

Report of the Head of Planning, Sport and Green Spaces

Address 14 COLBROOK CLOSE HAYES

Development: Conversion of roof space to habitable use to include a rear dormer and conversion of roof from hip to gable end and first floor side/rear extension (Part Retrospective)

LBH Ref Nos: 35144/APP/2017/94

Drawing Nos: 3173-05/SP
3173-04/SP
3173-03/SP
3173-02/SP
3173-01/SP
3173-06/SP
3173-07/SP

Date Plans Received: 10/01/2017 **Date(s) of Amendment(s):**

Date Application Valid: 23/01/2017

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the north side of Colbrook Close. The site comprises a semi-detached two storey dwelling with substantial extensions that are under enforcement investigation. There is a hip to gable and rear dormer roof alteration, a two storey side and part two storey rear extension plus a single storey rear extension. To the west of the site is located 13 Colbrook Close and to the east are the rear gardens of dwellings on Mildred Avenue, which have detached garages abutting the boundary with the application site.

The site is situated within a developed area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The proposal is for a first floor side/rear extension which incorporates conversion of the roof from hip to gable and a rear dormer window. The application has been submitted in order to address the concerns raised in the extant enforcement notice, as upheld on appeal. The proposal is largely retrospective although the proposal includes amendment of the first floor side/rear extension. The description was amended in discussion with the agent.

1.3 Relevant Planning History

28867/B/88/1430 14 Colbrook Avenue Hayes
Erection of single storey rear extension.

Decision Date: 19-08-1988 Approved **Appeal:**

35144/A/84/1785 14 Colbrook Close Hayes
Section 53 certificate (P)

Decision Date: 21-11-1984 Refused **Appeal:**

35144/APP/2013/3828 14 Colbrook Close Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres

Decision Date: 29-01-2014 PRN **Appeal:**

35144/APP/2014/1893 14 Colbrook Close Hayes

ERECTION OF HIP TO GABLE LOFT CONVERSION WITH REAR DORMER.

Decision Date: 18-06-2014 NFA **Appeal:**

35144/APP/2014/1906 14 Colbrook Close Hayes

single storey side extension

Decision Date: 09-06-2014 NFA **Appeal:**

35144/APP/2014/3065 14 Colbrook Close Hayes

Conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end (Application for a Lawful Development Certificate for an existing use/development)

Decision Date: 03-11-2014 Refused **Appeal:**

35144/APP/2014/3083 14 Colbrook Close Hayes

Two storey side extension and first floor rear extension

Decision Date: 22-10-2014 Refused **Appeal:** 19-AUG-15 Dismissed

35144/APP/2014/646 14 Colbrook Close Hayes

Two storey side extension and first floor rear extension

Decision Date: 02-05-2014 Refused **Appeal:**

35144/APP/2016/2134 14 Colbrook Close Hayes

Part two storey, part single storey side/rear extension and conversion of roofspace to habitable use to include a rear dormer and conversion of roof from hip to gable end (Part Retrospective)

Decision Date: 02-09-2016 Withdrawn **Appeal:**

35144/B/84/1946 14 Colbrook Close Hayes

Householder dev. (small extension,garage etc) (P)

Decision Date: 14-01-1985 Approved **Appeal:**

35144/C/87/1929 14 Colbrook Close Hayes

Erection of carport at side

Decision Date: 10-11-1987 Approved **Appeal:**

35144/PRC/2015/13 14 Colbrook Close Hayes

Two storey side extension, first floor rear extension, roof extension and front porch

Decision Date: 28-04-2015 **OBJ**

Appeal:

Comment on Planning History

The extended property as existing has planning consent for a single storey rear extension, which was granted under the Prior Approval legislation (application ref. 35144/APP/2013/3828), albeit that this proposed a 6.0m extension and the submitted plans show the extension to have a depth of 5.75m. An application was refused for a Lawful Development Certificate for the conversion of the loft (application ref. 35144/APP/2014/3065) as the submitted drawings failed to show the property in its current form. As the property has a two storey side extension, the volume of the roof alteration could not be determined as the plans did not show the two storey side extension. Furthermore, it could not be ascertained that the hip to gable roof alteration and rear dormer were constructed and significantly completed as an independent building operation prior to the construction of the two storey side extension. The property has been significantly extended without benefit of planning permission and, as such, the more recent history has been associated with proposals to address the issues emerging from the unauthorised nature of the development.

