

Report of the Head of Planning, Sport and Green Spaces

Address 39 HIGHFIELD DRIVE ICKENHAM

Development: Removal and remodelling of existing unauthorised extensions to create part two storey, part single storey side/rear extension, single storey rear extension and conversion of roof space to habitable use to include a rear dormer window.

LBH Ref Nos: 67201/APP/2017/3513

Drawing Nos: 24-12-01T

Date Plans Received: 28/09/2017

Date(s) of Amendment(s): 28/09/2017

Date Application Valid: 18/10/2017

1. CONSIDERATIONS

1.1 Site and Locality

The application site is situated on the eastern side of Highfield Drive, approximately 280m south of its junction with 'The Drive', and 500m north of the A40. Highfield Drive is a private road accessed via 'The Drive' off Swakeleys Road, and is wholly residential in character typically with large individually designed detached dwellings situated on long garden plots.

No.39 has undergone several extensions and alterations, some of which have planning permission whilst some are unlawful and are subject to enforcement action. The house currently 'as built' comprises two storeys with four bedrooms. It has a hipped roof with a crown, front and rear dormer windows, a two storey side/front extension with single storey front and rear extensions. There is off street car parking for two vehicles within the front driveway.

The original dwellinghouse had a catslide roof over an attached garage on the southern side elevation with a two storey forward projection with hipped roof in the principal elevation.

The dwelling, as currently extended, has a crown roof with hipped ends, including two adjacent two-storey hipped roof projections to the front. The hipped roof has removed the original catslide arrangement to the southern elevation and, as such, there is now a two-storey flank wall in place. Single-storey extensions have been added either side of the projecting front entrance. A two-storey hipped roof extension has been made to the rear of the dwelling. Flat roof dormers have been added to the front and rear roof slopes.

The site is not located within an area of special local character or conservation area and the building is not listed. It is located within an Archaeological Priority Zone as identified within the emerging Local Plan: Part 2.

1.2 Proposed Scheme

The proposed development seeks to rationalise existing extensions to the building, a number of which are unlawful. The following alterations would be made to the building as it currently stands:-

Step down in the roof eaves and ridge height of the hipped roof side extension and removal of first floor windows on the flank elevation and bring the front elevation of the extension further in from the site frontage;

Removal of the single-storey extension to the front of the dwelling, on the southern side of the two-storey hipped roof projection;

Repositioning of dormer within rear roof slope and removal of rear facing dormer on the side extension;

Removal of the 'wrap around' element of the single-storey rear extension.

1.3 Relevant Planning History

67201/APP/2010/1803 39 Highfield Drive Ickenham

Demolition of existing property and the erection of a two storey, with rooms in roofspace, six bedroom detached dwelling.

Decision Date: 21-02-2012 **Approved** **Appeal:**

67201/APP/2012/2722 39 Highfield Drive Ickenham

2 x single storey front infill extensions with front canopy and conversion of attached garage to habitable use involving alterations to front and rear elevations

Decision Date: 24-12-2012 **Refused** **Appeal:**

67201/APP/2012/3008 39 Highfield Drive Ickenham

Single storey rear extension with 2 rooflights involving alterations to rear elevation

Decision Date: 22-01-2013 **Approved** **Appeal:**

67201/APP/2013/1262 39 Highfield Drive Ickenham

Part two storey, part single storey rear extension, part two storey, part single storey, part first floor side extension involving conversion of garage to habitable use, single storey front extension, replacement roof structure and conversion of roof space to habitable use to include a rear dormer and 3 rooflights, alterations to elevations

Decision Date: 16-07-2013 **Refused** **Appeal:**

67201/APP/2013/2595 39 Highfield Drive Ickenham

Single storey detached outbuilding to rear for use as a games room, shower, home gym, tool shed and motorised mower store

Decision Date: 02-12-2013 **Refused** **Appeal:**

67201/APP/2013/3786 39 Highfield Drive Ickenham

Retrospective application for extension and alterations to existing dwelling house including, single storey and two storey front extension, single storey and two storey rear extension, side extension and loft conversion with front and rear dormers and rooflights

Decision Date: 21-02-2014 **Refused** **Appeal:**

67201/APP/2013/56 39 Highfield Drive Ickenham

2 x single storey front infill extensions with front canopy and conversion of attached garage to habitable use involving alterations to front and rear elevations (Resubmission)

