## **Report of the Head of Planning & Enforcement**

Address 40 ELGOOD AVENUE NORTHWOOD

**Development:** Single storey rear extension with 2 rooflights, first floor side extension, front porch, conversion of integral garage to habitable space with new window to front and enlargement/alterations of existing loft space to include 1 rooflight to side and juliette balcony and new gable end window to rear.

LBH Ref Nos: 2276/APP/2010/811

Drawing Nos: BL/2010/4 BL/2010/5 BL/2010/3 BL/2010/1 BL/2010/2

Date Plans Received:09/04/2010Date Application Valid:19/04/2010

Date(s) of Amendment(s):

## 1. CONSIDERATIONS

## 1.1 Site and Locality

The application site comprises a large extended detached property with a 15.5m (w) west facing rear garden. The nearest neighbour, No.38 has a two-storey side extension up to the boundary with the garage to No.40. Neighbouring properties opposite have also been extended, but are separated by generous front gardens and the highway width of the Elgood Avenue. The application site is adjacent to Tree Preservation Order\_171, lies within the Gate Hill Farm Estate Area of Special Local Character and a developed area as identified in the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

## 1.2 Proposed Scheme

The application seeks planning permission for the following:

Front porch:

The proposed front porch with portico would have dimensions of 2.68m (w) x 3.44m (d) x 2.4m eaves - 3.3m (h) to the ridge.

Conversion of integral garage:

The garage would be converted to a downstairs bedroom with en-suite with a new front matching window and integral access.

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First floor side extension:

The proposed development is for a first floor hipped roof extension above an existing garage to provide an enlarged third bedroom. Its dimensions would be 2.55m (w) x 4.85m (d) x 5.5m eaves - 8.5m ridge (h) with single windows front and rear.

Single storey side and rear extension:

The application also proposes a flat roofed single storey side to rear extension combined with a part flat roofed and mono-pitched roofed, with roof-lights, rear extension with no side windows but 3 sets of bi-folding French doors opening onto the garden from extended lounge and family room. Its dimensions would be 14.2m (w) x 3.65m (d) x 2.95m (h) with the mono-pitch section being 2.5m (eaves) - 3.4m (apex).

Rear conjoined gable to second-floor/roof with Juliette balcony:

The planning permission for the loft conversion to the property provided additional bedrooms but it would appear that the fourth bedroom French doors facing No. 38 were never installed and instead a rear facing roof-light provides the only light to bedroom 4 whilst there is a dormer window to bedroom 5 and a side roof-light. It is proposed, therefore, to extend the rear staggered rear elevations providing a conjoined Dutch gable wall to both sections of the staggered rear elevation moving the dormer window to bedroom 5 rearwards and installing rear facing French doors with a Juliette balcony to bedroom 4.

## 1.3 Relevant Planning History

2276/B/89/1247 40 Elgood Avenue Northwood

Erection of a part two storey, part single storey rear extension and construction of room in roofspace with dormer window to rear elevation

Decision Date: 16-02-1990 Approved Appeal:

## Comment on Planning History

APP 2276/C/90/4579 - single and two-storey extensions and loft conversion approved 16/10/1990.

## 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

## EXTERNAL:

16 neighbours, Northwood, Northwood Hills and Gate Hill (Northwood) Residents Associations consulted. Four letters, including one from the Gatehill (Northwood Residents Association, received objecting to the proposal on the following grounds:-

1) The proposed porch, by reason of its size, design and forward projection beyond the front wall would represent an incongruity, be visually intrusive and would detract from the

appearance of the original house, the street scene generally and the character and visual amenities of the Gatehill Farm Estate of Special Local Character.

2) The existing garage projects forward from the line of the house and the prospective change of use to a habitable room with a window on the front facing the road nearby would represent an incongruity, be visually intrusive and would detract from the appearance of the original house and garage, the street scene generally and the character and visual amenities of the Gatehill Farm Estate of Special Local Character.

3) Concerns about the prospective 1st floor extension to be situated upon the adjoining existing wide garage and part rear extension, which abut the neighbouring 2 storey No.38 Elgood Avenue. Currently there are attractive views from Elgood Avenue to the trees to the rear of these properties over the flat roof of the garage which is a particular feature of the Gatehill Farm Estate. In addition the existing gap enables welcome sunshine and light to flow though to the garden of No.38 in the early morning which otherwise has some shadow later from No.40 and its existing extensions. Not only will the prospective 1st floor extension extensively block the above views but will effectively provide a terraced effect making a virtual semi-detached appearance of bulk and dominance, which would present an alien feature not seen anywhere else on these older private roads of the estate. Any morning sunshine and light of course would also be blocked to the immediate rear amenity space of No.38.

