

Report of the Head of Planning, Sport and Green Spaces

Address 3 OLIVIA GARDENS HAREFIELD
Development: Outbuilding to rear for use as an office/games room.
LBH Ref Nos: 4672/APP/2017/765
Drawing Nos: Report on the Impact on Trees, dated 6/5/15
1681/21
1681/20

Date Plans Received: 28/02/2017 **Date(s) of Amendment(s):**
Date Application Valid: 28/02/2017

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located at the South Eastern end of Olivia Gardens, a private gated cul-de-sac. The proposed plot sits to the side of no 3 and to the rear of the flank wall to no. 2. The site currently forms part of the garden to no.3 including various outbuildings and a detached double garage and brick paved parking area. The street scene is residential in character comprising 4 large detached houses.

The application site lies within the Harefield Conservation Area and the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). A specimen Oak tree protected by TPO 632 is located in a neighbouring garden very close to the Eastern boundary and overhangs the site.

1.2 Proposed Scheme

The proposal is for erection of a rear outbuilding for use as an office/games room.

1.3 Relevant Planning History

4672/APP/2004/3153 3 Olivia Gardens Harefield

ERECTION OF A TWO STOREY SIDE AND PART REAR EXTENSION, SINGLE STOREY FRONT EXTENSION AND INGLENOOK CHIMNEY EXTENSION. CONVERSION OF ENLARGED ROOFSPACE TO HABITABLE USE WITH RE-ROOFING OF WHOLE HOUSE AND INSTALLATION OF TWO REAR DORMER WINDOWS (INVOLVING DEMOLITION OF EXISTING GARAGE)

Decision Date: 14-01-2005 Refused **Appeal:**

4672/APP/2004/3155 3 Olivia Gardens Harefield

ERECTION OF A SINGLE STOREY DETACHED DOUBLE GARAGE AND GAMES ROOM

Decision Date: 14-01-2005 Refused **Appeal:**

4672/APP/2005/774 3 Olivia Gardens Harefield

ERECTION OF A PART SINGLE STOREY FRONT EXTENSION AND PART TWO STOREY,

PART SINGLE STOREY SIDE AND REAR EXTENSION, FRONT INGLENOOK CHIMNEY AND CONVERSION OF ROOFSpace TO HABITABLE ACCOMMODATION INCLUDING THE INSTALLATION OF TWO REAR DORMER WINDOWS (INVOLVING THE DEMOLITION OF AN ATTACHED SIDE GARAGE)

Decision Date: 22-09-2005 **Approved** **Appeal:**
4672/APP/2005/775 3 Olivia Gardens Harefield
ERECTION OF DETACHED SINGLE STOREY GARAGE AND SINGLE STOREY GAMES ROOM

Decision Date: 18-10-2005 **Approved** **Appeal:**
4672/TRE/2017/43 3 Olivia Gardens Harefield
To carry out tree surgery, including the cutting back of overhanging lateral branches by up to 2m, to one Oak (T1) on TPO 632.

Decision Date: 05-04-2017 **Withdrawn** **Appeal:**
54964/APP/2016/1378 Land At 3 Olivia Gardens Harefield
Two storey, 4-bed detached dwelling with associated parking and amenity space.

Decision Date: 24-08-2016 **Refused** **Appeal:**

Comment on Planning History

54964/APP/2003/2524 - Erection of a three bedroom detached chalet bungalow and detached garage (refused)

54964/APP/2000/678 - Erection of a five bed detached house (refused, dismissed at appeal)

The previous applications were refused on the loss of the open unbuilt gap which would detract from the character and appearance of the street scene and would not preserve the character of the Conservation Area. Furthermore the Inspector on appeal considered the scheme would pose a significant threat to the future health and viability of an important Oak tree.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 5th April 2017

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

External Consultees:

Neighbours were consulted for a period of 21 days expiring on the 08/03/2017 and a site notice was displayed on 09/03/2017. A petition with 28 signatures has been received together with 3 comments / objections.

