

Report of the Head of Planning, Sport and Green Spaces

Address 50 RODNEY GARDENS EASTCOTE PINNER

Development: Removal of fascia to rear elevation; alterations to single storey rear extension including pitched roof with crown; new brickwork to match existing; retention of extension once altered.

LBH Ref Nos: 45146/APP/2017/1639

Drawing Nos: Site Location
Block Plan
21600/03 REV D

Date Plans Received: 03/05/2017 **Date(s) of Amendment(s):**

Date Application Valid: 03/05/2017

1. CONSIDERATIONS

1.1 Site and Locality

The site is occupied by a detached chalet style dwelling that has distinctive mottled brick walls and a tiled, hipped roof. A recessed flat roof side extension has been made to the southern elevation. The unauthorised extension, that is the concern of this application, has been made to the rear of the original dwelling as well as to the rear of the aforementioned side extension. The area to the front of the site is block paved and is bordered by a low brick wall with additional hedging. The rear amenity space is enclosed by a mix of approximately 1.8 metre high brick wall and timber fencing. To the rear of the site there are detached outbuildings as well as some mature coniferous trees.

The site is located on a corner plot where Dovecot Close branches off from Rodney Gardens. The surrounding area forms part of the Eastcote Park Estate Conservation Area. The appraisal document for the Conservation Area notes that there are a number of groups of dwellings designs present within the Conservation Area, one of which is the bungalows on the northern side of Rodney Gardens, of which the dwelling occupying the site is an example.

The surrounding area is laid out with grass verges and landscaping, including mature trees, helping to generate a verdant character and appearance.

This application has been referred to planning committee for determination. The Council's constitution requires all applications relating to a site where enforcement notices have been served to be taken to planning committee (even when the enforcement does not relate to the proposal, as is the case in this instance).

1.2 Proposed Scheme

The proposal involves modification works to be made to an existing unauthorised single-storey extension to the rear of the dwelling. The structure, in its current condition, is a flat roof element projecting to the rear of the dwelling and also behind earlier single-storey side extensions to the dwelling. The height of the existing flat roof exceeds that of the main roof

eaves and the external finish is in yellow brick.

The proposed modifications involve removing a portion of the extension to the rear of the ground floor bedroom and forming a pitched crown roof over the parts of the extension that are to the rear of the original dwelling. The remainder of the extension will be maintained as a flat roof feature but with the roof top lowered to match the eaves height of the main roof as well as the roof top height of the earlier flat roof extension to which it is attached. A parapet wall will be maintained on the roof, in alignment with the side elevation of the extension.

The extension projects 4 metres back from the rear elevation of the original dwelling house and earlier side extension, with the exception of the 3 metre wide section to the rear of ground floor bedroom 2 which would be partially removed so as to only project 1 metre from the original rear elevation.

1.3 Relevant Planning History

45146/APP/2016/2858 50 Rodney Gardens Eastcote Pinner

Retention of single storey rear extension in a modified form involving removal of fascia to rear elevation; alterations to roof to form a crown roof with parapet to rear; and works to brickwork to match the finish of existing dwelling.

Decision Date: 10-10-2016 Refused **Appeal:**24-JAN-17 Dismissed

45146/APP/2016/711 50 Rodney Gardens Eastcote Pinner

Alteration to existing single storey rear extension to remove projecting fascia and reducing eaves (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 17-06-2016 Refused **Appeal:**

Comment on Planning History

Prior to the unauthorised extension being constructed, there were smaller single-storey flat roof extensions to the rear of the dwelling.

The application represents a second attempt to modify the unauthorised extension in order for it to appear as an acceptable feature within the surrounding Conservation Area. A previous scheme was refused due to the as it was considered that the bulk, mass and appearance of the extension were not sympathetic towards the original building or the wider conservation area.

An application was also refused for a certificate to confirm the extension as lawful development as the extension does not qualify as permitted development due to its dimensions and its positioning.

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

A site notice was displayed on a lamp post adjacent to the site. In addition, a total of 12 letters were sent to nearby residents and interested parties notifying them of the proposed

development and inviting comments.

One letter of objection received:

This is still an illegal build which has been refused on 4 occasions. The new plans are just as bad and is still an over development in a conservation area. There is no guarantee that the work would be carried out as per the plans as they kept saying before the bricks they erect matched, which obviously didn't. To allow any sort of change would open the floodgates to more illegal builds.