The proposed first floor extension fails to harmonise with the existing house and introduces a strong horizontal emphasis to the property that does not empathise with the scale proportion and composition of the original property. Furthermore, the extension would provide a built-up appearance to the original house and be detrimental to the current open and spacious nature of the site and this part of the Gatehill Farm Estate.

4) Significant concerns also raised with the proposed further ground floor extension pushing down the garden, in addition to that existing of over 4 metres which was sanctioned in 1990. The extension existing is already dominant and affecting the amenity space of No.38 with the wall of the existing extension on the boundary with No.38 extending beyond the 45 degree angle from the french windows of the lounge at No.38. Any additional extension at all to the rear of No.40 will provide a boxed, enclosed feeling to the amenity space of No.38, extend further their lack of views to the south west from their lounge windows and outside area and together with the proposed 1st floor extension provide a dominant, walled boundary affecting the private life and amenity of any occupants of No.38.

5) The prospective works to the front garden to provide additional hard standing will mean destruction of shrubs, grass and greenery. Hard surfacing of front gardens to provide new or additional off-street parking can be detrimental to the local streetscape and character of an area and we believe this would be the case in this Area of Special Local Character

6) This is altogether an un-neighbourly application which would be to the detriment of the Gatehill Farm Estate of Special Local Character.

7) Potential overloading of the sewage system, of parking in the turning head, late night parties and rubbish being strewn outside the property.

8) Loss of privacy from the proposed window in the rear of the first floor extension.

9) The present garage roof of 40 Elgood Avenue is attached to No.38 by roofing felt and therefore already encroaches over the boundary line and in effect joins the detached properties. Concerned about damage to No.38 if this is removed. There also does not appear to be adequate room between the buildings for guttering.

10) The new, larger, rear roof extension would tower above the sloping angle of the existing rear roof and would very much affect the view from rear bedroom windows and the light into that bedroom and will also cause an even more dominating presence over the rear of our property and could affect the light coming into our garden.

11) The property at 40 Elgood Avenue has already been substantially extended in 1990 the effect of which already represents a disproportionately dominating feature against our house. The unusual position of the property set back from the road and at an angle to our house should also be taken into consideration as any further rear or side extension would be particularly intrusive to the enjoyment of our property.

A 24 signature petition has been received opposing the proposal on the basis of loss of amenity to the occupiers of No.38 Elgood due to terracing effect of first floor addition, dominant enclosure of amenity space and adverse effect on trees and greenery of the Gate Hill Farm Estate.

## INTERNAL:

### Conservation Officer:

Background: This is a simply designed large detached house, built in 1960's within the Gate Hill Estate Area of Special Local Character. Whilst modern, the style and design of the house relates well to the area which is characterised by large individually designed 1930's houses with wide frontages set within generous plots.

Comments: The submitted drawings are incorrect, as the first floor plan does not show the proposed single storey rear extension or the front porch.

The house has been extended in the past with a large single storey and part two storey rear extensions. The resulting rear elevation appears incoherent with a very large crown roof and a gable end. This has largely compromised the original design and simple form of the house. The current scheme proposes a further single storey rear extension along with a Juliet balcony to the loft and a two storey element to the side.

The proposed rear extension would be considered 'second generation' extension and the resulting depth would exceed the guidance in HDAS (paragraphs 3.4 and 3.5) when taken together with the existing extension. It would be, therefore, unacceptable in principle.

In addition, the proposed Juliet balcony to the rear would give the appearance of an additional floor, which would be detrimental to the architectural integrity of the original house, and would relate poorly to the main house in design terms. It is, therefore, unacceptable.

To the side, the proposed first floor extension sits over the existing garage and whilst slightly set back from the main frontage, the extension would close the visual gap between this and the neighbouring property. This would have a significant detrimental impact on the character and street scene of the area. Given the projecting garage, the first floor extension would relate poorly to the flat roof section of the same. It is, therefore, unacceptable.

To the front, the scheme proposes a very deep porch, classical in appearance which does not reflect the style and design of the property and fails to appear subordinate to the main house. It is, therefore, unacceptable.

