

Report of the Head of Planning & Enforcement Services

Address 12 EASTBURY ROAD NORTHWOOD

Development: Part two storey, part single storey front extension with 1 side rooflight, first floor side/rear extension to include 3 side dormers and 3 side rooflights, with external staircase to rear to provide additional bedrooms and alterations to existing, external alterations and new landscaping (involving demolition of bay window to ground floor rear, part first floor external wall and part of the west elevation wall).

LBH Ref Nos: 1901/APP/2010/244

Drawing Nos: 0912/2.02
Transport Statement (February 2010)
1.04/0912
Design & Access Statement
0912/1.02 Rev. B
0912/2.03
0912/1.03

Date Plans Received: 09/02/2010

Date(s) of Amendment(s):

Date Application Valid: 10/03/2010

1. SUMMARY

Planning permission is sought for the erection of a two storey front and first floor side extensions with associated elevational alterations. The application property is an attractive 'Arts & Crafts' style building which forms a group with 10, 14 and 16 Eastbury Road. The proposed development is not considered to harmonise with the character, proportions and appearance of the main house. The proposed extensions would represent an incongruous and visually intrusive form of development which would be detrimental to the appearance of the street scene and the character and appearance of the Northwood/Frithwood Conservation Area. The proposal would also harm the residential amenities of the occupiers of nearby properties.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed two storey front extension by reason of its overall size, siting, design and appearance would fail to harmonise with the architectural composition, character, proportions and appearance of the main building. It would not appear subordinate and would detract from the character and visual amenities of the existing property, the street scene and the character and appearance of the Northwood/Frithwood Conservation Area, contrary to policies BE4, 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 reason of its overall size, scale, bulk, siting,

design and appearance would represent an incongruous and visually intrusive form of development which would fail to harmonise with the architectural composition, character, proportions and appearance of the main building. It would appear overly bulky and cramped in the street scene and as such would have a detrimental impact on the character and visual amenities of the street scene and surrounding area generally, and on the character and appearance of the Northwood/Frithwood Conservation Area, contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposed external staircase, by reason of its siting, size and design, would have a detrimental impact on the appearance of the main building. It would be detrimental to the character and visual amenities of the street scene and surrounding area generally, and the character and appearance of the Northwood/Frithwood Conservation Area, contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

4 NON2 Non Standard reason for refusal

The proposed dormer windows, by reason of their number, overall size, scale, position and appearance would represent an incongruous and visually intrusive form of development which would fail to harmonise with the architectural composition, character, proportions and appearance of the main building. They would thus have a detrimental impact on the character and visual amenities of the surrounding area generally and on the character and appearance of the Northwood/Frithwood Conservation Area, contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

5 NON2 Non Standard reason for refusal

The proposed first floor side extension, by reason of its overall size and proximity to the side boundary, would result in a closing of the visually open gap between this and the neighbouring properties 10 Eastbury Road and 1 & 2 Carew Lodge, giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and character and appearance of the Northwood/Frithwood Conservation Area. The proposal is therefore contrary to policies BE4, BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

6 NON2 Non Standard reason for refusal

The proposed development by reason of the siting of the proposed dormer windows would result in the perceived/actual overlooking of the adjoining property, 14 Eastbury Road, causing an unacceptable loss of privacy to the adjoining occupiers. The proposal is therefore contrary to policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

7 NON2 Non Standard reason for refusal

The proposed first floor side extension, by reason of its overall height and length of projection would result in an overdominant/visually intrusive form of development when viewed from the rear ground and first floor windows at 1 & 2 Carew Lodge. Therefore, the proposal would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity, contrary to policies BE19 and BE21 of the of the adopted

Hillingdon Unitary Development Plan (Saved Policies 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

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.
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.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 5.0 Side and First Floor Side Extension: Two Storey 8.0 Front Extensions, Porches and Bay windows
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

3. CONSIDERATIONS

3.1 Site and Locality

The application site, known as Eastbury Road Nursing Home, is located on the east side of Eastbury Road and forms a group with Nos. 10, 14 and 16 dating from circa 1910. It comprises an 'Arts and Crafts' style two storey detached house with a front gable wing, a centrally positioned rear gable end, part two storey and single storey side/rear wing along the southern boundary, a single storey rear extension with rear projection along the northern side boundary, and a centrally positioned conservatory, all set within a large plot. The front area has been hard surfaced for car parking and mature trees lie at front with a

mix of trees and hedges along the side boundaries. The rear garden also has mature trees and two detached sheds lie at the end of the garden.