Decision Date: 07-03-2013 **Approved** **Appeal:**

67201/APP/2014/2224 39 Highfield Drive Ickenham

Part two storey, part single storey side/rear extension, single storey rear extension and conversion of roof space to habitable use to include a rear and front dormer and 3 rooflights (Part Retrospective)

Decision Date: 30-10-2014 **Refused** **Appeal:**28-JAN-15 **Dismissed**

67201/APP/2016/1624 39 Highfield Drive Ickenham

Erection of a single storey front extension; entrance canopy extension; part first floor side, part two storey, part single storey rear extension; front dormer roof extension (involving conversion of existing loft space); installation of rooflights to side and rear roofslopes and external alterations including rearrangement of openings and enlargement/alterations to roof

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

Comment on Planning History

The site has a length planning history. Permission was granted for the existing dwelling to be demolished and replaced by a new two-storey six bedroom detached dwelling under 67201/APP/2010/1803. This permission was not implemented and has now lapsed.

Various applications to incrementally extend the existing dwelling have been submitted. These include approvals for single-storey extensions to the front and rear under 67201/APP/2012/3008 and 67201/APP/2013/56. Single-storey extensions have been made to the front of the dwelling. However, these have not been built in accordance with approved plans.

There have also been refusals for two-storey extensions which were refused under 67201/APP/2013/1262 and retrospective applications 67201/APP/2013/3786 and 201/APP/2014/2224.

67201/APP/2014/2224 was taken to appeal, where it was dismissed. As a result, the site has been subject to enforcement action which requires the unlawful extensions to be removed or altered to be made acceptable in planning terms

A scheme to make good the dwelling and reinstate the catslide roof on the southern elevation was then approved under 67201/APP/2016/1624. This brought the appearance of the dwelling back to an appearance close to its original form. The works have not been undertaken thus far.

The proposal seeks to gain approval for the retention of an increased amount of the unlawful extensions whilst overcoming the reasons for refusal provided for 201/APP/2014/2224 and supported at appeal.

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**

One letter of objection:

The applicant has failed in every aspect of adhering to the plans that have been passed before. Why pass remedial plans in 2016 and just ignore the result?

Request enforcement action be taken.

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.

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.

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

NPPF National Planning Policy Framework

NPPF7 NPPF - Requiring good design

OE1 Protection of the character and amenities of surrounding properties and the local area

5. **MAIN PLANNING ISSUES**

DESIGN & APPEARANCE:

The building, as it currently stands, appears disorganised, cluttered and unsympathetic within the street scene on account of the piecemeal nature of extensions that have been made to it over time and the failure to build approved extensions in accordance with approved plans. The Council has refused a retrospective application to regularise these extensions and, following an appeal to the inspectorate, the planning inspector, in dismissing the appeal, criticised the excessive collective bulk of the two-storey extensions, the loss of symmetry and the established character of the original dwelling and the overall lack of

cogeneity in appearance.

By stepping down the roof ridge and eaves height of the side extension and pulling it further in from the site frontage, the proposed development breaks up the bulky nature of the front and side aspects of the building, ensuring that the extension appears visually subservient towards the main dwelling and reflecting the step down in height to the side of the dwelling that was present on the original building as a result of the catslide roof slope. The bulk of the two-storey rear extension also appears reduced as a result of breaking up the roof ridge line and through the removal of the existing flat roof dormer which is set at roof ridge height, and replacement with a smaller more centrally positioned rear dormer.

The removal of the single-storey front extension to the north of the main entrance will address remove the current unbalancing effect produced through the combination of single-storey extensions of different widths either side of the main entrance.

The removal of the wrap around element of the single-storey rear extension prevents the rear elevation from being overwhelmed by this feature.

It is considered that the dwelling, as altered by the proposed scheme, would be in keeping with the general visual and spatial characteristics of the street scene. Whilst the flank wall on the southern elevation was originally of single-storey height owing to the catslide roof slope, there are a significant number of dwellings on the street with two-storey flank elevation walls close to each side boundary, including the neighbouring properties to the south, numbers 41 and 43 Highfield Drive. The step down in height of the proposed side extension combined with the separation distance maintained between it and the adjacent dwelling and the fact that the roof slope pitches away from the site boundary is sufficient to prevent a terraced appearance from arising as a result of the proposal.

