

Report of the Head of Planning, Sport and Green Spaces

Address 31 FRITHWOOD AVENUE NORTHWOOD

Development: Part two storey, part single storey rear extension and conversion of roofspace to habitable use to include the repositioning and enlargement of the front dormer and the repositioning and enlargement of the rear dormer.

LBH Ref Nos: 8032/APP/2017/4601

Drawing Nos: Design & Access Statemen
Arboricultural Impact Assessmer
0071-05A
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0071-01A

Date Plans Received: 20/12/2017 **Date(s) of Amendment(s):** 19/12/0017
Date Application Valid: 03/01/2018

1. SUMMARY

This application is being presented to planning committee following a call in by ward Councillors. This application seeks to provide various extensions to the existing property. Due to the number of extensions, size, scale, depth would significantly alter the proportions of the original property and would fail to remain subordinate and result in a further loss of the garden. This application is contrary to a number of policies within the Local Plan: Part Two (November 2012) and is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed part single, part two storey rear extensions and roof alterations, by reason of their size, scale and prominence would represent incongruous additions to this property, fail to be visually subordinate to the original building, would not respect the composition of the original building and would result in a loss of garden openness. The proposals would be detrimental to the character, appearance and visual amenities of the streetscene and surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE20, BE21, BE 22, BE23, BE24 and BE38 of the Local Plan: Part Two (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 I52 Compulsory Informative (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 I53 Compulsory Informative (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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
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.
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 3.17	(2016) Health and social care facilities
NPPF7	NPPF - Requiring good design
NPPF8	NPPF - Promoting healthy communities

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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. We have however been unable to seek solutions to problems arising from the application as the proposal is contrary to our statutory policies and negotiation could not overcome the reason for refusal.

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This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

31 Frithwood Avenue is a substantial detached building that sits on a sloping site on a prominent corner bounded by Canterbury Close to the west and Frithwood Avenue to the South. The existing house is set away from the front boundary by approximately 20m. The site benefits from access to the rear, off Canterbury Close for car parking and bin storage. To the front is an area of lawn with 2 parking spaces and to the rear an area of patio and a car park with 3 parking spaces.

The existing house is used as a 12 room guest house (Use Class C1). The surrounding area is characterised by 2.5- storey residential dwellings set within generous grounds. The site is located adjacent to the Northwood - Frithwood Conservation Area. The site is subject to a Tree Preservation Order (TPO) 49.

3.2 Proposed Scheme

The proposal seeks to provide:

- a full width rear extension with a depth of 6 m and a width of 14.93m;
- a first floor extension with a depth of 5m and a width of 4.3m; and
- the repositioning and enlargement of the front and rear dormers.

3.3 Relevant Planning History

8032/APP/2004/1904 31 Frithwood Avenue Northwood

RENEWAL OF PLANNING PERMISSION REF:8032/F/98/1853 DATED 14/07/1999 : ERECTION OF A PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION, SINGLE STOREY SIDE EXTENSION AND FRONT PORCH EXTENSION TO GUEST HOUSE, INSTALLATION OF ON-SITE CAR PARKING AREA AND LANDSCAPING

Decision: 04-11-2004 Approved

8032/APP/2004/3228 31 Frithwood Avenue Northwood

PART CHANGE OF USE OF GROUND FLOOR (28m²) FROM CLASS C1 (GUEST HOUSE) TO CLASS D1(a) (NON-RESIDENTIAL) TO PROVIDE 1 CONSULTING ROOM FOR PHYSIOTHERAPY PRACTICE (INVOLVING DEMOLITION OF EXISTING KITCHEN)

Decision: 25-01-2005 Approved

8032/APP/2017/1671 31 Frithwood Avenue Northwood

Part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations and change of use from Class C1 (Hotels) to Class C2 (Residential Institutions)

Decision: 08-09-2017 Withdrawn

8032/APP/2017/3739 31 Frithwood Avenue Northwood

Part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations and change of use from a Bed and Breakfast (Use Class C1) to extra care facility comprising 13 studio units (Use Class C3)

Decision:

8032/B/88/1682 31 Frithwood Avenue Northwood

Conversion of single family dwelling into 3 1-bed room flats & 1 3-bedroom flat

Decision: 08-02-1989 Approved

8032/C/88/2505 31 Frithwood Avenue Northwood

Change of use of single family dwelling to 4 self contained flats & assoc parking