An application was refused for a two storey side extension and first floor rear extension (application ref. 35144/APP/2014/3083). This application was refused as it was deemed to be detrimental to the character and appearance of the existing dwelling, the street scene and the open character of the area, would fail to appear as a subordinate addition and would have a detrimental impact on the symmetry of the pair of semi-detached properties.

The refusal was subject of an appeal. At the same time an appeal was made against an enforcement notice dated 20 October 2014. The breach of control as alleged by the notice was without planning permission the erection of a two-storey side/rear extension incorporating a hip to gable loft conversion with rear dormer. This appeal was dismissed and the notice upheld.

In summary, the key findings of the appeals were:

- (1) The limited amount of set-back from the eastern boundary would cause the extension to appear cramped within the appeal site when viewed from the street, compounded by the presence of neighbouring outbuildings to the east.
- (2) Although the proposed extension would achieve some degree of set back at first floor, due to its size and expansive appearance it would appear out of proportion and would overwhelm its modest form.
- (3) The combination with the rear extension and single-storey rear extension would appear disproportionate when viewed against the main house and when viewed from the surrounding area
- (4) Despite the size of the plot, the proposed extension would appear as a cramped and discordant addition that would result in unacceptable harm to the modest appearance of No. 14, undermining its contribution to the symmetry of the pair and the established character of the area.

35144/APP/2016/2134 - Part two storey, part single storey side/rear extension and conversion of roofspace to habitable use to include a rear dormer and conversion of roof from hip to gable end (Part Retrospective) Withdrawn by the applicant.

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**

Neighbours were notified on 25/01/2017 and a site notice was displayed on 26/01/2017. By the end of the consultation period no objections were received.

Three individual comments supporting the proposals were received. In addition, a petition of 8 signatures was received. This also supports the proposals and/or the development as built.

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.

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

LPP 3.5 (2011) Quality and design of housing developments

5. **MAIN PLANNING ISSUES**

The main issues for consideration in the determination of this application are the design and impact on the streetscene; the impact on neighbour amenity; parking provision and the provision of amenity space.

The proposal seeks to amend the current development which is subject of an extant enforcement notice. The width of the two storey side extension towards the frontage at

2.375m would be less than the two thirds maximum width guidance within section 5 of the HDAS guidance. The proposal now seeks to set-back the first floor side extension by approximately 5 metres but retains the hip to gable conversion. However, the proposal would still fail to be considered a subordinate addition due to the lack of a 1m set back of the side extension at ground floor level. The proposed two storey side extension, by reason of its lack of set back from the frontage, would represent an insubordinate, incongruous and visually intrusive form of development, which would fail to harmonise with the character, proportions and appearance of the original house and street scene.

In addition, the side extension would fail to be set in from the boundary by the required minimum 1m, resulting in a closing of the open visual gap to the side of the dwelling, compounded by the proximity to the sizeable outbuilding in the rear garden of No.12 Mildred Avenue. This, combined with the fact that the extension would follow the splayed boundary of the site, widening to the rear, would result in an incongruous feature in the street scene, out of keeping with the character and appearance of the street scene and area in general. The open character of the site/area would be compromised by the proposal, contrary to section 5 of the HDAS guidance and Policy BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The two storey rear element would have an acceptable depth at 3.6m and its roof would be more than 0.5m lower than the original dwelling's ridge. At 4m, its width would not be excessively wide. Section 5 of the HDAs states: 'It should be noted that where a two storey rear extension projects beyond the rear building line of the house, the criteria for two storey side extensions (as set out in Section 6 below) will be applied to that portion of the extension'. Its width at 4m would be less than two thirds that of the original dwelling (5.8m). However, the first floor rear extension would be erected above the existing ground floor extension, which is a sizeable addition to the property. The 6 metre deep extension combined with the proposed first floor rear extension would be considered an overbearing addition to the building. Furthermore, the property has a large rear dormer, which extends across virtually the whole roof and a hip to gable conversion of the original roof. The integration of the rear extension and its roof with these elements results in an awkward and unacceptable relationship in design terms and overall the proposal would be detrimental to the character and appearance of the original dwelling, to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions. This issue was recognised by the appeal Inspector in consideration of Appeal B and it is not considered that the changes proposed would be sufficient to address these concerns.