OFFICER COMMENT: The development is currently unlawful not illegal. A sample panel of the brick work will be required prior to works commencing and a strict time limit for the works to be carried out in will be attached to any approval given.

EASTCOTE CONSERVATION PANEL:

This dwelling forms part of the Eastcote Park Estate Conservation Area and has been the subject of numerous applications, appeals and enforcement measures. We do not find this current application an acceptable answer to the problem. Extra rooms on the ground floor namely a television room and office area should be classed as bedrooms, making this a 5 bedroom dwelling.

The previous application 45146/APP/2016/2858 was refused at appeal. Ref APP/R5510/D/16/3161710.

The Inspector considered that the bricks could not be successfully tinted and that the crown roof was not acceptable. Extract below,

"The design and the appearance of the proposed crown roof over the extension would however be very much at odds with the roof design of the host building and the more traditional pitched roofs of many of the buildings in this section of the CA. The proposed roof, combined with the higher eaves of the extension and the parapet at the rear, results in the extension overwhelming the form of the original dwelling. In addition, the tinting of the existing stark yellow brickwork would in my opinion fail to achieve a match with the distinctive and mottled appearance of the existing brickwork"

Although this application shows that the rear element will be demolished and rebuilt in matching bricks the crown roof still remains.

The applicant states that she received pre--application advice from James Rodger and refers to an email dated 28.04.17. This communication does not appear on the web site. Please can a copy be made available?

We ask for the application to be refused and enforcement action taken to remove this extension. It must be noted that should the LPA be minded to approve this application and standard conditions are imposed, then there is no reason for the applicant to carry out the work.

Condition 1 usually gives the applicant 3 years in which to start the building work, but no

action will be taken if the work is not carried out. Therefore, a grant of planning permission will allow the building to stay as it is.

OFFICER COMMENTS: It is not for the Council to dictate what rooms contained within extensions will be used for. The size of the extension will be taken into account. It should be noted that there are extensions of a similar footprint at the adjoining property. The area of the crown roof element has been reduced and the roof pitch depth increased and it is considered that this is a satisfactory response to the inspector's comments. The standard time period condition would not be used as the extension has already been built. A suitable condition requiring remediation works are undertaken within an appropriate time frame will be attached to any approval given.

INTERNAL CONSULTEE'S

CONSERVATION & URBAN DESIGN OFFICER:

This bungalow had a shallow, 'L' shaped glazed conservatory at the rear, which was removed a few years ago and replaced with a deep, yellow, flat roofed rear extension, over 3.722m deep, and 9.717m wide, its roof rising above the eaves of the hipped main roof and finishing with a deep white plastic fascia. After it failed, retrospectively, to obtain a CLD, it was the subject of an enforcement notice for its total removal (notice upheld on appeal). Various negotiations have taken place with the applicants since then in an attempt to secure an acceptable outcome.

This current proposal has introduced a set back on the side closest to the road, and a crown roof over the section adjoining, which is located behind the house. There would then be a very unsuccessful join with the current flat roofed kitchen extension behind the garage, which could have been better designed had the application not been part retrospective. However, given that this section of the house is furthest from public view, and the kitchen is already in place, on balance no objection would be made.

However, any permission granted should have a condition relating to the brickwork and tiles (brick and tile samples and any brick tinting) to be agreed on site prior to commencement of work, together with details of fenestration, to ensure that the alterations are as sensitively carried out as possible.

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.
BE4	New development within or on the fringes of conservation areas
EPECA	Eastcote Park Estate Conservation Area - Management Plan - March 2008
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework
NPPF12	NPPF - Conserving & enhancing the historic environment

5. MAIN PLANNING ISSUES

DESIGN & VISUAL IMPACT:

The extension is sited in a prominent position on a corner plot within a Conservation Area. In its current form, it is a clearly visible and disruptive feature which detracts from the character and appearance its surroundings. The roof top height, which is above that of the eaves of the original dwelling results in the extension appearing cumbersome and unbalancing and the yellow brick finish is visually jarring when viewed in context with the distinctive mottled brick finish of the original dwelling.

The current application involves reducing the footprint of the extension by approximately 9 m². It is considered that this measure will soften the visual impact within the street scene as the side wall of the extension will be stepped an additional 3 metres from the boundary. Furthermore, it enables a distinction between the original dwelling and the extension, preventing the flank wall of the original dwelling from being over-extended and monotonous and helping to foster a visually subservient relationship between the extension and the original dwelling.