Decision: 11-11-1988 Withdrawn

8032/E/89/2437 31 Frithwood Avenue Northwood

Change of use from single family dwelling unit to guest house

Decision: 07-06-1990 Approved

8032/F/98/1853 31 Frithwood Avenue Northwood

Erection of a part two storey, part single storey rear extension, single storey side extension and front porch extension to guest house, construction of on-site car parking area and landscaping

Decision: 14-07-1999 Approved

8032/PRC/2016/110 31 Frithwood Avenue Northwood

Redevelopment of 5 flats

Decision: 15-03-2017 PRM

Comment on Relevant Planning History

This application differs from planning ref: 8032/APP/2017/3739 at No 31 Frithwood Avenue

in that this proposal does not seek the change of use of the building. This application proposal would retain the 12 room Bed and Breakfast (Use Class C1).

4. Planning Policies and Standards

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.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
- (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
 - (iii) Convenient parking spaces
 - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE18 Design considerations - pedestrian security and safety
- 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.
- 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 3.17 (2016) Health and social care facilities
- NPPF7 NPPF - Requiring good design
- NPPF8 NPPF - Promoting healthy communities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **6th February 2018**

6. Consultations

External Consultees

Letters were sent to neighbouring residents and a site notice was erected at the site. Consultation on the proposals expired on 6th Feb 2018.

One neighbouring residents wrote to Officers noting confusion between this application and a separate live planning application (ref: 8032/APP/2017/3739) which is also being considered at this address. No other letters of comment were received on this application.

Internal Consultees

TREES AND LANDSCAPING (Summary)

This site is occupied by a large detached house on a tight corner plot at the junction of Canterbury Close and Frithwood Avenue. The house has been used as a small hotel which has had a detrimental effect on the area due to the associated loss of garden space for car parking. The conifer on the front lawn is protected by TPO 49 (T38 on the schedule). I would object to the further loss of soft landscaping.

The external amenity areas are disproportionately small for the size of the building and the proposed dominance of hard surfacing and car parking is detrimental to the character and appearance of this residential area. This application should be refused. It fails to comply with saved policies BE23, BE38 or BE39.

Officer comment: No further soft landscaping is being lost to the front of this site.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The existing use of the site as a Bed and Breakfast (Use Class C1) is proposed to remain. The main issues relating to the determination of this application is its impact on the character and appearance of the original property. The principle of providing an extension is considered acceptable subject to all other material considerations being acceptable.

7.02 Density of the proposed development

Not applicable to this type of development.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this type of development.

7.04 Airport safeguarding

Not applicable to this type of development.

7.05 Impact on the green belt

Not applicable to this type of development.

7.07 Impact on the character & appearance of the area

Paragraph 64 of the NPPF (2012) states 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." London Plan Policy 7.1 sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to sustainable design and construction (5.3) are also relevant.

Policy BE13 of the Hillingdon Local Plan: Part Two (November 2012) states that new

development will not be permitted if the layout and appearance fails to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two (November 2012) seeks to ensure that development within existing residential areas complements or improves the amenity and character of the area. The design guide 'Residential Extensions' advises that extensions should always be designed so as to appear 'subordinate' to the original building.

Though the site is not situated within a Conservation Area, the immediate area is characterised by large family dwellings and generous landscaped gardens to the front and rear. This site is situated on a prominent slope and is bound by Frithwood Avenue to the south and Canterbury Close to the west and north. The proposed alterations include a substantial ground floor rear extension and a first floor extension including an enlargement of the roof space and dormers.

The ground floor level extension would comprise a depth of 6m and an overall width of 14.8m. The first floor extension is proposed to have a depth of 5m and width of 4.3m. The proposal also includes alterations to the roof extending the gable to sit flush with the rear extension at first floor level and the increase in size and width of the front and rear dormers.

Although the existing house is of limited architectural merit, the number of external alterations, the size and depth of extensions proposed under this application would fail to appear subordinate to the original property and fail to complement the design of the main house.