To the north lies 14 Eastbury Road, a two storey detached house also set within a spacious plot. To the south lies 10 Eastbury Road, a two storey attached house. Attached to the rear of that property is 1 & 2 Carew Lodge, with 3-7 Carew Lodge, further east, all two storey buildings. The street scene is residential in character and appearance, comprising predominantly two storey detached houses of varying designs and the application site lies within the Northwood/Frithwood Conservation Area, as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is also covered by TPO 150.

3.2 Proposed Scheme

Planning permission is sought for the erection of a part two storey gable end front extension and a part first floor, part two storey side/rear extension over the existing single storey side/rear wing along the southern side boundary.

The design of the proposed first floor front extension would be similar to the existing front gable end wing. It would be set flush with the northern flank wall and at ground floor level and would extend 2.5m beyond the front wall. It would measure 5.5m wide at ground floor level at which point it would step back 1.1m towards the building to be 1.4m deep and 4.2m wide, resulting in an overall width of 9.7m. The proposed front extension would be finished with a front gable end incorporating a catslide roof along the northern side, with an eaves height of 2.2m above ground, and a hip end roof along the southern side, with an eaves height of 5.5m above ground matching the eaves height of the existing front wing on the opposite side of the front elevation of the building.

A large first floor window is proposed in the gable end. The first floor would provide additional accommodation to one of the existing single rooms, while the ground floor element would provide a kitchen and staff room in the forward most part of the extension with the recessed part providing a new office area and entrance with a flat roof canopy above. A ramped access is also proposed in front of the new entrance.

The proposed first floor side extension would follow the footprint of the ground floor element. At front, it would be set some 0.6m behind the existing recessed two storey side wing and would measure 2.7m wide at front, widening to 6.3m at rear, and finished with a gable end dual pitched roof 4.9m high at eaves level along the southern flank wall, 4.3m high at eaves level facing the courtyard of the building, and 7.7m high at ridge level. The proposed first floor would result in the raising of the eaves and roof ridge along the southern side boundary by 0.7m and 0.9m, respectively.

The front gable of the first floor side extension would be finished with hanging tiles with the rear gable end finished in white render. The inner courtyard elevation would comprise ground floor windows with 3 dormer windows within the roof slope, set 1.4m apart. They would each measure 2.5m wide, 1.5m deep, and finished with a flat roof with overhang, 2.6m high. The proposed first floor would provide 3 single rooms.

A galvanised steel escape staircase is proposed to the rear of the first floor side extension which would provide access down to the rear courtyard. The escape staircase would measure 1.2m wide and 5.2m long, along the face of the building, at which point it would angle away into the rear courtyard. The proposed staircase would measure 4.2m high at its highest point, supported by steel posts, and comprise mesh and steel handrails.

The applicant has advised that there are currently 20 bed spaces (5 double bedrooms/10 single bedrooms). Furthermore, the existing office has limited surveillance of the entrance to the home, there is no separate staff room facilities; additional kitchen and general storage is urgently needed, there is currently no lift, and there is demand for more single rooms. Therefore, general upgrading of rooms and facilities is essential to provide modern amenities for its occupiers.

The proposal would create 21 bed spaces (3 double rooms/15 single bedrooms), thereby increasing the number of single rooms available. The applicant further advises that the works are to improve the accommodation, rather than to increase the number of residents.

3.3 Relevant Planning History

1901/APP/1999/2146 Eastbury Nursing Home 12 Eastbury Road Northwood
ERECTION OF A REAR CONSERVATORY

Decision: 04-02-2000 Approved

1901/E/81/1404 Tudor Lodge, 12 Eastbury Road Northwood
Erection of kitchen extension and variation of condition 3 of planning permission ref.1901/1032 to allow use by 19 residents.

