

Report of the Head of Planning, Transportation and Regeneration

Address 37 FAIRFIELD ROAD UXBRIDGE

Development: Part two storey, part single storey side/rear extension, single storey side extension, conversion of roofspace to habitable use to include 2 front dormers and 2 rear dormers

LBH Ref Nos: 20855/APP/2019/2072

Drawing Nos: P101
P102
P103
P201
P301 Rev. A
P401

Date Plans Received: 19/06/2019

Date(s) of Amendment(s):

Date Application Valid: 24/06/2019

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises a two storey detached house located on the Southern side of Fairfield Road which lies within the Developed Area and North Uxbridge Area of Special Local Character (ASLC) as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has a single storey garage to the side and sits within a mature and verdant plot. The principal elevation faces North East.

1.2 Proposed Scheme

The application seeks planning permission for a part two storey, part single storey side/rear extension, single storey side extension and conversion of roofspace to habitable use to include 2 front dormers and 2 rear dormers.

1.3 Relevant Planning History

20855/APP/2016/4494 37 Fairfield Road Uxbridge

Two storey side and part single, part two storey rear extension and conversion of roof space to habitable use to include 2 rear dormers

Decision Date: 20-04-2017

Refused

Appeal:

20855/APP/2017/4223

37 Fairfield Road Uxbridge

Two storey side and part single storey, part two storey rear extension and conversion of roof space to habitable use to include 2 rear dormers

Decision Date: 26-01-2018

Refused

Appeal:09-JUL-18

Dismissed

20855/APP/2018/4118

37 Fairfield Road Uxbridge

Two storey side and part single storey, part two storey rear extension and conversion of roof

space to habitable use to include 2 rear dormers and 2 front dormers

Decision Date: 07-03-2019 **Approved** **Appeal:**

20855/PRC/2015/95 37 Fairfield Road Uxbridge

Two-storey rear extension and conversion to four x 2 bed flats and two x 1 bed flats

Decision Date: 10-09-2015 **NO** **Appeal:**

20855/PRC/2017/95 37 Fairfield Road Uxbridge

Construction of 9 apartments

Decision Date: 02-08-2017 **OBJ** **Appeal:**

Comment on Planning History

Planning permission was granted under application reference 20855/APP/2018/4118 for two storey side and part single storey, part two storey rear extension and conversion of roof space to habitable use to include 2 rear dormers and 2 front dormers. The current application seeks amendments to this approval to include:

1. The addition of a single storey side extension to the north west elevation which would increase the width of the previously approved rear extension by 1.35m
2. An increased depth of the single storey rear extension by 1m

20855/APP/2017/4223 for a two storey side and part single storey, part two storey rear extension and conversion of roof space to habitable use to include 2 rear dormers which was refused for the following reasons:-

1. The proposed extensions, by reason of their overall size, scale, bulk, width and design, including a large crown roof, introducing a roof form substantially different to that of the original and adjoining properties, would result in a disproportionate and incongruous addition that would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the wider North Uxbridge Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, 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. The proposed single storey side/rear extension, by virtue of its excessive depth when combined with the other proposed additions, would result in an incongruous addition which would be detrimental to the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the wider North Uxbridge Area of Special Local Character, contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, 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.

The application was subsequently dismissed at appeal.

It is noted that the property was the subject of an enforcement notice in respect of a

previous business use of the application property.

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

11 neighbouring properties were consulted by letter dated 26.6.19 and a site notice was displayed to the front of the site which expired on 26.7.19.

1 letter of objection has been received raising the following concerns:

1. The proposal breaches guidance contained within HDAS. The proposed single story side and rear extension has been further extended in the Planning Application. Together with other proposed additions, its excessive depth it is an incongruous addition which is detrimental to the architecture of the original building and to the wider North Uxbridge Area of Special Local Character. Fairfield Road is an Area of Special Local Character and the bulk of the proposed extension results in a disproportionate addition that does not match the architectural composition of the current building and would be detrimental to the North Uxbridge Area of Special Local Character.