The site is sited on a prominent corner and the proposed extensions would be visible from Canterbury Close. The proposed extension by reason of their height, width and depth would result in a bulky addition to the original building and visually prominent from Canterbury Close. The proposal fails to accord with Policies BE13 and BE19 of the Local Plan: Part Two (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21, BE22 and BE24 seek to ensure that the design of extensions does not have unacceptable impacts on the living conditions of neighbouring properties in regard to daylight, sunlight, dominance and privacy. The policies are supported by the Hillingdon Design and Accessibility Statement: Residential Extensions.

Policy BE19 requires new development within residential areas to compliment the amenity and character of the area. The supporting text refers to the cumulative effects of development. Policy OE1 states that planning permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties.

The two storey rear extension does not breach a 45 degree line of No 33 Frithwood Avenue. Given the orientation of the building and the distance between neighbouring properties, it is considered that the proposal would not harm the amenity of neighbouring occupier through the loss of light nor would it have an over bearing impact.

This application seeks to provide obscurely glazed windows where new windows are proposed on the flank elevation. Should the application have been considered acceptable, the obscurely glazed windows would have been secured by way of a condition to mitigate

direct or perceived overlooking into the neighbouring properties and gardens. The proposal accords with Policies BE20, BE21, BE22 and BE24 of the Local Plan: Part Two (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this type of development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

This application is for various extensions and does not increase the number of rooms proposed. This application also proposes no changes to the existing car parking provision on site or other access arrangements. The proposals would not result in increased traffic impact to the detriment of pedestrian safety or the local highway network. Should the application have been considered acceptable, a condition would have been secured preventing the increase in the number of rooms at the Bed and Breakfast to ensure the proposal would have sufficient parking and no further impact on the local highway network.

7.11 Urban design, access and security

Covered in 'Impact on the character & appearance of the area'

7.12 Disabled access

Not applicable to the determination of this application.

7.13 Provision of affordable & special needs housing

Not applicable to the determination of this application.

7.14 Trees, Landscaping and Ecology

Policy BE23 of the Local Plan: Part Two (November 2012) requires extension to ensure sufficient amenity space is provided for occupants of the building and to ensure it is usable in terms of its shape and siting. Policy BE38 expects proposals to retain and utilise topographical and landscape features of merit and provide new planting and landscaping where appropriate.

It is acknowledged that the Tree Officer has commented on the landscaping to the front of the property, however the front landscaping is to remain as it is and as such a reason for refusal cannot be justified.

The area to the rear of the building is currently split into car parking with substantial hard landscaping for two cars and a small garden space. This arrangement is uncommon along Fithwood Avenue where properties are characterised by generous front and rear gardens.

The proposal seeks to provide a large ground floor extension with a depth of 6m and a width of approximately 14m. This application would result in the loss of usable amenity space and further detract from the characteristic of this area.

However, there is no requirement to provide external amenity space for Bed and Breakfast uses, therefore a reason for refusal relating to loss of amenity space could not be justified. However the loss of openness on this site, by virtue of extensions propose is deemed detrimental to the character and appearance of this residential area, contrary Policies BE23 and BE38.

7.15 Sustainable waste management

- Not applicable to this application.
- 7.16 Renewable energy / Sustainability**
- Not applicable to this application.
- 7.17 Flooding or Drainage Issues**
- Not applicable to this application.
- 7.18 Noise or Air Quality Issues**
- Not applicable to this application.
- 7.19 Comments on Public Consultations**
- No comments were received.
- 7.20 Planning Obligations**
- Not applicable to this application.
- 7.21 Expediency of enforcement action**
- Not applicable to this application.
- 7.22 Other Issues**
- Should this application be considered acceptable, a condition limiting the the Bed and Breakfast to a maximum of 12 bedrooms would be required to prevent the over intensification of use and the impact on the local highway network.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