Decision: 29-04-1982 Withdrawn

1901/F/83/0316 Tudor Lodge, 12 Eastbury Road Northwood
Change of use of part of ground floor from residential home for the elderly to doctor's surgery.

Decision: 06-05-1983 ALT

1901/G/83/0973 Tudor Lodge, 12 Eastbury Road Northwood
Medical/Health development - 94 sq.m. (Full)(P)

Decision: 04-10-1983 Refused

1901/H/83/1511 Tudor Lodge, 12 Eastbury Road Northwood
Mixed development on 0.162 hectares (full)(P)

Decision: 02-12-1983 Refused

1901/J/83/1825 Tudor Lodge, 12 Eastbury Road Northwood
Extension/Alterations to Medical/Health premises (P) of 440 sq.m.

Decision: 13-03-1984 PRN

1901/K/84/1560 Tudor Lodge, 12 Eastbury Road Northwood
Details in compliance with 01901/83/1825 (P)

Decision: 11-10-1984 Approved

1901/L/84/1867 Tudor Lodge, 12 Eastbury Road Northwood
Details in compliance with 01901/83/1825 (P)

Decision: 03-12-1984 Approved

1901/M/85/3037 Tudor Lodge, 12 Eastbury Road Northwood
Advertisement (P)

Decision: 26-04-1985 Withdrawn

1901/N/86/0751 Tudor Lodge, 12 Eastbury Road Northwood
Extension/Alterations to Home/Institute (P) of 108 sq.m.

Decision: 29-07-1986 Refused

1901/P/88/0268 Tudor Lodge, 12 Eastbury Road Northwood
Erection of single-storey rear extension to accommodate 3 bedrooms & bathroom

Decision: 09-08-1988 Refused

1901/R/89/1030 Tudor Lodge, 12 Eastbury Road Northwood
Erection of a single-storey rear extension to form 2 bedrooms and W.C.'s to nursing home

Decision: 12-10-1989 Refused

1901/S/89/1031 Tudor Lodge, 12 Eastbury Road Northwood
Erection of a single-storey rear extension to form 2 bedrooms and W.C.'s to nursing home
(duplicate application)

Decision: 14-02-1990 DOE **Appeal:** 14-02-1990 Part Allowed

1901/W/92/1388 12 Eastbury Road Northwood
Details of scheme of landscaping in compliance with condition 4 of Secretary of State's appeal
decision ref.T/APP/R5510/A/89/129695/P4 dated 14.2.90; Erection of a single storey rear
extension

Decision: 06-10-1992 Approved

Comment on Relevant Planning History

This application is accompanied by an application for conservation area consent for the demolition of the bay window at ground floor rear and part of the first floor front and west elevation walls.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

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.
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.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 5.0 Side and First Floor Side Extension: Two Storey 8.0 Front Extensions, Porches and Bay windows
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **21st April 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

25 adjoining owner/occupiers and the Northwood Residents Association consulted. The application has been advertised as a development that affects the character and appearance of the Northwood/Frithwood Conservation Area. 5 letters of objection and a petition with 60 signatures have been received making the following comments:

- (i) The proposal would result in a loss of daylight to the units in 1 & 2 Carew Lodge;
- (ii) The escape staircase would result in direct overlooking into the habitable rooms of the flats in 1 & 2 Carew Lodge;
- (iii) The proposal would add to the bulk and scale of the existing building to its detriment;
- (iv) The resultant two storey side extension would be adjacent to the side boundary contrary to policy BE22.

- (v) The proposal would represent an overdevelopment of the site;
- (vi) The proposal would appear overdominant when viewed from the habitable room windows at 1 Carew Lodge;
- (vii) The dormer windows would result in direct overlooking into 14 Eastbury Road;
- (viii) The proposed front extension would breach the front building line;
- (ix) The proposal would have a detrimental impact on the character and appearance of the street scene and the conservation area;
- (x) The proposal would result in a building that would be overdominant in relation to neighbouring buildings;
- (xi) The escape staircase would be visible from Carew Road and would have an adverse impact on the street scene; and
- (xii) The proposal would result in additional noise and disturbance.