The petition asked for the scheme to be rejected for the following reasons:-

- (1) The development would not enhance the conservation area.
- (2) Over development.
- (3) Would materially reduce gap between properties.

- (4) Would restrict sight-lines.
- (5) Would set a precedent.
- (6) Insufficient detail re protection of trees.

One neighbour referred to a discussion with the applicant but again did not raise any planning issues. One had no objections but requested a condition to ensure the property remains ancillary to the main dwelling. One referred to issues associated with a tree which overhangs the adjoining property.

Harefield Tenants and Residents' Association: - no objection subject to the building remaining ancillary to the main dwelling.

Harefield Village Conservation Area Panel: No response.

Officers comments:- The issues are discussed in the report. There is no precedent in planning, each application must be treated on its own merits.

Internal Consultees:

Access Officer.

No response.

Conservation and Urban Design

This site is located within the Harefield Village Conservation Area. Olivia Gardens is a small modern cul-de-sac development off Northwood Road, comprising of modest sized detached houses, each situated on proportionately sized plots. It is accessed via a private gated road. The site as existing comprises of a two storey detached property situated on an irregular shaped plot. The site is located in the corner of the cul-de-sac and is characterised by mature trees. A significant mature protected oak tree is sited adjacent to the site with its canopy extending over the site. There is a detached double garage to the side of property, set at a distance to the East of the property allowing for a sizeable 'courtyard' style driveway. Any development would need to aim to preserve and/or enhance the Conservation Area.

No detrimental impact should occur to the protected trees on and adjacent to the site, and it is important that the trees are adequately safeguarded.

The site has been subject to various previous applications for a new dwelling on the site. These have been refused in the past with one dismissed at appeal (most recent application ref: 54964/APP/2016/1378).

Whilst the principle of an outbuilding may be considered admissible, there are concerns regarding the scale of the outbuilding to the side of the main dwelling. The proposed building would be set at an angle, in filling the gap between the existing detached garage and property. Furthermore the addition of the building would also increase the developed nature of the site and character of the cul-de-sac. There are concerns that the proposed outbuilding could be separated from the main dwelling in the future.

The design of the building has been designed in a similar form to the existing garage. The design of the principle elevation facing onto the property's 'courtyard' style driveway

includes full length windows and a door accessed from the driveway. Whilst there are in principle no objections to the full length openings to the rear it is recommended that the full length openings to the principal elevation of the building are amended to casement windows in keeping with the main house. Furthermore the access door would need to be repositioned to the end gable (South-West side elevation) facing into the rear garden of the site. All fenestration would need to match the main dwelling. Ideally the proposed roof lights would need to be conservation type roof lights set flush within the roofline.

The height of the building would exceed that stated in the Council's adopted HDAS residential extensions SPD, which states that ridge heights for outbuildings should not exceed 4m. It is important that the proposed building is used as an ancillary building to the main dwelling and not separated in the future. Therefore an appropriate condition would need to be included as part of any approval. All materials, colours and external finishes would need to match the existing property.

Officers comments - The conservation officers comments amount to a number of changes that would be required to produce an acceptable scheme. The changes are considered to be material, especially when also seen in the context of the guidance regarding scale and use of outbuildings in the HDAS. In view of the recommendation amendment has not been sought.

Trees/Landscaping

This site is adjacent to TPO 632 and within the Harefield Village Conservation Area. There are several large, mature, protected trees on and adjacent to this site. No trees will be directly affected by the proposal although tree protection should be afforded to the trees to the rear of the proposed games room. No objection subject to conditions RES8 and RES10.

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:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- 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.
H12	Tandem development of backland in residential areas
H4	Mix of housing units
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. MAIN PLANNING ISSUES

The site lies within an established residential area where there would be no objection in principle to an outbuilding, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policies BE13 and BE15 of the UDP seek to ensure that development harmonises with the character of the surrounding properties and street scene, and in particular the scale, form, architectural composition and proportions of the original building. Policy BE19 further requires that development should complement and improve the amenity of the residential area. With specific reference to the site's location within the Harefield Village Conservation Area, Policy BE4 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities. This is supported by Policy 7.4 of the London Plan (2016) which requires developments to have regard to local character.

