

Report of the Head of Planning, Sport and Green Spaces

Address 3A HARVEY ROAD HILLINGDON

Development: Conversion of roofspace to habitable use to include a rear dormer, 1 side rooflight and 1 front rooflight

LBH Ref Nos: 71625/APP/2016/599

Drawing Nos: 101.131-04
101.131-10
101.131-21
101.131-22
101.131-23 Rev. A
101.131-03

Date Plans Received: 15/02/2016 **Date(s) of Amendment(s):**

Date Application Valid: 17/02/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south side of Harvey Road and comprises the original semi-detached pair of houses (Nos. 1 and 3 Harvey Road) and a new two storey attached house. To the west lies No. 5 Harvey Road, also a two storey semi-detached house.

The character of this street and the immediate surrounding area comprises predominantly of two storey semi-detached dwellings, the corner plots of which, such as the application site, have wider frontages of up to 15m wide. An exception to this uniform character is No. 4a Harvey Road, a detached dwelling and later addition to the street.

The application site lies within the Developed Area of the Borough as identified in the adopted Hillingdon Local Plan.

1.2 Proposed Scheme

This application seeks consent for the erection of a pitched roof dormer on the rear roof slope, alteration of the rear roof pitch from a 40 degree to 30 degree pitch and rooflights in the side and front slopes.

The proposed rear dormer would measure 2.5 metres in width, 2 metres in height, and protrude 3.6 metres beyond the rear roof slope. The dormer would be set down from the ridge by approximately 300mm and set up from the eaves by 500mm.

The most recent application on the site (24250/APP/2015/2106), which refused consent for a side and rear dormer, would be the most relevant to compare this application to. The main alterations between this current application and the refused scheme are as follows:

1. The side dormer has been removed from the proposals;
2. The pitch of the rear roof slope has been reduced from 40 degrees to 30 degrees;
3. The height of the dormer has been reduced by 0.2 metres, the depth has increased by

0.8 metres, and the width has decreased by 0.5 metres;

4. The siting of the dormer has moved so that this now occupies the central portion of the roof slope and does not overlap the hipped roof.

1.3 Relevant Planning History

24250/APP/2007/3880 3 Harvey Road Hillingdon

ERECTION OF AN ATTACHED FOUR-BEDROOM DWELLINGHOUSE WITH FRONTAGE PARKING, BIN STORE AND LANDSCAPING AND REAR CYCLE STORE (INVOLVING DEMOLITION OF EXISTING ATTACHED GARAGE).

Decision Date: 15-02-2008 **Approved** **Appeal:**

24250/APP/2010/2402 3 Harvey Road Hillingdon

Application for a new planning permission to replace extant planning permission ref: 24250/APP/2007/ 3880 dated 15/02/2008: Erection of an attached four-bedroom dwelling house with frontage parking, bin store and landscaping and rear cycle store (involving demolition of existing attached garage.)

Decision Date: 22-12-2010 **Approved** **Appeal:**

24250/APP/2014/1352 3 Harvey Road Hillingdon

Loft Conversion with Rear & Side Dormer

Decision Date: 28-05-2014 **NFA** **Appeal:**

24250/APP/2014/1791 3 Harvey Road Hillingdon

Variation of Condition 3 (accordance with approved plans) of planning permission 24250/APP/2010/2402 dated 22/12/10 to allow an addition of a loft conversion with rear/side dormer) Application for a new planning permission to replace extant planning permission ref:24250/APP/2007/3880 dated 15/02/2008: Erection of an attached four bedroom dwelling house with frontage parking, bin store and landscaping and rear cycle store (involving demolition of existing attached garage)) (Retrospective).

Decision Date: 23-07-2014 **Refused** **Appeal:**20-NOV-14 **Dismissed**

24250/APP/2015/2106 3 Harvey Road Hillingdon

Variation of Condition 3 (accordance with approved plans) of planning permission 24250/APP/2010/2402 dated 22/12/10 (Application for a new planning permission to replace extant planning permission ref:24250/APP/2007/3880 dated 15/02/2008: Erection of an attached four bedroom dwelling house with frontage parking, bin store and landscaping and rear cycle store (involving demolition of existing attached garage)) to allow for the addition of a side and rear dormer.