The overall footprint of the original dwelling would not be demonstrably increased or altered in regards to its relationship with the front and side boundaries of the site.

The overall visual and spatial characteristics of the building within the street scene would be similar to that of 29 Highfield Drive, which had approval granted by the planning inspectorate for a stepped down two-storey side extension and rear extension granted under application 18450/APP/2009/1471.

It is therefore considered that the proposed modifications to the building would be sympathetic towards the character and appearance of the surrounding area in accordance with Policies BE 13 and BE 19 of the Local Plan and would also integrate effectively towards the original dwelling in accordance with Local Plan Policy BE 15.

NEIGHBOUR AMENITY:

The proposed development complies with the standards set out within the Council's SPD for Residential Extensions in that no parts of the proposed extensions come within 15 metres of the front or rear elevations of any neighbouring dwellings within a splay of 45 degrees.

The two-storey extension to the rear of the dwelling projects a similar distance to the rear of the site as the neighbouring two-storey dwelling to the north at 37 Highfield Drive. Whilst it projects further to the rear than the adjacent dwelling to the south, 41 Highfield Drive, the

rear extension is stepped well away from the southern site boundary so as to reduce its impact. A single-storey element would be built close to the southern boundary but the modest height of this feature, coupled with the fact that it does not project significantly further to the rear than the existing conservatory at 41 Highfield Drive, will result in it having a minimal impact upon neighbouring residents.

The remodelled side extension will be positioned entirely alongside the northern flank wall of 41 Highfield Drive, which does not contain any openings other than a first floor window that serves a shower room and a secondary window at ground floor level. The only window on the side elevation of the remodelled extension would be a ground floor high level window serving a utility room. All other windows face out towards the street or back towards the far end of the long rear garden and do not offer intrusive views towards neighbouring windows serving habitable rooms, all of which are a distance well in excess of 21 metres away from habitable rooms serving the extensions, within a 45 degree splay either side of the centre point of the window, as required by the Council's Residential Layouts SPD.

It is therefore considered that the modified building would not unacceptably detract from the amenities of occupants of neighbouring properties and, as such, complies with Local Plan Policies BE 20, BE 21, BE 22, BE 23, BE 24 and OE 1.

OCCUPANT AMENITY:

The proposed extensions can be accommodated without removing an unacceptable amount of rear garden space. The site benefits from a sizeable rear garden which will continue to provide amenity space in excess of the Council's minimum requirement of 100 m² as set out in the Council's Residential Extensions SPD para. 3.13.

The proposed modifications to the building therefore comply with Local Plan Policy BE 23.

TIME LIMIT TO CARRY OUT WORKS:

The application seeks to rationalise existing unlawful extensions which are not acceptable in planning terms, subject to enforcement action and, as such, are required to be removed.

As such, a strict time limit will be imposed to any approval to ensure that the remediation works are begun within 3 months of the date of the approval and completed to an acceptable standard within 6 months. Failure to adhere to these time limits would result in enforcement action being taken.

6. RECOMMENDATION

Approval subject to the following conditions.

1 NONSC Non Standard Condition

The modifications to the existing extensions hereby approved shall be commenced within 2 months of the date of this decision and be fully completed within 6 months of the date of

this decision.

REASON

To ensure that existing unlawful and unacceptable extensions are removed as soon as possible in order to repair and restore the character and appearance of the street scene, as required by Policies BE 13 and BE 19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.4 and 7.6 of the London Plan (2016).

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, number:-

24-12-01T;

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 (November 2012) and the London Plan (2016).

3 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the northern walls or roof slopes (37 Highfield Drive) of the development hereby approved facing.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE 24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 RPD5 Restrictions on Erection of Extensions and Outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to the dwellinghouse nor any garage, shed or other outbuilding shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE 21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 HH-RPD2 Obscured Glazing and Non-Opening Windows (a)

The first floor window and rooflights on the northern elevation and roof slope facing 37 Highfield Drive shall be glazed with permanently obscured glass and non-opening below a height of 1.8 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 BE 24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 HH-M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE 15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7 HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence. All necessary landscaping works shall be completed within 3 month of the date of this permission.

REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE 13 and BE 38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

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.
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.
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
NPPF	National Planning Policy Framework
NPPF7	NPPF - Requiring good design
OE1	Protection of the character and amenities of surrounding properties and the local area

- 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.

