

Report of the Head of Planning, Transportation and Regeneration

Address 55 NORTHWOOD WAY NORTHWOOD

Development: Single storey outbuilding to rear for use as a gym/games room

LBH Ref Nos: 27224/APP/2020/2978

Drawing Nos: 2018/03 -01OBC
2018/03 -02OBC

Date Plans Received: 18/09/2020 **Date(s) of Amendment(s):**

Date Application Valid: 18/09/2020

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a semi-detached property situated on the northern side of Northwood Way. The property has a pebbledash finish, set beneath a hipped roof, with an attached garage to the side. There is a landscaped garden to the front, with a driveway to one side providing an additional parking space. There is a large elongated garden to the rear.

The street scene is residential in character and appearance comprising two storey properties. To the rear the garden abuts the rear garden of no. 40 Elgood Avenue, which is set at a slightly higher land level.

1.2 Proposed Scheme

The application seeks planning consent for the erection of a single storey outbuilding to the rear of the property for a gym/games room.

1.3 Relevant Planning History

27224/79/1434 55 Northwood Way Northwood

Householder dev. (small extension, garage etc) (P)

Decision Date: 09-10-1979 Approved **Appeal:**

27224/APP/2018/1343 55 Northwood Way Northwood

Conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 03-05-2018 Approved **Appeal:**

27224/APP/2018/1361 55 Northwood Way Northwood

Conversion of roofspace to habitable use to include a rear dormer, 2 front rooflights, and conversion of roof from hip to gable end with a new gable end window

Decision Date: 13-06-2018 Refused **Appeal:**

27224/APP/2018/1815 55 Northwood Way Northwood

Single storey rear extension, porch to front and conversion of integral garage to habitable use, involving alterations to front elevation

Decision Date: 07-08-2018 **Approved** **Appeal:**

Comment on Planning History

There have been previous applications for the conversion of the loft space and a single storey rear extension, a porch to the front and the conversion of the garage to habitable use. These do not appear to have been implemented.

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

5 neighbours and the Gatehill Residents Association were consulted for a period of 21 days expiring on the 13 October 2020. 5 responses were received raising the following issues:

- The building will be within 1m of the boundary and exceed 3.5m in height, in excess of 2.5m maximum for a building within 2m of a boundary
- Loss of light
- Impact on the visual amenity of my house
- Contravenes the 45 degree rule
- Loss of outlook
- Noise and disturbance
- Excavation works causing slippage from my land in the garden
- Works commenced without consent
- Plans misleading and misrepresents the closeness of the outbuilding to my property
- Not being building in accordance with the plans
- Overbearing
- Out of keeping with the character of the area
- Impact on security of neighbouring property
- Set a precedent
- Impact on the trees and green space of the neighbourhood
- Impact on the water table in the gardens
- Materials out of keeping

Officer comment: A number of representations query whether the submitted plans fully correspond with what is being built on site. This partly relates to how close to the rear boundary the outbuilding is and how accurate the location plan is. The rear boundary is not completely straight. Any possible minor discrepancies in measurements (should this apply) are not considered to have a bearing on the determination of the application; as the impact on No.40 (as referenced by many neighbours and in all 3 Resident Association comments below) is unambiguously harmful.

A petition against the proposal with 27 signatories was also received.

Northwood Hills Residents Association - Over dominance and the adverse impact on daylight and sunlight on the property known as 40 Elgood Avenue. The design of the proposed outbuilding is out of scale with similar outbuildings in the area and out of

character with the building known as 55 Northwood Way. If approved there would be a clear loss of outlook on property known as 40 Elgood Avenue which it should be noted is situated in the Gatehill Estate conservation area. The outbuilding would be less than one metre from the boundary perimeter There is a lack of detail regarding soundproofing. Any egress of sound would have a detrimental impact 40 Elgood Avenue. We strongly request this application be refused and that as work has already commenced a site visit by you and or enforcement officers as quickly as possible.