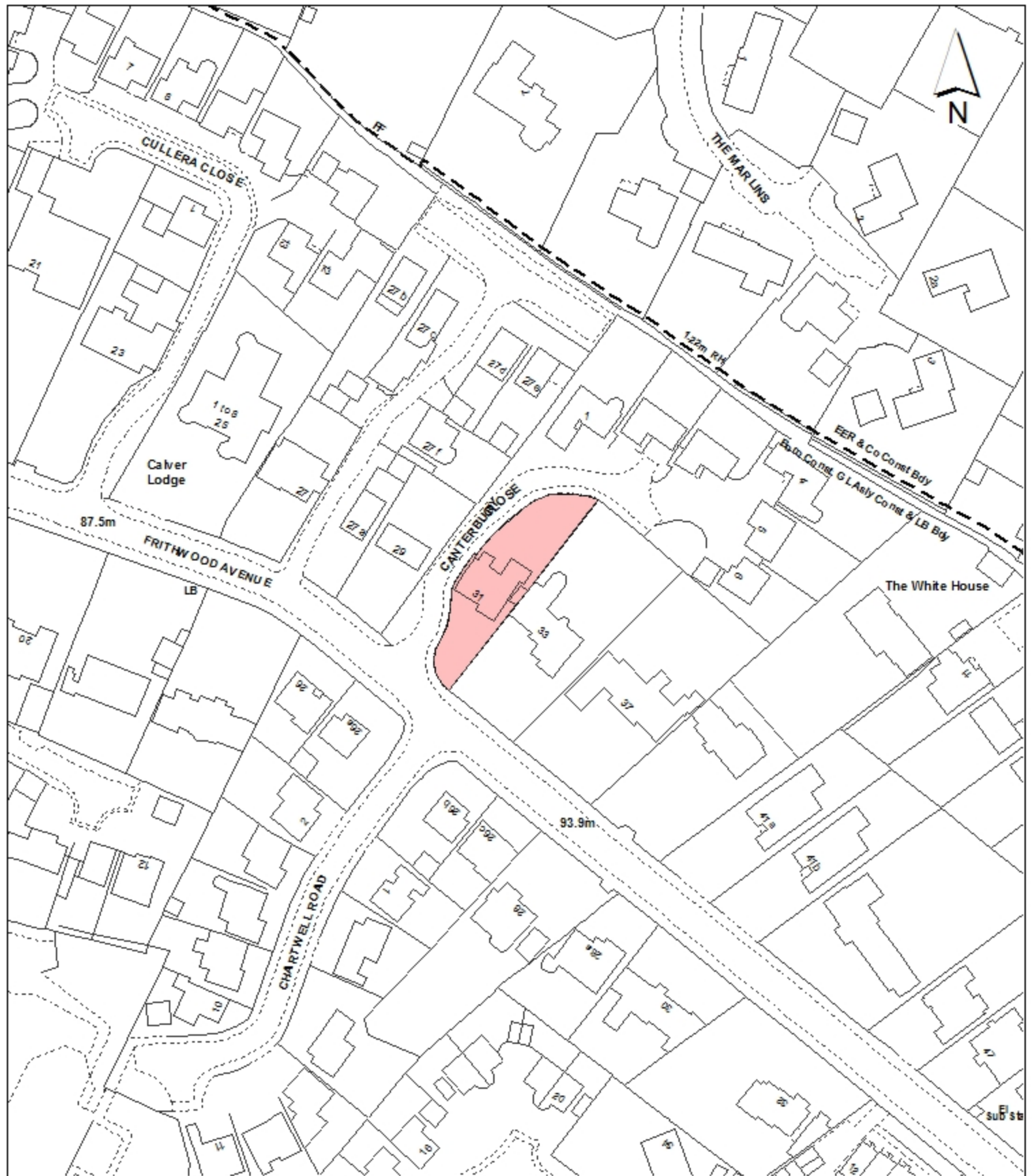
This application is for the Part two storey, part single storey side/rear extension, enlargement of roofspace involving alterations to elevations. Due to the number of extensions, size, scale, depth would significantly alter the proportions of the original property and would fail to remain subordinate and result in a further loss of the garden contrary BE20, BE21, BE22, BE23, BE24 and BE38 of the Local Plan: Part Two (November 2012).

11. Reference Documents

The Hillingdon Local Plan: Part 1 (November 2012)
Hillingdon Local Plan: Part 2 (November 2012)
London Plan (2016)
National Planning Policy Framework (2012)

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Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

31 Frithwood Avenue

Planning Application Ref:

8032/APP/2017/4601

Planning Committee:

North

Scale:

1:1,250

Date:

January 2018

LONDON BOROUGH OF HILLINGDON

**Residents Services
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
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