Recommendation: Given the planning history of the site there is very little scope of extending this property further. Complete demolition of the earlier and rebuilding a new extension in accordance with the HDAS may lead to a more cohesive design. The first floor side extension should be further set back from the main house. A simply designed porch, as existing may be considered more appropriate.

### CONCLUSION: Unacceptable.

### Trees and Landscapes Officer

The plans show several numbered trees on site, however there is no tree report to refer to. There are no protected trees on site, however there is a mature Oak and Hornbeam (both protected by TPO 171) to the rear (off site) and a non-protected hornbeam located in the rear garden. Given that the root protection zones of these trees will fall inside the rear lawn of this property, protective fencing should be erected across the garden (12m from the rear of the house) during construction. Norway Spruce (T1) is close to the proposed extension, however the tree is not a constraint to development.

The plans should be amended to show all trees as retained and the species should also be added (T1 -Norway Spruce, T2, stump, T3 - Hornbeam, T4 - Hornbeam, T5 - Oak, T6 - Sycamore, T7 - Lawson Cypress). Furthermore, the protective fencing should be shown as detailed above.

Subject to these amendments and conditions TL1, TL2 and TL3 (amended to remove section asking for details of fencing), this scheme is considered acceptable in terms on Saved Policy BE38 of the UDP.

#### 4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates 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.

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- 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.
- BE39 Protection of trees and woodland tree preservation orders
- AM14 New development and car parking standards.
- HDAS Residential Extensions Sections 3, 4, 5, 6, 7, 8 and 11
- CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
- LPP 4A.3 London Plan Policy 4A.3 Sustainable Design and Construction.

## 5. MAIN PLANNING ISSUES

The main considerations are design and impact of the proposed extension on the existing property and the wider street scene taking into account its visual effect whether this would preserve or enhance the character or appearance of the local area, the impact upon the amenities of adjoining occupiers, the reduction in the size of the rear garden as a result of the proposed extension and car parking provision.

Front porch:

In terms of design and appearance, the proposed porch would have a classical appearance that does not reflect the style and design of the property. It would also have an overall projection of 3.44m (d) beyond the existing front building line, some 2.44 metres greater than the 1m (d) recommended by HDAS: Residential Extensions. It would, therefore, be overly deep, not subordinate and would not be in harmony with the design features and architectural style that are predominant in the area and would not sit comfortably with the front elevation to the property which has already been disturbed by the front projection of the garage. Overall the proposed porch would, therefore, be an overbearing, dominant and disproportionate addition to the property harmful to the appearance and character of the neighbouring Area Of Special Local Character compromising Policies BE5, BE13, BE15 and BE19 of the adopted UDP (Saved Policies September 2007) and Section 8 of the HDAS: Residential Extensions.

## Conversion of integral garage:

It is considered that the proposed removal of the garage door and its replacement with a matching casement window above a shallow brick wall would not result in a conspicuous and visually intrusive development with any consequent harm to the street scene nor cumulatively damage the existing character of the surrounding neighbourhood. The provision of an internal door from the main dwelling house would ensure that the conversion, being physically linked, would form an integral part of the existing house. In terms of visual impact, the conversion would not cause unacceptable harm to the character and appearance of the property and the street scene in general, satisfying Policies BE5, BE13, BE15 and BE19 of the adopted UDP (Saved Policies September 2007) and Section 9 of the HDAS: Residential Extensions.

First floor side extension:

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In terms of design and appearance, for detached properties there is at HDAS Paragraph 5.7 no requirement for a set back from the front elevation or a set down from the main ridgeline but the proposal incorporates both. Consequently, relative to the remainder of the house, the proposed narrow first floor addition would be set back from the front elevation, appearing to be both balanced and visually subordinate to the property. Moreover, No.40 does not occupy a particularly prominent position being set back from the highway and hidden by the two storey side extension to No.38. However, because of the proximity of this two-storey side extension to the boundary, the indicated 1m (w) gap would be insufficient as it would not protect the gap between properties and would result in them combining visually to form a terraced appearance. HDAS at Paragraph 5.1 requires a minimum of 1.5m (w) from the flank wall of a first-floor extension and in the case of properties within the Gate Hill Farm Estate Policy BE22 requires that a gap of 1.5 metres from the boundary should be maintained for the full height of the building. As a result of the proposed side extension, the neighbouring properties would appear to coalesce having a significant detrimental impact on the street scene and character of the area. The proposed development would not be in harmony with the design features and architectural style that are predominant in the area, causing unacceptable harm to the visual amenity and character of the street scene within this Area of Special Local Character, thereby compromising Policies BE5, BE13, BE15, BE19 and BE22 of the adopted UDP (Saved Policies September 2007) and Section 5 of the HDAS: Residential Extensions.