Northwood Residents Association - The outbuilding is just 0.7 metres from the boundary and 3.6 m high and just a few metres from the living room of 40 Elgood Avenue, and rather closer than is shown on the location plan attached to the application. Hence there is a significant impact on 40 Elgood Avenue. Its bulk will be over dominant and impact on the light and outlook, and breaches the 45 degree rule with the measurement taken from the middle of the living room window. Noise could also be an issue. It appears the materials do not comply with the stated intention to match the materials of the house, which is supposed to be brickwork. In our view the proposal breaches DMHB 11 B), DMHB 2 i), and paragraph A1.34

Gatehill Residents Association (summary of a detailed objection which include plans and photos to demonstrate the harm caused from the proposal on the amenity of 40 Elgood Avenue):

We ask you to refuse this application and ensure that the construction work which has already taken place is removed and the land returned to its original form. We believe that the outbuilding, due to its size and siting is detrimental to the amenities of 40 Elgood Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook and is an un-neighbourly form of development. It is contrary to part B) of policy DMHB 11 and part i) of policy DMHB 2.

Internal Consultees

Tree/Landscaping Officer - In view that the trees formerly in the site have been removed, there is no tree issue. If you are minded to approve the application, a landscape condition should be imposed to secure some replacement planting.

Contaminated Land Officer - No objection

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMHD 2 Outbuildings

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 provision of acceptable residential amenity for the application property.

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 DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 2 requires residential outbuildings to meet the following criteria:

- i) The buildings must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) The developed footprint must be proportionate to the dwelling house and the residential curtilage within which it stands and have regard to existing trees;
- iii) The use shall be incidental to the enjoyment of the dwelling and not capable for use as independent residential accommodation; and
- iv) Primary living accommodation will not be permitted.

The outbuilding is situated at the end of the rear garden and measures a maximum of 6.975m wide and 4.275m in depth (footprint of 29.818sqm) with a pitched roof of 3.6m high, with eaves at 2.5m high. The building as proposed has a brick finish with a tiled roof, to match the existing dwelling and has a folding doors and a window on the southern elevation facing the house. Given the scale of the property and the site, the proposed building would be proportionate and in terms of appearance would be acceptable.

Internally it is proposed that the outbuilding would comprise one room for use as a gym/games room with no primary living accommodation included.

The property benefits from a large rear garden and adequate amenity space would be retained.

There are a number of other outbuildings already erected at the end of gardens in Northwood Way, hence from a visual amenity perspective no objection can be made concerning the visual impact on the wider streetscene given the precedent caused by other outbuildings. However where the proposal differs significantly different from other outbuildings in Northwood Way is other outbuildings are not located anywhere near neighbouring houses, this outbuilding would be very close to the rear elevation of a neighbouring property, where the orientation and juxtaposition between the proposed building and the neighbouring property are completely different from any other outbuildings erected on Northwood Way.

The building has been set at the end of the rear garden (1m and 1.65m from the side boundaries) and is separated from the adjacent properties by a minimum of 36.65m. To the rear the proposed building would sit adjacent to the side boundary with no. 40 Elgood Avenue, set back by a minimum of 0.8m.

No. 40 Elgood Avenue is set at a slightly higher land level of approximately 0.5m and although not shown on the submitted plans, currently benefits from a rear conservatory extension, which is set back approximately 1m from the shared boundary and less than 2m from the side wall of the outbuilding. As a result the outbuilding would extend along the shared boundary for a depth of 6.975m and at a height of approximately 2m at the eaves increasing to 3.1m at the ridge, when viewed from the rear of that property. Given the overall height and close proximity of the outbuilding it is considered that it would result in a loss of amenity to the neighbouring occupiers by reason of a loss of outlook and overbearing impact.

Therefore the proposal fails to comply with the requirements of Policies DMHB 11 and DMHD 2 of the Local Plan: Part Two - Development Management Policies (2020).

