oblique views available from the street scene. The first flat roof section of the roof is sandwiched between the existing hipped roof and a new hipped roof and therefore would not be prominent visually. The proposed roof form does represent the benefit that it minimises the overall bulk and scale of the first floor extension. Verbally comments have been received from the Council's Conservation officer who confirms that the changes made are sufficient to allow her to withdraw her previous objections.

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 and Policy BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). 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.

The proposed works are located to the rear of the building and, with the changes made, would have a very limited impact on any views available from the more public areas to the front of the property. It is therefore considered that the proposal would respect the character of the Area of Special Local Character and accord with Policies, BE5, BE13, BE15, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Sections 3.0 and 6.0 of HDAS: Residential Extensions.

- Impact on residential amenity

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.

In relation to number 36 located 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).

- Other matters

Given the the existing property is built on the shared boundary line with number 40, there has been a concern araised regarding any degree of encroachment that may occur onto the neighbouring land. The application has provided further detailed drawings to show elements such as the gutter to seek to demonstrate that these are contained with the site.

Importantly, the applicant has served notice on the adjoining landowner and completed Certificate B on the planning application form. This means that the Council can proceed determine the application without hinderance as all landowners are aware of the proposals. Any planning permission granted would not oversail any private property rights or any rights the neighbour has to protect their own private interests for example through the provisions of the Party Wall Act.

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

APPROVAL subject to the following:

1 HH-T8 Time Limit - full planning application 3 years

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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers HH01, HH02, HH03, HH04, HH05, HH06, HH07, HH08, and HH09 as revised on the 19 February 2016 and shall thereafter be retained/maintained for as long as the development remains in existence.

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 (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)

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 (2015). 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 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.
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

- 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.

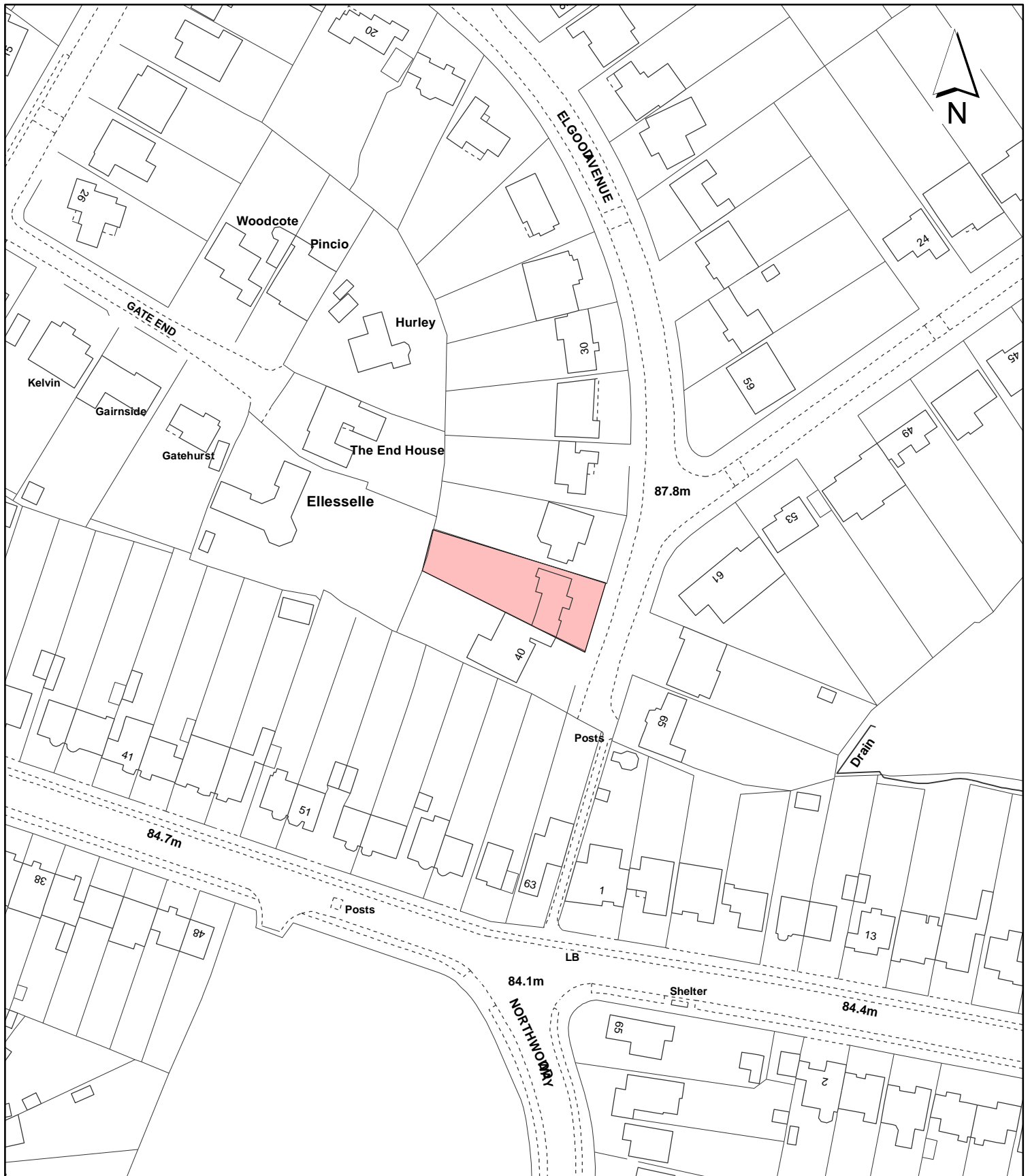
D) No bonfires that create dark smoke or nuisance to local residents.

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: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 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).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**38 Elgood Avenue
 Northwood**

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

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

Planning Application Ref:

8469/APP/2015/3883

Scale:

1:1,250

Planning Committee:

North

Date:

May 2016



HILLINGDON
 LONDON