Single storey side and rear extension:

At 3.65m (d) the proposed side/rear extension would only just exceed the 3.6m (d) of the HDAS guidance at paragraph 3.4 for single storey rear extensions, but would be less than the 4m (d) for two storey rear extensions to detached properties. In isolation, given the size of the property and the extensive rear garden, the scale, design, layout and appearance of the proposed single storey rear extension would be subordinate to the main house. However, in terms of design and appearance the proposed rear extension would be considered to be a second generation extension and the resulting depth would exceed the guidance in HDAS (paragraphs 3.4 and 3.5). When taken together with the existing extension, it would no longer appear subordinate to the original dwelling-house, causing harm to the overall appearance of the original building and the character and appearance of the area in general. In view of these factors, it would therefore, be unacceptable in principle and would cause unacceptable harm to this Area of Special Local Character contrary to Policies BE5, BE13, BE15, and BE19 of the adopted UDP (Saved Policies September 2007) and Sections 3 and 4 of HDAS: Residential Extensions.

Rear conjoined gable to second-floor/roof with Juliette balcony:

In terms of design and appearance the property has been extended in the past with a large single storey and part two storey rear extensions. The resulting rear elevation appears incoherent with a very large crown roof and a gable end. This has largely compromised the original design and simple form of the house. The current scheme proposes a further single storey rear extension along with a Juliette balcony to the rear that would give the appearance of an additional floor, which would be detrimental to the architectural integrity of the original house, and would relate poorly to the main house in design terms. The proposed development would, therefore, neither be subordinate nor in scale and proportion to the main property such that it would cause harm to the overall appearance of the original building and the character and appearance of the area in general compromising Policies BE5, BE13, BE15 and BE19 of the adopted UDP (Saved

Policies September 2007) and Sections 6 and 7 of the HDAS: Residential Extensions.

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 4A.3 of the London Plan (2004).

With regard to the impact upon the amenities of the occupiers of adjoining properties, the nearest property affected by the proposed development would be No.38 Elgood Avenue. The occupiers of this property would be affected in terms of their outlook from the patio doors to their lounge. Due to the west facing orientation of the properties, overshadowing will already be an issue that is unlikely to be materially aggravated by the proposed development.

For side extensions HDAS guidance applies the same principle as for rear extensions indicating that for the rear extension element planning permission may be given if the proposed development does not result in a loss of daylight, sunlight or outlook to neighbouring properties and where the extension does not extend beyond a 45° line of sight taken from the middle of the nearest window of a kitchen or habitable room of a neighbouring property. Consideration, therefore, has to be given as to whether the proposed extension would extend beyond a 45° line of sight taken from the middle of the nearest window of a neighbouring property and whether the proposed extension would extend beyond a 45° line of sight taken from the middle of the nearest window of a neighbouring property and whether the proposed extension would result in a significant reduction in the level of amenity that an existing or future occupier of the property could reasonably expect to enjoy.

With regards to the occupiers of No.38 Elgood Avenue, the proximity of the south-side elevation proposed side/rear extension would, because of the acute angle between their rear elevation and the side elevation of No.40 Elgood Avenue, would mean that the proposed side/rear extension to No.40 would lie within the 45° vision splay from the patio window to their lounge. The existing ground floor side extension, however, is already visible from the patio doors and any second-generation extension to that would have a further harmful and detrimental impact on the view from the property. It is considered, therefore, that the elongated flank wall adding an additional 3.65m (d) would create an overbearing and oppressive tunnelling effect to views from the property which would be severely detrimental to their outlook. Consequently, there would be significant adverse impact causing unacceptable harm and material loss of outlook for the occupiers of No.38 Elgood Avenue, thereby, compromising Policy BE21 of the adopted UDP (Saved Policies September 2007) and Sections 3 and 4 of the HDAS: Residential Extensions.

