

Report of the Head of Planning, Transportation and Regeneration

Address 7 BREAKSPEAR ROAD NORTH HAREFIELD

Development: Part two storey, part single storey side/rear extension, including demolition of existing conservatory.

LBH Ref Nos: 69041/APP/2018/1843

Drawing Nos: 1016/P/2
1016/P/1B

Date Plans Received: 18/05/2018 **Date(s) of Amendment(s):**

Date Application Valid: 18/05/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two-storey detached property located on the North Eastern side of Breakspear Road North. It is situated towards the rear of a good sized plot, with an extensive front garden and smaller rear garden. The property currently benefits from a rear conservatory.

The street scene is residential in character and appearance comprising primarily detached properties in good sized plots. Opposite are the grounds of Harefield United football club and beyond the neighbouring property Farm View is open countryside. The application site lies within the Harefield Village Conservation Area and the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the demolition of the existing conservatory and the erection of a part two storey, part single storey side/rear extension. This is a re submission of a previously refused scheme.

1.3 Relevant Planning History

69041/APP/2013/1595 7 Breakspear Road North Harefield
Single storey side/rear extension with roof lantern.

Decision Date: 05-08-2013 Approved **Appeal:**

69041/APP/2013/462 7 Breakspear Road North Harefield
Two storey side extension

Decision Date: 22-04-2013 Refused **Appeal:**

69041/APP/2018/857 7 Breakspear Road North Harefield

Part two storey, part single storey side/rear extension, including demolition of existing conservatory

Decision Date: 30-04-2018

Refused

Appeal:

Comment on Planning History

69041/APP/2018/857 - Part two storey, part single storey side/rear extension (refused)
ENF/204/14/ - Overheight fence adjacent to highway and new access to classified road (enforcement notice issued and subsequently complied with)
69041/APP/2013/1595 - Single storey side/rear extension with roof lantern (approved)
69041/APP/2013/462 - Two storey side extension (refused)

The previous application for the two storey side extension was refused on the basis of the size and scale which was considered to be a disproportionate and incongruous addition detrimental to the character of the original dwelling and the wider Conservation Area. It was also considered the proposed layout would be detrimental to the amenities of the occupiers of Farm View.

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

4 neighbours and the Harefield Tenants and Residents Association were consulted for a period of 21 days expiring on the 30 July 2018. A site notice was also erected on the lamp post to the front. Two responses were received raising the following comments:

- I am also planning to extend my property in a similar manner. Although I have no objection to their development, there are a number of caveats;

1) There should be no objection to my proposal.

2) Any side windows should be mutually planned to ensure privacy and sufficient light.

3) The Party Wall Act will be mutually observed.

- We are in favour of the development and note the inclusion of an obscure screen to prevent overlooking. It would be good if the removal of this is not permitted unless replaced by something similar.

Officer response: Any agreement under the Party Wall Act is a civil agreement between interested parties and not a material planning consideration. Other issues raised are noted and addressed within the report.

Harefield Village Conservation Area Panel - No response.

Conservation and Urban Design - No response has been received from the Conservation Officer with regard to this proposal.

The Conservation Officer advised on the previous two storey side proposal that 'The scheme proposes to add a considerable extension to the side, forming a projecting wing as the extension would sit forward of the hall and in line with the dining area of the existing house. As such the extension would not be considered subordinate and would compete with the original elevation of the house, making it architecturally unreadable, and would ultimately detract from the appearance of the conservation area.'

Officer response: This proposal has removed this element.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

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 (2016) Quality and design of housing developments

LPP 7.8 (2016) Heritage assets and archaeology

NPPF National Planning Policy Framework

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and the availability of parking.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special

architectural and visual qualities; development should avoid the demolition or loss of such features. As such, there will be a presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. This policy reflects the relevant legal duties.

Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." Policy BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that extensions of two or more storeys should be set-in a minimum of 1.0 m from side boundary.

HDAS advises that extensions should always be designed so as to appear 'subordinate' to the original house. The width of a side extension should be considerably less than the original house and be between half and two thirds of the main house. Two storey side extensions should be set back 1 m from the boundary. This protects the character and appearance of the street scene and protects the gaps between the buildings preventing houses combining visually.