Decision Date: 11-08-2015 **Refused** **Appeal:**

62602/APP/2007/28 Land Forming Part Of 3 Harvey Road Hillingdon

ERECTION OF AN ATTACHED FOUR-BEDROOM DWELLINGHOUSE WITH FRONTAGE PARKING, BIN STORE AND LANDSCAPING AND REAR CYCLE STORE (INVOLVING DEMOLITION OF EXISTING GARAGE).

Decision Date: 29-03-2007 **Refused** **Appeal:**20-NOV-07 **Dismissed**

Comment on Planning History

- 24250/APP/2007/3880 and 24250/APP/2010/2402 - Planning permission granted and renewed for the erection of an attached four bedroom dwelling house with frontage parking,

bin store, landscaping and rear cycle store.

- 24250/APP/2014/1791 - Variation of Condition 3 (accordance with approved plans) of planning permission 24250/APP/2010/2402 dated 22/12/10 to allow an addition of a loft conversion with rear/side dormer) Application for a new planning permission to replace extant planning permission ref:24250/APP/2007/3880 dated 15/02/2008: Erection of an attached four bedroom dwelling house with frontage parking, bin store and landscaping and rear cycle store (involving demolition of existing attached garage)) (Retrospective). This application was refused by the Council and dismissed on appeal by the Planning Inspectorate.

The main reason for refusal of the application was:

The proposed dormers by reason of their siting, size, scale, bulk and design would appear incongruous and out of proportion to the detriment of the character and appearance of the existing and adjoining properties and the visual amenity of the street scene and the surrounding residential area generally. The proposal is thus 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 - Saved Unitary Development Plan Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The Inspector dismissed the appeal and within the decision made the following comments in respect of the application:

1. The height and bulk of the proposed dormer would be out of proportion and scale with the existing house;
2. The dormer would stretch across the majority of the width of the house in an off centre position and the roof line be at the same height as the existing house which would lead to a large and prominent extension that would dominate the roof slope;
3. The extension would be highly visible when looking west due to its position on the roof and gap in between the appeal property and No. 5;
4. The houses in the road have had some alterations, although none include rear or side dormers.

As the development on the site had already been started, a notice was served on the 19th February 2016 requiring the removal of the side and rear dormer windows and front porch. An appeal was lodged against this notice.

The appeal was allowed insofar as it related to the front porch, however the appeal was dismissed and the enforcement notice upheld insofar as it related to the retention of the rear and side dormers. The conclusions of the Inspector in respect of this application are as follows:

1. The dormer, which occupies most of the width of the rear elevation and wraps around the side, is an extremely large addition to the roof due to its height, depth and width;
2. Dormer appears top heavy due to its box like shape and is a significant alteration to the main roof and overall appearance of the rear elevation, as the semblance of the roof has disappeared;
3. The development was considered to represent an additional storey to the roof and not subordinate to the host building in terms of its scale and form.

Whilst the appeal was being considered, application 24250/APP/2015/2106 was submitted

to the Council, which sought to overcome some of the previous concerns in respect of the wraparound dormer. This application proposed a pitched roof side dormer approximately 1.9 metres in width, 1.9 metres in height and 2.7 metres in depth and a rear dormer, approximately 2.9 metres in width, 2.1 metres in height and 2.8 metres in depth. This application was refused by Members at the 11th August 2015 planning committee meeting.

This application was refused for the following reason:

The proposal, by reason of the size, scale, bulk and siting of the dormers would fail to harmonise or complement the design, proportions or character of the host building and would be harmful to the character and appearance of the host property and the visual amenities of the street scene and the surrounding area. The scheme would therefore fail to comply with 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The main changes between this current application and previous submissions is outlined within section 1.2 of the report.

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

9 residents were notified of the application and 4 responses were received which raised the following concerns:

1. The works have already begun on the site;
2. The rear dormer affects the privacy of the neighbours;
3. Design and scale is not in keeping with the surrounding area;
4. The building looks more out of place in the area as a result of the extensions.

Comments have been made by some of the respondents in respect of the dormer erected on the rear roof slope of No. 3 Harvey Road. This dormer, although shown on the plans for this application, does not form part of any considerations within this submission. It is understood that the applicant erected this under permitted development, although a Lawful Development Certificate has not been submitted to confirm such.