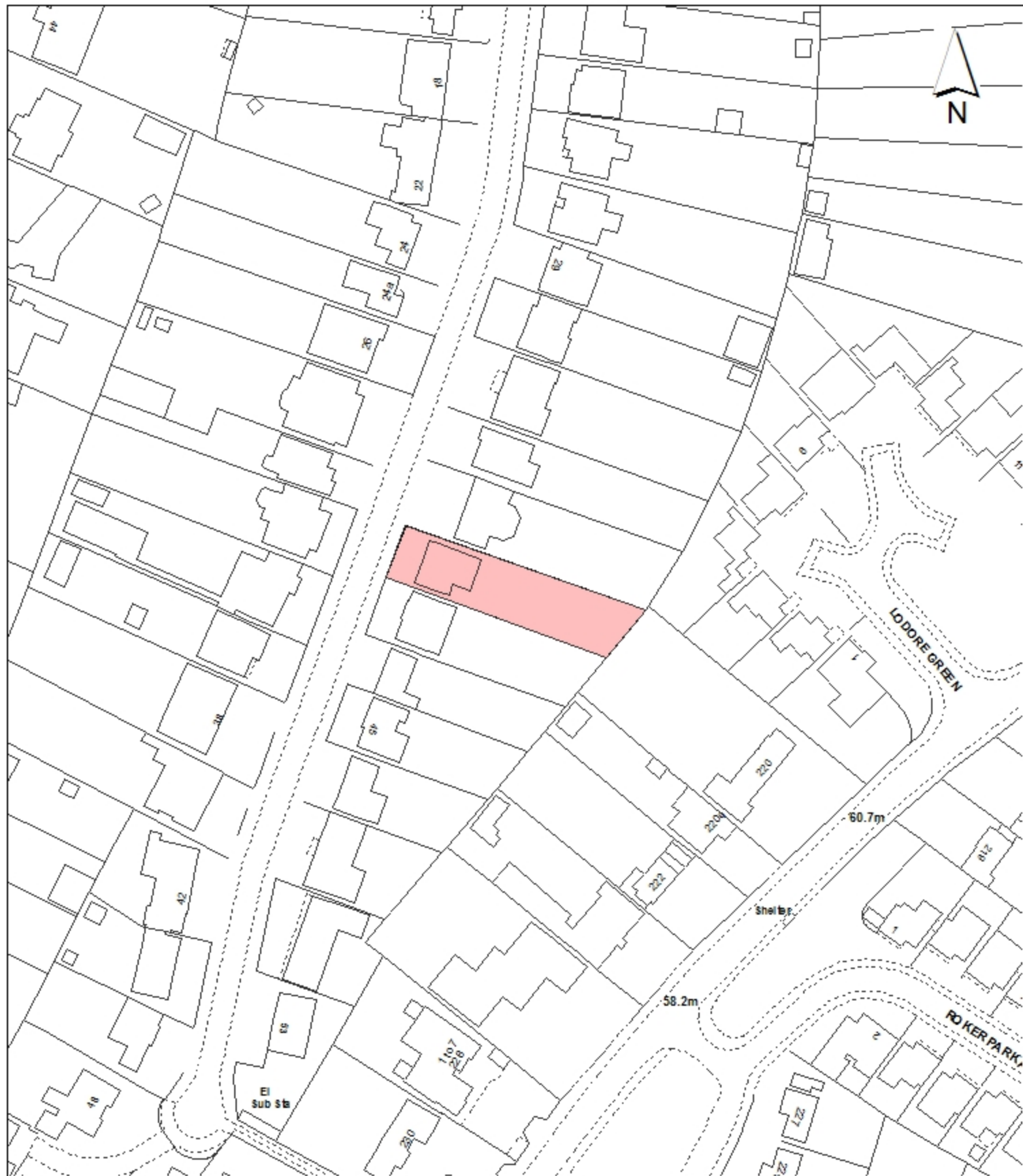
D) No bonfires that create dark smoke or nuisance to local residents.

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

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 2018 Ordnance Survey 100019283

Site Address:

39 Highfield Drive

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section

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

Planning Application Ref:

67201/APP/2017/3513

Scale:

1:1,250

Planning Committee:

North

Date:

January 2018



HILLINGDON
LONDON