HDAS also advises that rear extensions will only be allowed where there is no significant over-dominance, overshadowing, loss of outlook or daylight. In particular, a two storey rear extension should not protrude out too far from the rear wall of the original house and should not extend beyond a 45 degree line of sight from adjacent first floor windows. If this can be achieved, then the maximum depth of 4 m for a detached property would be acceptable. Front extensions are eye catching and change the face of the building. Not only do they effect the character and appearance of the building itself but also the wider street scene.

The proposal includes a single storey rear extension, which replaces the existing conservatory. This would measure 4 m in depth, 6.6 m in width with a flat roof of 2.9 m in height. This would comply with HDAS requirements and is considered acceptable. The two storey side extension measures 3.52 m in width and 10.47 m in depth, including a rear projection of 4 m. The element is set beneath an extended ridgeline and the rear projection is set beneath a hipped roof set down 0.5 m from the main ridge. The proposed side extension would be set-in 1 m from the boundary and would be less than 2/3 rds the width of the property and would comply with HDAS requirements. This proposal has addressed the Conservation Officers previous concerns and the open porch feature to the front of the property is retained as existing which helps to define the character of the original property. As such it is considered that the proposal would respect the character and appearance of the original dwelling and the open character of the street scene and wider Conservation Area in accordance with the requirements of Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS; Residential Extensions.

Policy BE20 states that buildings should be laid out to allow adequate daylight to penetrate and amenities of existing houses safeguarded. To the North West no. 5 is set back from the shared boundary and would be separated from the proposed extension by approximately 5.5 m. It is noted that the proposal would not compromise a 45 degree line of sight from the rear first floor windows. To the other side Farm View is also set back from the application proposal by approximately 10.3 m, separated by their double garage. Given the separation distances between the proposed extensions and neighbouring occupiers and the presence of existing screening afforded by the flora and vegetation, it is considered that the proposed development would not cause any undue loss of daylight, sunlight or

visual intrusion. As such, the proposal would comply with Policies BE20 and BE21 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy BE24 states that the proposal should protect the privacy of the occupiers and their neighbours. The proposal includes one first floor window facing the front garden and one window in the side elevation facing no. 5, however this window would serve a bathroom and is shown as obscure glazed and non opening below 1.7 m. No first floor window is proposed in the rear elevation however a Juliette balcony is positioned in the side of the rear extension facing towards Farm View. In order to prevent direct views of the private amenity space immediately to the rear of that property at a distance of less than 21 m a 1 m high obscure glazed privacy screen is proposed. This would be conditioned to be permanently retained. It is therefore considered that the proposal would not significantly impact on the amenity of the neighbouring properties by virtue of loss of privacy. As such, the proposal complies with Policy BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms and those altered by the proposals would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan.

Paragraph 5.13 of Residential Extensions. HDAS: Residential Extensions requires sufficient garden space to be retained as a consequence of an extension. Approximately 88 sq.m of private garden space would be retained to the rear of the property, which is less than 100 sq.m for the resultant 4 bed property. However it is noted that the dwelling also benefits from a substantial enclosed front garden and is situated within easy access to The Green. It would therefore be unreasonable to refuse on this basis.

There is no impact on the existing parking provision as a result of this proposal.

The proposal is referred to Committee for decision due to the previously issued Enforcement Notice, which does not relate to this proposal.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

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

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 1016/P/1B.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 HO4 Materials

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 and shall thereafter be retained as such.

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 BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 walls or roof slopes of the development hereby approved facing Farm View and 5 Breakspear Road North.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

5 HO6 Obscure Glazing

The privacy screen fixed to the top of the parapet above the single storey extension shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and shall be retained for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

6 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

- 1 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.
- 2 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).

- 3** 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

- 4** 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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
PT1.HE1	(2012) Heritage

Part 2 Policies:

AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
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	(2016) Quality and design of housing developments
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework

- 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.