Carew Lodge Residents' Association:

- (i) The proposal would have a negative impact on the conservation area;
- (ii) The additional extensions would result in an overdominant building; and
- (iii) The proposed first floor would harm the residential amenities of the occupiers of 1 & 2 Carew Road.

Ward Councillor: Requests that this application is determined by the Planning Committee.

Nick Hurd MP: "I am writing on behalf of a number of residents in Carew Road who are very concerned about the plans set out in Application ref: 1901/APP/2010/244 and /245.

Their concerns are about loss of visual amenity and the impact on the street scene. In particular the residents of 2 Carew Lodge are concerned that a proposed external staircase will overlook their house. I hope that these concerns will be given due consideration by Planning Officers."

Internal Consultees

Trees/Landscape Officer:

This site is covered by a Tree Preservation Order and is inside Northwood Conservation Area.

There are three trees protected by TPO 150 (T7, T8 and T9) and several other trees situated in the front garden and also a Sycamore and several other mature trees in the rear garden. All are shown as retained on the plans, however a tree report has not been submitted.

The trees in the front garden are afforded some protection by the hard, parking surface, however in order to protect the trees' crowns during development, fencing should be erected around the trees. Furthermore, protective fencing will be required in the rear garden to protect the Sycamore

Therefore, in order to address the above points, subject to conditions TL1, TL2 and TL3, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

Conservation Officer:

This is an attractive property within the Northwood/Frithwood Conservation Area. The building forms a group with Nos. 10, 14 and 16, and these together, have been proposed to be included in the Local List. Designed by C.H.B. Quennell in 'Arts and Crafts' style, the group dates from circa 1910. No.12 is a simply designed building in red brick with tiled hipped roof and a slightly projecting right wing with gable.

The original house has been converted into a nursing home and has been extended substantially in

the past. The current scheme proposes further extensions to the front and a first floor extension to the side. The property lies on the side boundary with the adjacent dwelling, with very little set back.

Given the site's sensitive location within the conservation area and the architectural quality of the building, it is felt that the proposed front extension would compromise the integrity and the overall composition of the original building. Within conservation areas, extensions should be subservient to the main house and as such the front extension would fail to be so and would detrimentally alter the building's appearance. The extension does not comply with paragraph 8.1 of the HDAS guidance on Residential Extensions and would, therefore, be unacceptable in principle.

Whilst there is an existing side extension to the building, an additional floor to the same would add considerable bulk to the overall elevation. Being on the boundary with the adjacent dwelling, this would lead to a very poor relationship between the two buildings and would be considered detrimental to the street scene and appearance of the area. Due to the stepped foot print of the building to the front, the relationship between the hip end and gable end of the two elements is also considered poor.

The proposed dormers, whilst not visible directly from the front, are over large and do not appear to sit comfortably on the proposed roof form. The proposed fire escape from this part of the extension, would be considered visually intrusive, and may lead to overlooking and amenity issues. The extension would therefore be unacceptable.

Given the planning history of the site, from a conservation point of view, it is felt that there is very limited scope of extending the building further. First floor addition to the existing rear extension may be considered more appropriate for the site.

Conclusion: Unacceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of extending existing properties in residential areas is acceptable and any extension would need to comply with the Council's policies and standards.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is addressed in Section 7.07.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

This is not applicable to this application.

7.06 Environmental Impact

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

As stated above, the application property forms a group with Nos. 10, 14 and 16, and these together, have been proposed to be included in the Local List.

The application property once formed a dwellinghouse but has since been converted to a nursing home. It has been substantially extended in the past principally with a part two storey side extension and single storey side wings. However the design and integrity of the main house remains intact and as such, any further extensions should maintain this, given the property's sensitive location within the conservation area and its architectural

quality.

It is acknowledged that the proposed front extension has been design to match the existing front gable wing. However, it is considered that this element of the scheme would not maintain the character and integrity of the original building. The proposed front extension would dominate the front elevation and would not appear subordinate.

The proposed first floor side extension is considered to be visually intrusive and would not maintain the character, proportions and appearance of the main building. It would appear overtly bulky and would fail to harmonise with the architectural composition of the main building. Furthermore, the proposed first floor would no retain a sufficient gap to the side boundary with 10 Eastbury Road and 1 & 2 Carew Lodge, and as such would appear cramped, overdominant and would detract from the open character and visual amenities of the street scene.