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed outbuilding, by reason of its size, scale, bulk and siting, would be detrimental to the amenities of the adjoining occupier at 40 Elgood Avenue by reason of visual intrusion and loss of outlook, Therefore the proposal would be contrary to policies Policies DMHB 11 and DMHD 2 of the London Borough of Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

- 1** 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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

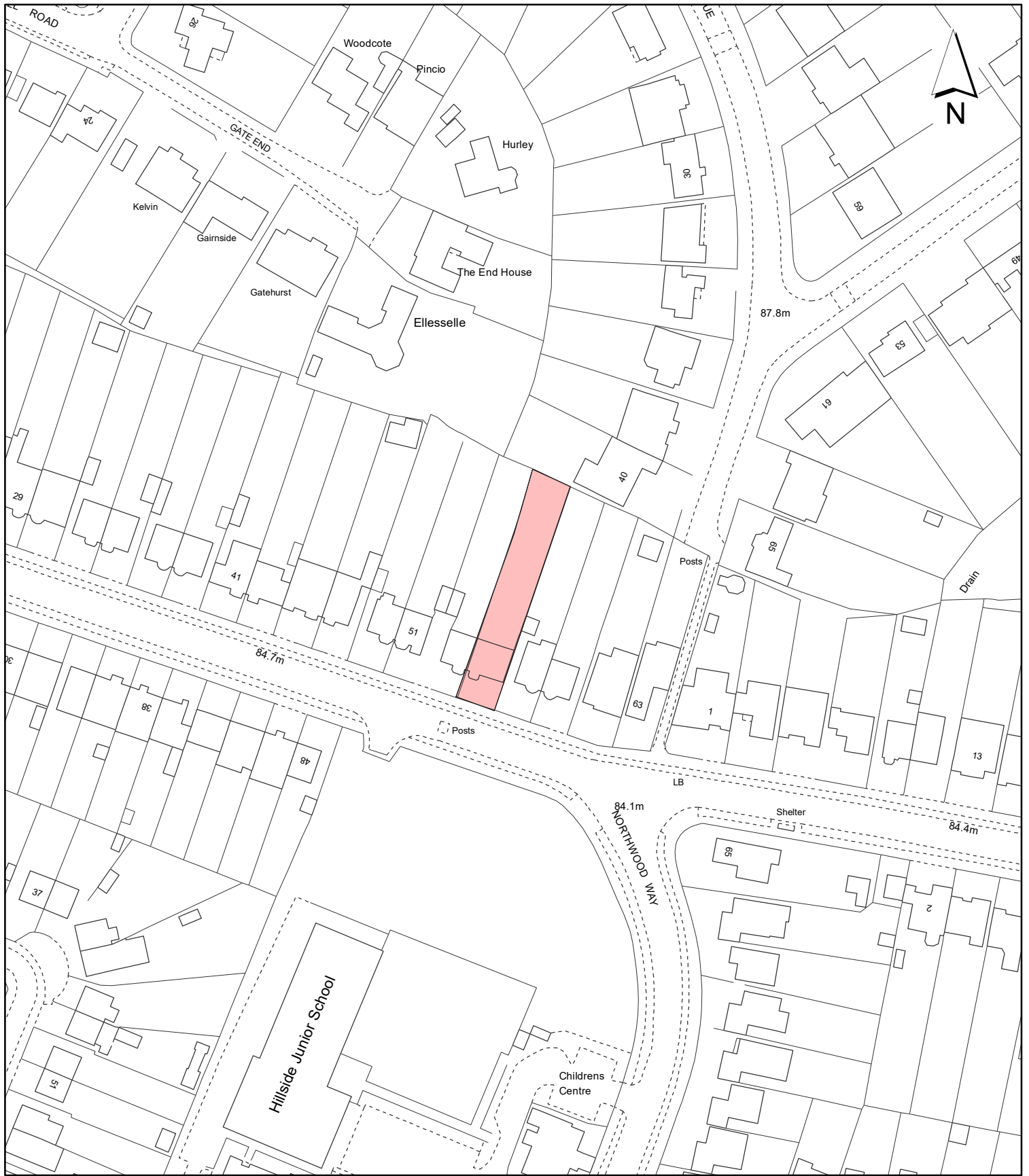
PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMHD 2	Outbuildings

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**55 Northwood Way
 Northwood**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

27224/APP/2020/2978

Scale:

1:1,250

Planning Committee:

North

Date:

December 2020



HILLINGDON
 LONDON