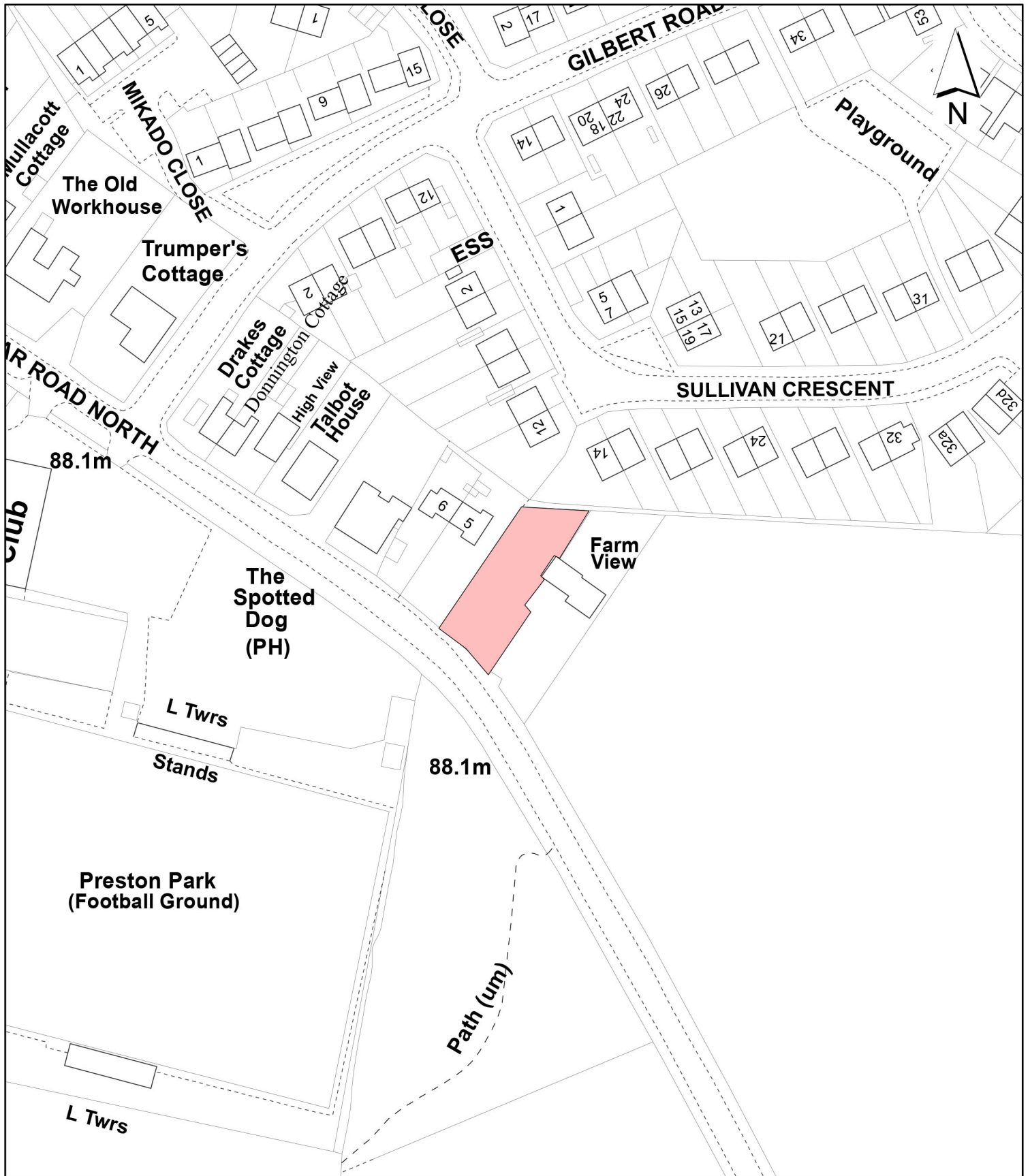
10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result 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: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**7 Breakspear Road
 North Harefield**

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

Planning Application Ref:
69041/APP/2018/1843

Scale:
1:1,250

Planning Committee:
North

Date:
August 2018