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:

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration with this application are whether the proposed alterations outlined above, would overcome the previous concerns in respect of the size and scale of the dormer, and also the impact of any such development on the surrounding street scene.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

Section 7.0 (Loft Conversions and Roof Alterations) of the Supplementary Planning Document (SPD) HDAS: Residential Extensions states that dormers on rear roof slopes, whilst these may only be visible from other gardens, do impact on the character and appearance of a residential area. The guidance states therefore that these should relate well to the proportions, roof form and massing of the house and its neighbours.

The Council's SPD seeks to ensure therefore that these extensions appear secondary to the roof face within which it will be set, and on smaller terraced houses, should be set at least 0.3m below the ridge level and at least 0.5m above the eaves and in from the sides of the roof. Flat roofs are acceptable to the rear but those on the side roof should be small and have a pitched or hipped roof at the same angle as the main roof. The design and size of the windows should match those on the rear elevation.

In respect of the dormer proposed, the design of this has been revised from the previous submissions, to propose a dormer located centrally on the rear roof slope of the dwelling. The dormer has been set down from the ridge by 0.3 metres, up from the eaves by 0.5m and between 0.2-1.7 metres in from the sides of the hipped roof. In terms of the overall size and scale of the dormer, when considered on its own merits, this would be compliant with the SPD and criteria of the Council's adopted policies. Whilst the window design does not perfectly replicate those on the floors below, in this instance it is acceptable, given the form of the proposed dormer.

The roof slope to the rear has been altered and the pitch of this reduced from 40 degrees to 30 degrees. The location of the roof ridge and its height has not altered. The roof can be

viewed in part from Gresham Close, Long Lane and the rear of the adjacent residential properties. Given the modest gap between this and the adjacent neighbour, no. 5, depth and siting of No. 3A, and this alteration being a modest reduction in the pitch, it is considered that the alterations would not appear highly prominent in the surrounding area, nor cause undue visual detriment to the character and appearance of the host building. Such a reduction also reduces the presence of any addition on this roof slope, and overall, is not considered to be of such a scale that would warrant the refusal of the application on such grounds.

No objection is raised to the addition of roof lights in the front and side roof slope. Such additions are commonplace within Harvey Road and the surrounding residential streets, and would therefore not appear out of character.

Overall, in respect of the design of the proposed dormer window, the applicant is considered to have addressed the previous concerns in respect of the size, scale, bulk and massing of the additions proposed on the roof slope. The scheme presented as part of this application is considered to be of a design, size and scale that is appropriate in scale for the roof of which it is proposed, and which respects the form and proportions of the host building.

Impact to neighbours:

Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity. Policy BE24 requires developments to protect the privacy of the occupiers and their neighbours.

Concern has been raised by the residents in respect of the proposed dormer and loss of privacy to their properties. Given the design, size, scale and form of the proposed extension and the degree of common overlooking which already occurs from upper floor windows in all properties along this road, the addition of a window at roof level is not considered to result in such a degree of overlooking that would warrant the refusal of the application on such grounds. The rooflight windows in the side and front elevations are located within hipped roofs and given the height of these windows above the floor levels of the loft room, it is not considered that these would permit considerable outlook. Notwithstanding such, in the absence of section drawings and the final detailed design of the rooflights, a condition is recommended to ensure that the side facing windows would be obscurely glazed and non opening, 1.7 metres above the floor level of the room.

It is considered that the alterations to the design, scale and massing of the dormer are such that the extension would not appear unduly overbearing or visually intrusive to the adjacent occupiers.

On consideration of all of the above, the application is recommended for approval.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 RES3 Time Limit

Within 6 months of the date of this decision the approved alterations and works to the dwellinghouse, shall be carried out and completed in strict accordance with the approved plans. Thereafter the development shall be maintained in full accordance with the approved details.

REASON

To ensure that the unauthorised extensions and alterations are rectified, and to preserve and enhance the visual amenities of the locality in compliance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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 101.131-22, 101.131-23 Rev A, and 101.131-21 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 RES13 Obscure Glazing

The roof light window facing 5 Harvey Road shall be glazed with permanently obscured glass and non-opening below a height of 1.7 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)

4 RES7 Materials (Submission)

Within 3 months of the date of this permission, details of all materials and external surfaces, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 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.