2. Crown roofs are not a traditional feature of the local street scene

3. The silhouette of the current property is significantly altered and is detrimental to the existing street scene

4. By replacing the single storey side structure with a two storey structure, the proposal has a detrimental impact on the street scene. What are currently clearly two detached residences will be replaced by a street scene that appears to be a terrace. In conjunction with previous development at 35 Fairfield Road, the previous street scene of detached properties is superseded by over developed properties in very close proximity to one another fundamentally changing the appearance of the Area of Special Local Character. Hillingdon's Design and Accessibility Statement (HDAS) states that the width and height of the extension should be considerably less than that of the original dwelling. In a number of ways the extension is over dominant.

5. The proposal replaces a single story garage with an over dominant two storey structure that is two thirds of the width of the original house.

6. The footprint of the house has nearly trebled

7. The depth of the rear extension seems to be in excess of the HDAS guidance. If approval is given for the development, I would request that provisions are made for the following: To support BE24 regarding privacy, require retention of existing hedging to the front and side of the property - Imposition of Tree Protection provisions - As the area is residential, restrict working hours to Monday to Friday, 09:00 to 17:30 to restrict noise nuisance.

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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
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.
DMHB 1	Heritage Assets
DMHB 5	Areas of Special Local Character
DMHD 1	Alterations and Extensions to Residential Dwellings
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new development within Areas of Special Local Character (ASLC) to harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE15 of the Hillingdon Local Plan:

Part Two - Saved UDP Policies (November 2012) require alterations and extensions to harmonise with the scale, form, architectural composition and proportions of the original building. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The Council's HDAS: Residential Extensions SPD states that extensions should always be designed so as to appear subordinate to the original house; rear extensions will only be allowed where there is no significant over-dominance, overshadowing, loss of outlook and daylight. In particular, the extension should not protrude out too far from the rear wall of the original house; rear extensions to detached houses should not exceed 4 m beyond the rear wall. Also, the first floor should not extend beyond a 45 degree angle. With regard to side extensions, these are required to appear subordinate and not exceed two thirds the width of the original dwelling. A gap of 1 m should also be retained to the side boundary.

This current application is a revision to a similar application which was recently approved (Ref: 20855/APP/2018/4118 - reported to committee on the 7th March 2019). The differences relate to the ground floor accommodation and involve the addition of a side/rear extension to the north western elevation at a width of 1.35m and an increased projection of the rear extension by 1m. The principle issues to consider therefore are whether the additional side/rear extensions would detract from the architectural integrity of this dwelling, which lies within the North Uxbridge ASLC and whether the changes would result in an unacceptable loss of residential amenity.

The proposed side extension would increase the spread of development across the site at ground floor level by 1.35m. A gap of 1.525m would be retained to the side boundary which is considered to reflect the layout of development within the streetscene. The proposed additional side/rear extension is not considered to detract from the architectural integrity of the host dwelling. The rear extension would also be extended by 1m in depth. The Inspector previously accepted the scale and visual impact of the single storey rear extension. Given the scale of the plot and its public visibility, it is considered that an additional metre in projection would not cause sufficient harm to justify a refusal of planning permission. As a result it is considered that the proposed amendments would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMHB5 of the Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019).

The submitted plans demonstrate that the additional single storey side/rear extensions will not breach the 45 degree line from rear facing windows at number 39 Fairfield Road. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

In terms of the garden area at least 100 sq.m of rear private garden should be retained to provide adequate amenity space for a 4+ bedroom dwelling. The resultant amenity space

would be over 100 sq.m which would be in excess of the paragraph 3.13 HDAS requirement. The proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan Part 2.

The parking provision would remain unaffected by the proposal.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The landscape officer raised no objection in respect of the previous scheme, subject to the imposition of tree protection condition. It is therefore recommended that a tree protection condition be imposed on this planning permission.

The application is recommended for approval.

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, numbers P301 Rev. A and P401.

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) 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 35A

or 39 Fairfield Road.

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 bathroom windows facing 35A and 39 Fairfield Road shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be 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 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)

7 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (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).

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:

AM7	Consideration of traffic generated by proposed developments.
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AM14	New development and car parking standards.
BE5	New development within areas of special local character
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

- 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: Nicola Taplin

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

37 Fairfield Road

Planning Application Ref:

20855/APP/2019/2072

Planning Committee:

Central & South

Scale:

1:1,250

Date:

September 2019

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



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