Olivia Gardens is a small modern cul-de-sac development off Northwood Road, comprising of modest sized detached houses, each situated on proportionately sized plots. It is accessed via a private gated road. The site is located in the corner of the cul-de-sac and is characterised by mature trees. A significant mature protected oak tree is sited adjacent to the site with its canopy extending over the site.

The Conservation Officer has commented that the scheme exceeds the height and general scale considerations under HDAS guidelines and seeks amendment.

Properties 1-3 Olivia Gardens are all of a similar design style of two storeys with a ridge line running parallel to the road and gable ends to the side and all have been extended in some form. No 4 is set back in the other corner of the cul-de-sac behind no. 3 and appears slightly smaller with a hipped roof detail.

The HDAS - Residential Extensions indicates that such buildings will only be permitted if the outbuilding is only used for normal domestic uses related to the residential use of the main house. Paragraph 9.4 states that these uses include parking of cars, storage of possessions, use as a children's play room, green house, garden shed, gym, summer house and hobby room provided they are ancillary to the use of the main house. The games room at ground floor has a toilet/shower. The upper floor would be used as an office. The existing property is quite large and the applicant has not included information why such a large outbuilding is required for purposes ancillary to the main dwelling. The uses are not those as set out in the HDAS. The applicant has not clarified whether the games room is for children or general use, for instance. The supporting letter does refer to a previous permission for two outbuildings, one of which has been built (garage) and explains that the applicant wishes to make the second building slightly larger and incorporate a home office at first floor.

Paragraph 9.3 states that a ridged roof outbuilding should be no more than 4 metres high.

The footprint of the outbuilding is approximately 48 square metres. The building would be 5.5 metres high, which is substantially higher than set out in the HDAS. Whilst there are no fundamental objections to an outbuilding the development appears excessive for the site. It will materially reduce the gap between buildings where it will appear as a large bulky structure which is not typical of ancillary outbuildings in the vicinity. Whilst other outbuildings characteristically have flat roofs, there are a variety of designs and, in this case, it is considered that the proposal would not be in keeping with the character or appearance of the surrounding area and the proposed outbuilding, by reason of bulk and scale and would not be appropriate in terms of the visual amenities of the surrounding residential area and would not be in accordance with policies BE13, BE15 and BE19 of the UDP and guidance within the HDAS: Residential Extensions SPD.

The development is sited between the existing house and a garage at the property. No neighbours would be directly impacted. The proposal would not be an unneighbourly form of development and complies with the requirements of Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Concern has been raised by neighbours over the potential impact of the proposal on the health and long term protection of the mature Oak tree adjacent to the site. The application is supported by an Arboricultural Report which seeks to demonstrate that, should suitable protective measures be employed, the tree would not be negatively impacted upon by the development.

The Trees and Landscape Officer raises no objections to the scheme, subject to recommended conditions.

The proposal does not increase the number of bedrooms at the site or result in the loss of parking or generate traffic in its own right. As such, the outbuilding would not generate

additional traffic.

However, the proposal is considered to result in a cramped and excessive form of development, resulting in the loss of an undeveloped gap and views through existing properties, resulting in a negative impact upon the visual amenity of the site and the surrounding Conservation Area. It is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of its siting, size and scale represents a cramped and obtrusive form of development which would detract from the open character of the street scene, thus failing to preserve the character and appearance of the Harefield Village Conservation Area, contrary to Policies BE4 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's 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 (2016). 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.
- 2** In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. The submitted application form highlights that the applicant failed to engage in pre-application discussions.