A pitched crown roof will be formed over the part of the extension to the rear of the original dwelling. Unlike the previous application, the pitched part of the roof will be deeper, ensuring it appears as a more dominant feature and also complements the main pitched roof. In addition, the slope angle of the pitched roof matches that of the main roof, aiding visual integration, and the eaves height also matches that of the main roof enhancing assimilation and vastly improving on the current awkward relationship between the two features.

The crown roof proposed as part of the previously refused scheme, in combination with the shallow pitch of that roof, was criticised by the planning inspector in dismissing an appeal against the refusal. It is considered that the current arrangement is acceptable as the pitched part of the roof has been increased in depth and the area of flat crown roof has been reduced by way of removing a portion of the rear extension.

The part of the extension to the rear of the earlier flat roof extension to the side of the dwelling will remain as a flat roof but with the roof top height dropped to match that of the

adjoining flat roof extension as well as the eaves of the main roof. It is considered that this produces a visually sympathetic appearance and unifies the two flat roof extensions, thereby preventing the extensions from appearing cluttered or discordant.

The yellow brick outer walls of the extension are to be replaced with mottled brickwork that will replicate that of the original dwelling, as well as neighbouring properties. It is considered that this measure will ensure that the extension appears far more visually regressive within the Conservation Area and would no longer appear incongruous or unsympathetic towards its surroundings. Due to the critical importance of protecting the character and appearance of the surrounding Conservation Area, it is considered to be imperative to attach a condition requiring samples of the bricks to be used for the external walls to be submitted to the Council and approved prior to commencement of works. The approved bricks would thereafter have to be used in the construction. The sample requested will be of a panel so as to show the arrangement of different coloured bricks in order to be assured that it will match the arrangement of the brickwork of the original dwelling.

It is therefore considered that the remodelled extension, including the change in external materials, would relate sympathetically towards the character and appearance of the surrounding area and preserves the integrity of the Conservation Area, in accordance with Policies BE 4, BE 13 and BE 19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.4, 7.6 and 7.8 of the London Plan (2016).

Furthermore, the extension would maintain visual subservience towards the original dwelling and would not appear overly dominant or unbalancing, thereby satisfying the requirements of Policy BE 15 of the Local Plan.

AMENITY IMPACT:

With regard to the amenities of neighbours, the extension is a single-storey structure of modest height that projects 4 metres to the rear of the site, a similar distance to the existing extensions at the only adjoining property, 48 Rodney Gardens. As such, the proposal complies with the standards for rear extensions set out in the HDAS Residential Extensions SPD para. 3.4. Given these factors it is not considered that it will appear overbearing towards neighbouring properties, nor would it be the cause of undue levels of overshadowing towards habitable rooms and amenity space. As such, it is considered that the proposed extension complies with Policies BE 20 and BE 21 of the Local Plan and Policy 7.6 of the London Plan.

All windows face towards the far end of the rear garden and not directly towards any adjoining neighbours. In any case, views from the ground floor windows to areas outside of the curtilage would be obstructed by existing site boundary treatment. It is therefore considered that the proposal would not result in any intrusive views towards neighbouring properties and, as such, satisfies Policy BE 24 of the Local Plan.

The extension is sited on a fairly large plot and ample amenity space, in excess of Hillingdon HDAS standards, will be preserved for use by occupants in accordance with Policy BE 23 of the Local Plan. Furthermore, the extension does not block or overshadow any habitable room windows on the original dwelling and all habitable rooms will therefore continue to benefit from unaltered levels of natural light permeation in accordance with Policy BE 20 of the Local Plan.

It is therefore recommended that the application is approved, subject to conditions.

6. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The modifications to the existing extension including the replacement of the pitched roof with a flat roof hereby approved shall be commenced within 3 months of the date of this decision and be fully completed within 6 months of the date of this decision.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 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:-

Site and Location Plan;
21600/03 REV D;

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies BE 13, BE 15, BE 19, BE 20, BE 21 and BE 24 (November 2012) and the London Plan (2016) Policies 7.4 and 7.6.

3 CAC12 Samples of materials

Samples of all materials and finishes to be used for all external surfaces and fenestrations of the approved extension shall be submitted to and approved in writing by the Local Planning Authority before commencement of any works. This shall include a sample panel showing the arrangement of the different coloured bricks to be followed.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE 4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

- 1 The applicant is advised to submit materials details to the Local Planning Authority as soon as possible, in compliance with condition 3 of this permission as the Council will expect the applicant to fully comply with the timescales indicated in condition 1 of this permission.
- 2 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 (2016). 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.