- 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:

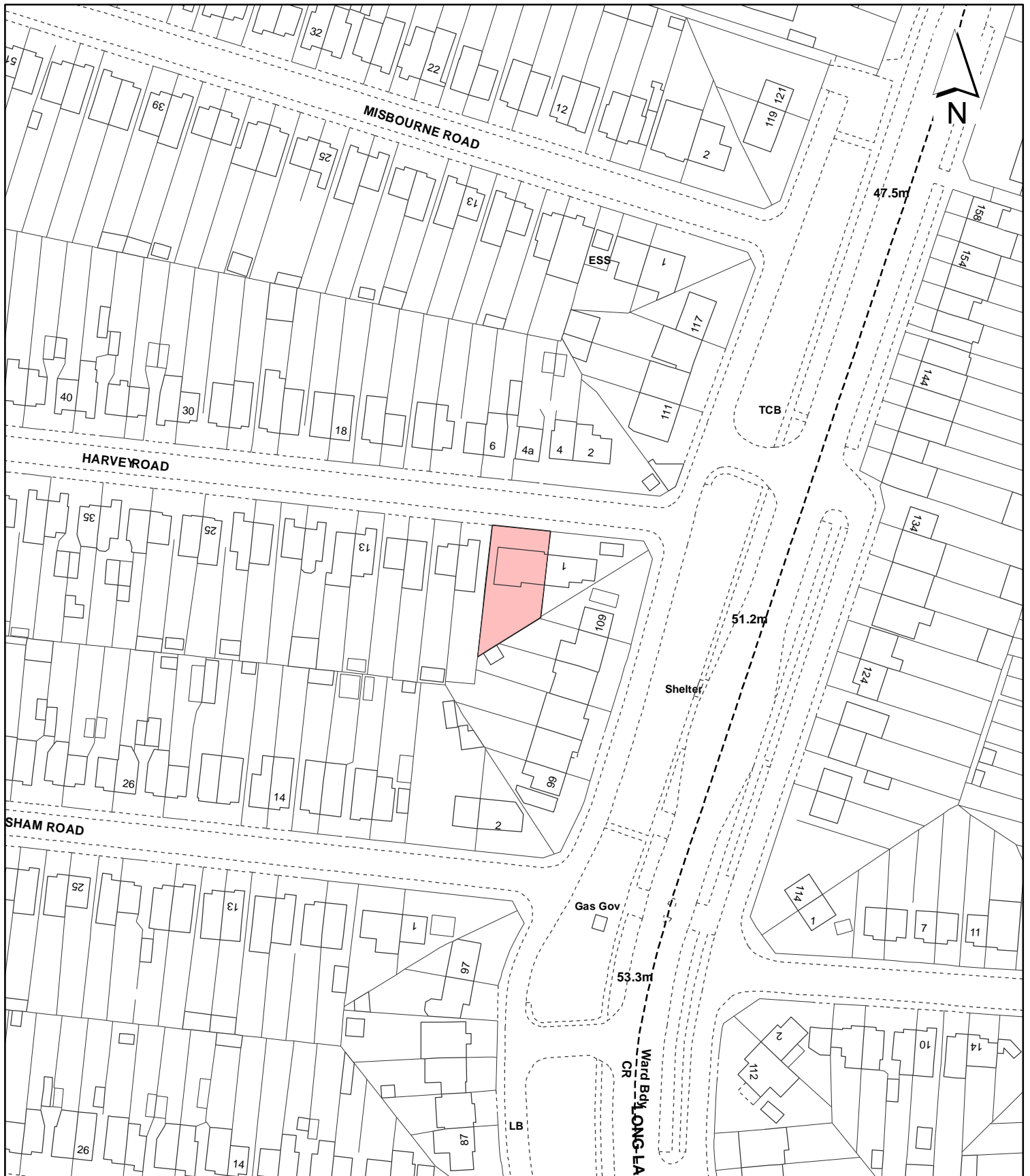
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) 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: Charlotte Goff

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:

3A Harvey Road

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section

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

Planning Application Ref:
71625/APP/2016/599

Scale:
1:1,250

Planning Committee:
Central & South

Date:
June 2016