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:

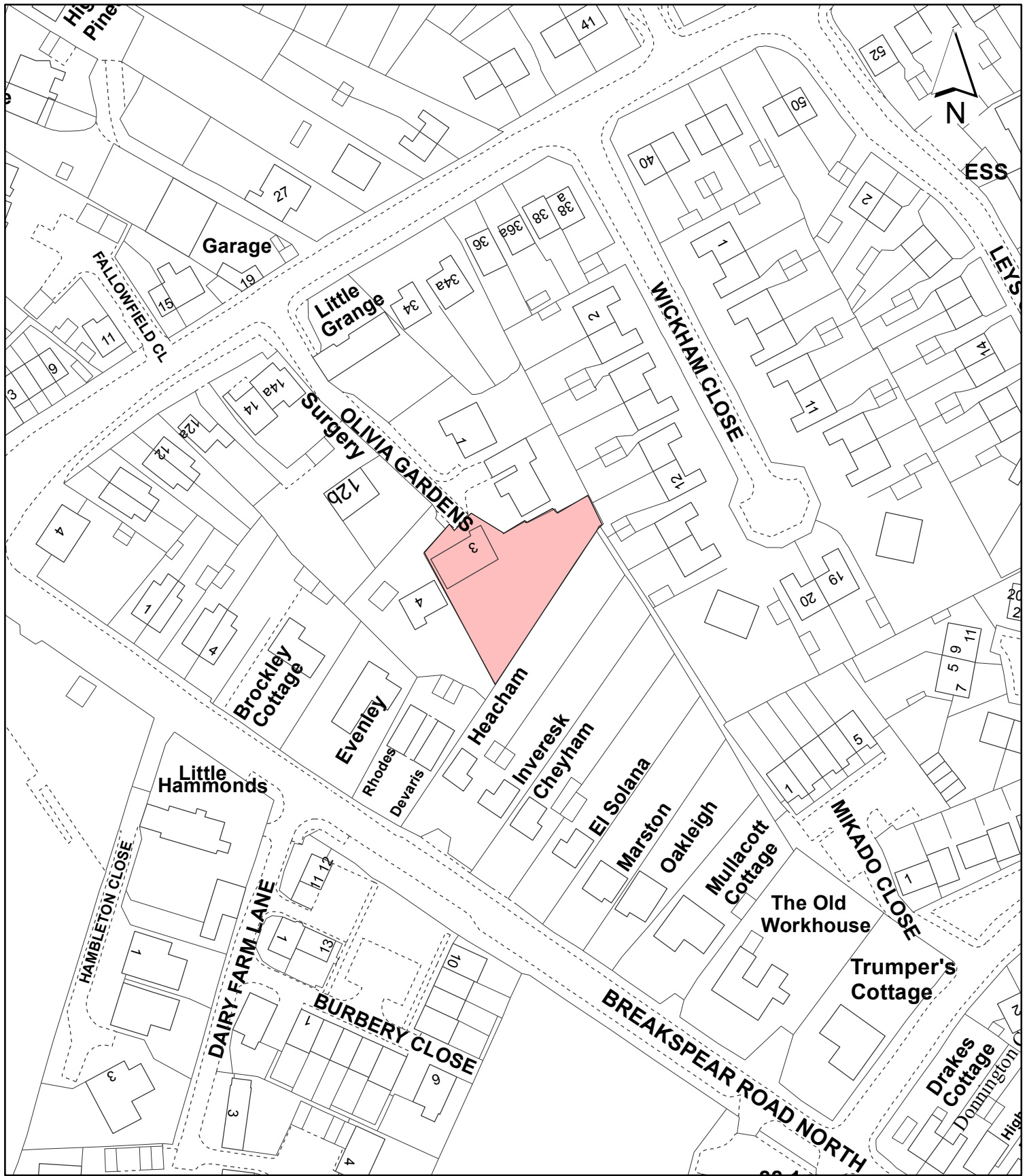
PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
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.
H12	Tandem development of backland in residential areas
H4	Mix of housing units
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

Contact Officer: Cris Lancaster

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:

3 Olivia Gardens

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
4672/APP/2017/765

Scale:
1:1,250

Planning Committee:
North

Date:
June 2017