Although there are a small number of exceptions, Colbrook Close is largely characterised by pairs of modest semi-detached houses with shared architectural features and a strong sense of symmetry based on hipped roofs and the positioning of two storey bay windows and other fenestration. Where alterations have been made, they are generally small scale and preserve the modest form of the main building and the symmetry of the pair. An appearance of symmetry within pairs of semi-detached houses is an often replicated feature in the locality; it forms an important part of the character of the street and the wider area. Thus, the conversion of the roof from a hip to a gable would be at odds with Paragraph 7.11 of the the adopted Supplementary Planning Document HDAS: Residential Extensions, which states:

"If you are proposing to convert a sloped hip-end roof into a flat gable-end roof on the side of your house, permission will normally be refused. This is because it would unbalance the overall appearance of the house, pair of semi-detached houses or terrace."

Furthermore, the rear dormer window is to the full height of the original dwelling and has no set in's except where it adjoins the other half of the semi-detached pair where the set-in is approximately 0.5 metres. Overall, the dormer does not appear as a subordinate feature and as such does not meet the requirements of paragraphs 7.7 and 7.8 of the HDAS.

The proposed first floor rear element of the proposal would not extend beyond a 45 degree line drawn from the first floor windows of the adjoining dwelling 13 Colbrook Close, maintaining a separation distance of 5.45m from the boundary with this neighbouring dwelling.

The two storey side extension would not have a detrimental impact on the amenities of the occupiers to the east on Mildred Avenue, given the distance of 19m to the original rear elevations of these neighbouring houses.

The proposal does not include any first floor side windows and there are no concerns are raised to any potential overlooking/loss of privacy concerns, the proposal being in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed extension would provide a total of four bedrooms at first floor level and enlarged ground floor living accommodation. The proposed scheme would retain two parking spaces to the front of the dwelling. Therefore the proposal would be in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Private amenity space amounting to significantly over 100sq.m would be retained in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposal is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The roof alteration/extensions, by reason of the hip to gable end roof design and the size, scale, bulk, and design of the rear dormer window would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed two storey side extension, by virtue of its location, size, scale and design, including the lack of a set back from the frontage at all levels and its roof design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the symmetry of the pair of semi-detached properties, of which it forms a part, the visual amenities of the street scene and the character and appearance of the wider area. The proposal would therefore be 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 UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposed two storey rear extension, by virtue of its design and integration with the existing ground floor addition and roof addition, would result in an unsympathetic, insubordinate addition that would be detrimental to the character and appearance of the original dwelling, to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

4 NON2 Non Standard reason for refusal

The proposed two storey side extension, by virtue of its design, siting, lack of set-in from the side boundary and the splayed nature of its flank wall, would be detrimental to the character and appearance of the existing dwelling, the street scene and the open character of the area. The development is therefore contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1 In determining this application the Local Planning Authority considers that it has complied with the requirements of paragraphs 186 and 187 of the NPPF. The Local Planning Authority encourages pre-application dialogue. In this case the applicant will have been fully aware of the terms of the Enforcement Notice.