With regard to privacy, the introduction of a rear window to the first floor side extension, this window, compared to the other windows of the staggered rear elevation would be set back and as a consequence due to its elevated position elevation would allow a view of No.38's rear garden beyond approximately 4m (d) from their rear elevation. However, the windows in the existing rear elevation of the property allow similar views to the rear garden of No.38 and given that privacy to the patio area immediately adjacent to the rear of No.38 is not compromised, the proposed bedroom window to the first floor side extension for No.40 would not cause an unacceptable degree of overlooking such that it would be contrary to Policy BE24 of the adopted UDP (Saved Policies September 2007) and Section 5 of the HDAS: Residential Extensions.

To the rear of No. 40 Elgood Avenue is Ellesselle, a detached property. When considering the possibility of overlooking HDAS Sections 6 + 5 for two storey rear/side extensions at Paragraphs 6.12 and 6.13 advocates that the distance should not be less than 21 metres

between facing habitable room windows and may need to be greater for living rooms whereas Paragraph 5.14 for first floor extensions requires a minimum of 24 metres for side extensions from habitable room window to patio window.

The depth of the rear garden to No.40 Elgood Avenue is 21 metres from the rear building line and approximately the same distance again for the rear garden of Ellesselle in combination exceeding 24 metres. As none of the proposed and repositioned rear windows would be any closer than the existing rear elevation, the introduction of conjoined rear Dutch gable second floor elevations would not, affect the privacy of the occupiers of Ellesselle to any great extent than at present, thereby, satisfying Policy BE24 of the adopted UDP (Saved Policies September 2007) and Sections 5, 6 and 7 of the HDAS: Residential Extensions.

In terms of the garden area for a 5 bed-roomed property, there should be at least 100m2 of rear garden retained to provide adequate amenity space. The residual rear garden would have an area well in excess of 330m2 thus complying with Policy BE23 of the adopted UDP (Saved Policies September 2007) and Sections 3, 4, 5, 6 and 7 of the HDAS: Residential Extensions.

There would be off street parking provision for 4+ vehicles within the front driveway to the property using porous materials, thus satisfying parking standards and complying with Policies AM14 and of the adopted UDP (Saved Policies September 2007) and Section 11 of the HDAS: Residential Extensions.

Despite the Tree Preservation Order\_171, the proposed development would not adversely affect any trees covered by the order and, therefore, there are no landscaping issues to compromise Policies BE38 of the adopted UDP (Saved Policies September 2007).

## 6. **RECOMMENDATION**

## **REFUSAL** for the following reasons:

## 1 NON2 Non Standard reason for refusal

The proposed front porch, by reason of its size, scale and bulk would result in a dominant and incongruous addition failing to harmonise with the design, style, scale, form and architectural integrity of the original dwelling to the detriment of the character and appearance of the existing house, the street scene and the visual amenities of the Gate Hill Farm Estate Area of Special Local Character. The development is, therefore contrary to Policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

## 2 NON2 Non Standard reason for refusal

The proposed first floor side extension by failing to maintain sufficient separation between neighbouring properties and relating poorly to the flat roofed forward projecting garage would have a significant and detrimental impact on character and appearance of the original property and the visual amenities of the Gate Hill Farm Estate Area of Special Local Character. The development is, therefore, contrary to Policies BE5, BE13, BE15, BE19 and BE22 of the adopted UDP (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

# 3 NON2 Non Standard reason for refusal

The proposed rear gable end would neither be subordinate nor in scale and proportion to the main property and would result in a dominant and incongruous addition failing to harmonise with the design, style, scale, form and architectural integrity of the original dwelling to the detriment of the character and appearance of the existing house, the street scene and the visual amenities of the Gate Hill Farm Estate Area of Special Local Character. The development is, therefore contrary to Policies BE5, BE6, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

# 4 NON2 Non Standard reason for refusal

The proposed single storey side/rear extension, by reason of its size, scale and bulk would result in an overbearing and visually intrusive development causing harm to the visual amenity of adjoining occupiers and resulting in an unacceptable loss of outlook. The development is, therefore, contrary to Policy BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

## INFORMATIVES

## **Standard Informatives**

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance: **Policy No.** 
  - BE5 New development within areas of special local character
  - BE6 New development within Gate Hill Farm and Copsewood Estates 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.
- BE39 Protection of trees and woodland tree preservation orders
- AM14 New development and car parking standards.
- HDAS Residential Extensions Sections 3, 4, 5, 6, 7, 8 and 11
- CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
- LPP 4A.3 London Plan Policy 4A.3 Sustainable Design and Construction.

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