The proposed dormers, whilst not visible directly from any public vantage point, are considered to be over large and would not appear to be subordinate to the roof slope within which they would be set. The proposed fire escape is considered to be unsightly, visually intrusive, and would have a detrimental effect on the appearance of the street scene as it would be visible from a point in Carew Road.

It is therefore considered that given the sensitive nature of the site and the buildings attractive design, the proposed extensions and additions would have a detrimental impact on the character and appearance of the street scene and surrounding area generally and would not preserve or enhance the character and appearance of the Northwood/Frithwood Conservation Area, contrary to policies BE4, BE13, BE15, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and sections 5.0 and 8.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

7.08 Impact on neighbours

The proposed front extension would project beyond the front wall of 14 Eastbury Road. However it would be some 8m from the flank wall of that house and this distance is sufficient to ensure that this element of the scheme would not breach a 45 degree line of sight taken from the ground floor front habitable room window at 14 Eastbury Road, closest to the side boundary with the application site. As such, the proposed front extension would not harm the residential amenities of the occupiers of that house through overdominance, visual intrusion and overshadowing.

The proposed dormer windows would however, result in perceived/actual overlooking onto the private amenity space of 14 Eastbury Road. It is acknowledged that the existing trees and high hedge along the boundary between the two properties would provide some screening, however, this is not considered to be sufficient to prevent perceived overlooking.

10 Eastbury Road and 1 & 2 Carew Lodge lie some 1m to 1.5m from the southern side boundary of the application site. These properties have either non-habitable room windows or secondary habitable room windows along the flank walls facing the application site. The proposed first floor side extension would result in the raising of the eaves and roof ridge of the existing side extension by 0.7m and 0.9m, respectively. Given the close proximity of the proposed first floor side extension, the proposal would appear overdominant from these flank windows, however, it is considered that as these windows are not principle habitable room windows or provide natural light to non-habitable rooms, a

refusal of planning permission on the grounds of overdominance relating to these windows would not be sustained at appeal.

The existing side extension projects some 5m beyond the rear wall of 1 & 2 Carew Lodge. This length of projection together with the proposed increase in height to form the first floor extension, would breach the 45 degree line of sight taken from the ground and first floor habitable room windows in that property closest to the side boundary with the application property, thereby representing a visually intrusive and overdominant form of development which would harm the residential amenities of the occupiers of 1 & 2 Carew Lodge.

The proposed staircase would be some 8m from the north western flank wall of 3-7 Carew Road. There are no habitable room windows in this flank wall and as the private amenity space for this block lies to the rear, no overlooking and loss of privacy would result.

10 Eastbury Road and 1 & 2 and 3-7 Carew Road lies to the south of the application site and therefore, the proposal would not result in an increase in overshadowing. The increase in 1 additional bedspace is not considered to generate additional noise and disturbance.

Overall, the proposal would be contrary to policies BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

Overall, the scheme results in an improvement in living conditions for occupiers of the nursing home.

7.10 Traffic impact, car/cycle parking, pedestrian safety

There are no specific parking standards for residential care homes in the Councils' adopted car parking standards. Therefore, the proposal has been considered on an individual basis. It is noted that no additional staff are proposed.

The proposal would result in an increase of 1 additional bed space and this is not considered to generate the need for additional off-street car parking, in accordance with policy AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

This is addressed at section 07.07.

7.12 Disabled access

This is not applicable to this application.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are protected trees close to the proposed development however, no trees will be affected by the proposed development. Subject to tree protection conditions, the proposal would accord with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

With regards to third party comments, these have been addressed in the report.

7.20 Planning Obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The proposed extensions are considered to have a detrimental impact on the character and architectural composition of the main building on this sensitive site. It would also result in an unneighbourly form of development which would harm the amenities of nearby residential properties. As such, this application is recommended for refusal.