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:

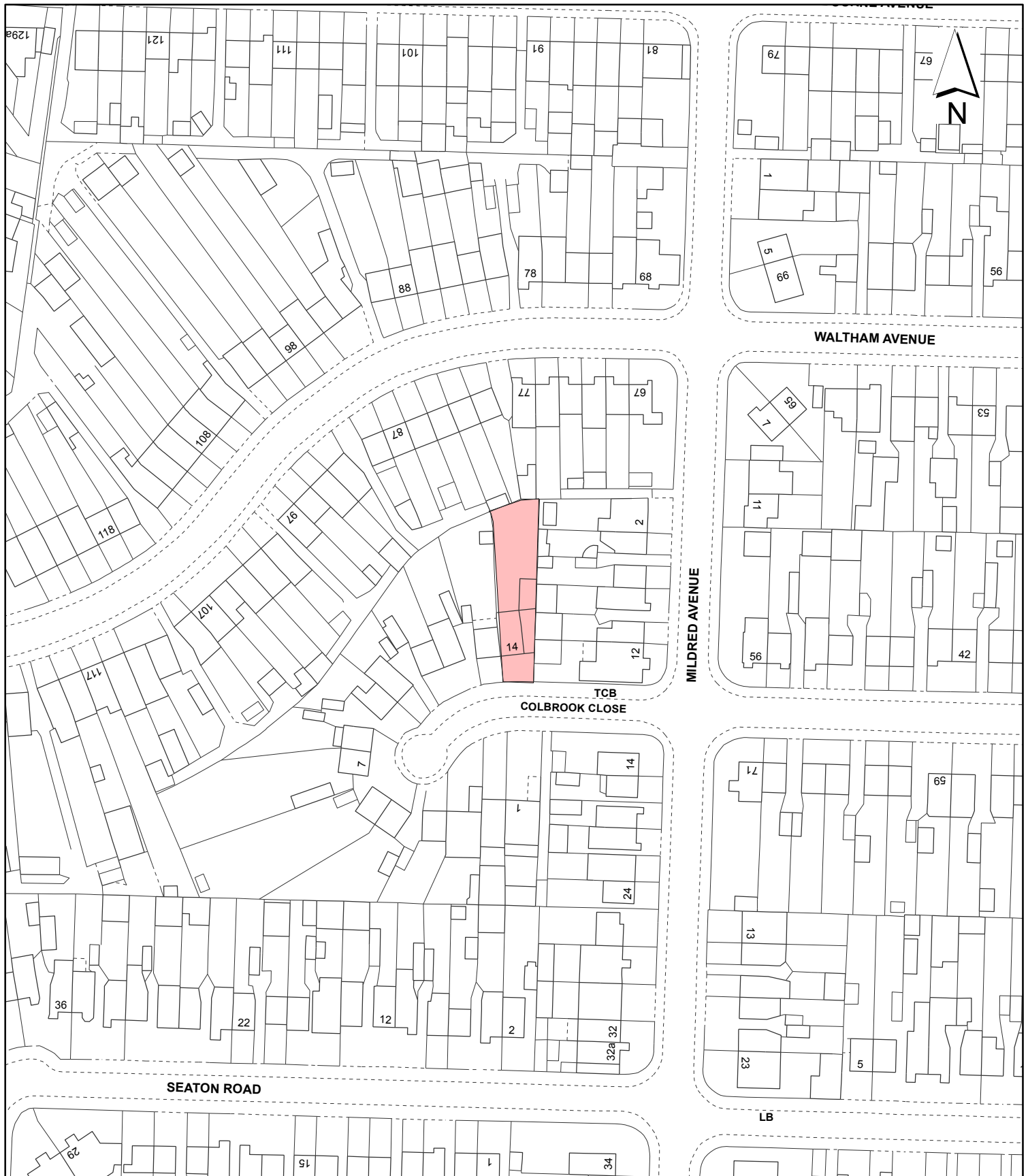
PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
LPP 3.5	(2011) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

14 Colbrook Close

Planning Application Ref:
35144/APP/2017/94

Planning Committee:
Central & South

Scale:
1:1,250

Date:
July 2017

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
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