- 3** 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.
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LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework
NPPF12	NPPF - Conserving & enhancing the historic environment

- 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).

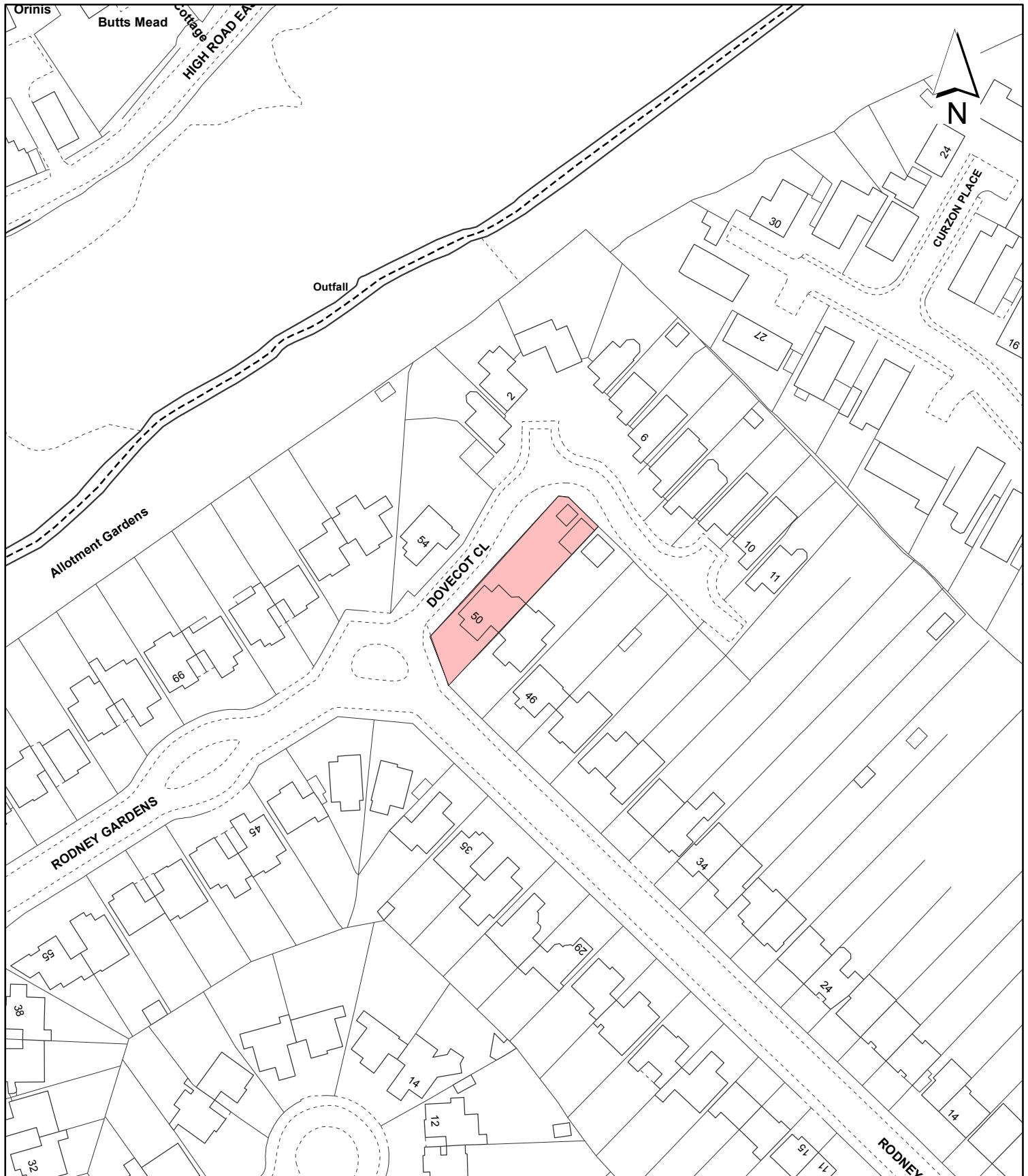
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks 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: James McLean Smith

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

50 Rodney Gardens

LONDON BOROUGH OF HILLINGDON

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

Planning Application Ref:
45146/APP/2017/1639

Scale:
1:1,250

Planning Committee:
North

Date:
June 2017



HILLINGDON
 LONDON