11. Reference Documents

London Plan 2008

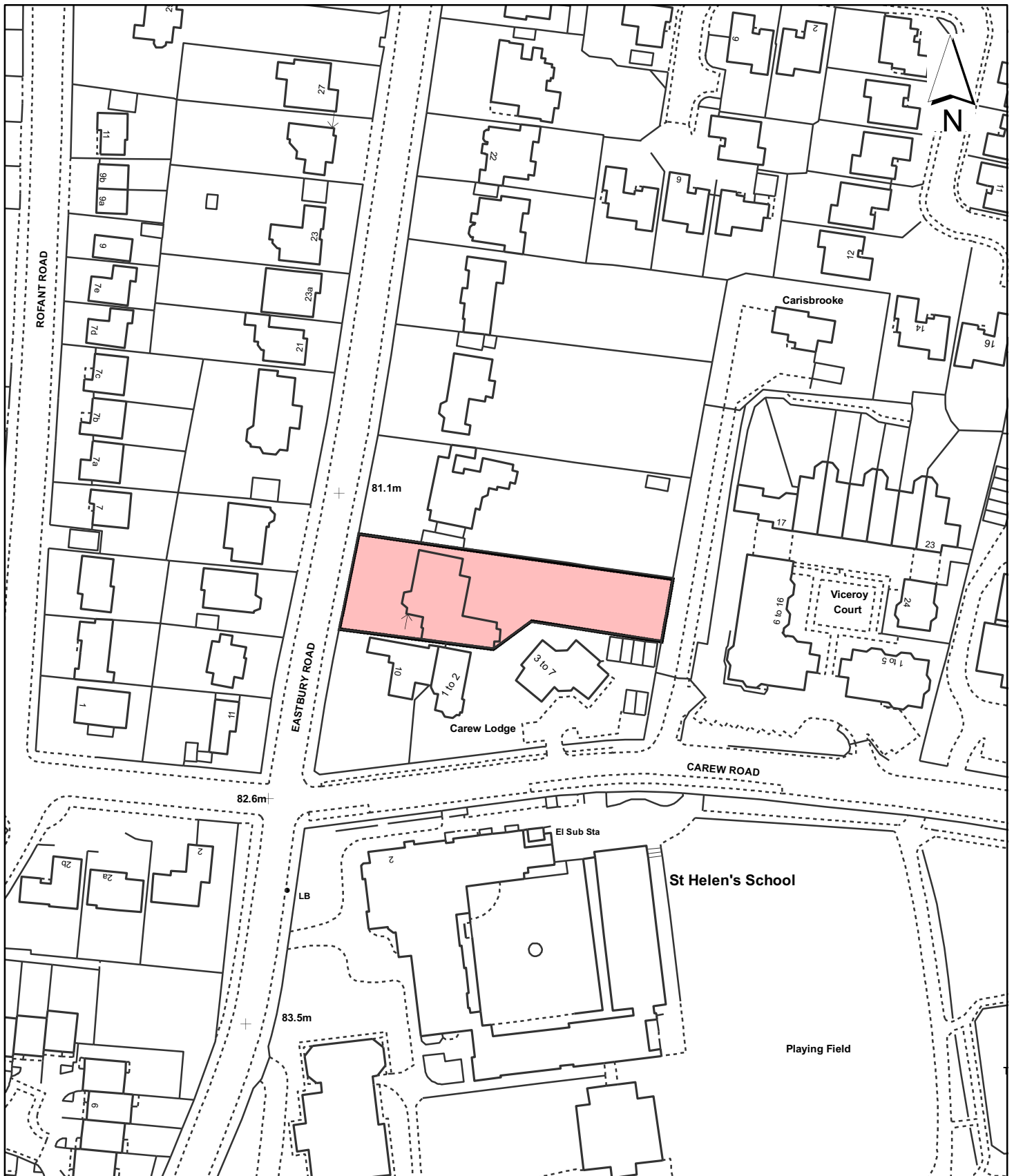
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

Hillingdon Design & Accessibility Statement: Residential Extensions


Hillingdon Design & Accessibility Statement: Accessible Hillingdon

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
12 Eastbury Road Northwood	
Planning Application Ref:	Scale
1901/APP/2010/244	1:1,250
Planning Committee	Date
North	September 2010

**LONDON BOROUGH
OF HILLINGDON**

**Planning, Environment
& Community Services**

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