

Report of the Head of Planning & Enforcement Services

Address 19 GROVE ROAD NORTHWOOD

Development: Part two storey, part single storey rear extension, single storey side/front extension, front porch, alterations to existing elevations and conversion of roofspace for habitable use with 2 rear, 2 side, and 3 front rooflights and 3 skylights.

LBH Ref Nos: 27846/APP/2010/2916

Drawing Nos: 1480/1
1480/3E
1480/4D

Date Plans Received: 17/12/2010 **Date(s) of Amendment(s):**

Date Application Valid: 17/12/2010

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the north side of Grove Road and comprises a two storey detached house with a front projecting bay window. To the west lies 17 Grove Road and to the east lies 21 Grove Road, both detached houses. The street scene is residential in character and appearance comprising two storey detached houses and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

1.2 Proposed Scheme

The application seeks permission for a single storey front and side extension and two storey rear extension.

The two storey rear extension would measure 4m in depth along the boundary with nos.17 and 21 Grove Road and 6m in depth in the middle section. The two storey extension would be set 0.75m in from the side walls of the original house with a hipped roof that would be at the same height as the main dwelling roof.

A pitched roof over the single storey front and side extension would measure 3.5m in height. The application also includes the proposed conversion of the loft space for habitable use to include 2 rear rooflights, 3 rooflights within the central flat section of the roof, 2 high level rooflights within the side and 3 rooflights within the front roof slope.

Within the side facing no. 21, the existing bathroom window is proposed to be replaced with 2 obscure glazed windows serving shower rooms whilst facing no. 17, the existing

side window (currently serving a bedroom) will be enlarged and obscure glazed to serve a bathroom.

Finally, alterations to the front elevation of the property include a new front porch with timbered roof above plus the introduction of a matching pitched roof to the existing bay window at first floor.

1.3 Relevant Planning History

27846/APP/2010/145 19 Grove Road Northwood

Single storey front and side extension, two storey rear extension, conversion of loft space to habitable use to include 2 rear rooflights and 4 skylights, alterations to front elevation to include new front porch, new pitched roof to single storey front and pitched roof to existing bay windows at first floor.

Decision Date: 13-05-2010 Refused **Appeal:** 11-AUG-10 Dismissed

Comment on Planning History

Planning permission for the above application was refused for the following reason:

1. The proposed development by reason of its size, scale, bulk and design incorporating a large crown roof, would be out of character with the existing and adjoining properties and detrimental to the visual amenities of the area. The proposal would thus be contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The application subsequently went to appeal and was dismissed.

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

19 neighbouring properties and Northwood Residents Association have been consulted and 3 individual responses and a petition with 57 signatories have been received. The concerns raised are summarised as follows:

- i) The roof structure has only had minor alterations and is still of a bulky appearance which does not harmonise with the original building;
- ii) The side profiles of the planned roof within its excessive bulk would be clearly visible from the street;
- iii) Out of scale and character with the other properties in the street;
- iv) Loss of sunlight to and overshadowing of the adjoining garden;
- v) Loss of privacy due to new windows
- vi) 2 holly trees have been removed.

Officer Comments: With regard to the removal of trees, as the site is neither within a Conservation Area nor subject to a TPO, the Council cannot control the removal of trees/vegetation. The other points are covered in the main report.

Two letters from the same person have been received in support of the application stating that the proposal complies with the Council's rules and regulations and is in proportion with the existing building and does not adversely affect the street scene.

Nick Hurd MP has asked the committee 'to reach a view on the technical and planning merits of the application i.e. I will not formally be objecting to the application myself'.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
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.
HDAS	'Residential Developments'
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

5. MAIN PLANNING ISSUES

The main issue for consideration relates to the impact of the proposal on the character and appearance of the original house and the street scene and whether the amended scheme overcomes the reason for refusal relating to the previous application (27846/APP/2010/145) and its subsequent dismissal at appeal.

The application site lies within a residential area. Grove Road is characterised by detached houses of varying styles and designs, some of which, have been extended. Given the character of the area, the principle of extending existing properties is acceptable.

Policy BE13 of the UDP Saved Policies September 2007 states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area that the local planning authority considers it desirable to retain or enhance. Policy BE15 goes on to note that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

The Councils adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions offers the guidance that must be met for extensions to be considered satisfactory. Sections 4, 6, 7 and 8 of the SPD set out the criteria against which two-storey rear extensions, single-storey side extensions, loft conversions, front extensions/porches and bay windows should be assessed.

For rear and side extensions, proposals:

- Rear extensions should not exceed 4m in depth on a detached plot;
- Single-storey extensions should not exceed 3.4m in height with a pitched roof;
- The width of the side extension should be considerably less than that of the main dwelling;
- The front wall of the side extension should not protrude in front of the main house;
- The roof of the two-storey rear extension should not exceed the height of the main dwelling roof.

The roof of the rear two-storey extension is set at the same height as that of the main house, which complies with the SPD. The rear extension measures 4m in depth at first floor level adjoining the boundaries with the neighbouring properties, but projects a further 2m in depth in the centre section and a further 1m in depth at ground floor level adjoining the boundary with 21 Grove Road. The depth and height of the two storey and single storey element would exceed the SPD guidance in relation to the central section of the two storey and the single storey adjoining 21 Grove Road.

The pitched roof on the single storey side and front extension is considered acceptable at 3.5m and again is not considered to be out of scale or proportion to the main dwelling or the adjoining properties. The single storey front/side extension would not extend beyond the front building line of the existing bay windows, the width of the single storey side extension is also subservient to the width of the main dwelling, the height and width of the porch is subordinate to that of the main dwelling and the porch is in line with the front of the bay windows. The number, size and location of the rooflights are considered sympathetic to the appearance of the main dwelling.

Thus, the main issue is whether the depth, scale and design of the two storey rear element is considered to have overcome the previous reason for refusal. In relation to this issue the Inspector in his decision letter commented as follows:

"There would however be a substantial increase in the scale and massing of the roof. Although no higher than the existing roof, the proposed crown roof would significantly extend the roof towards the rear. Although the central rearward projection of some 6m would not be apparent from public viewpoints, the side profiles of the roof with its excessive bulk and extended flat top would be clearly visible from the street. The bulky appearance of the roof would appear out of character with the existing dwelling and those nearby. It would not harmonise with the scale, form, architectural composition or proportions of the original building. The proposal would therefore in this respect harm the character and appearance of the street scene."

The Inspector was thus concerned with the side profiles of the roof with its excessive bulk and extended flat top which would be clearly visible from the street. In order to overcome this the current application proposes to set the rear extension in 0.75m from the side elevations and retain the existing hipped roof. The main view from the street, particularly from the sides, would be of the hipped roof, although it is clear that, particularly when standing in front or immediately to the side, the crown roof would also be visible. However,

in longer views and in street scene terms the hipped roof would be most apparent. This being the case, the proposal is considered to have addressed the previous reason for refusal.

Overall, the proposed development is now considered to represent a form of development that would harmonise with the character and proportions of the original house and the appearance of the street scene and the surrounding area generally, in compliance with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the principles of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

Amenity

With regard to impact on residential amenity, policy BE21 of the UDP Saved Policies September 2007 is relevant and must be considered. The policy states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Sections 4, 6, 7 and 8 of the SPD offer further criteria against which two-storey rear extensions, single-storey side extensions, loft conversions and front extensions/porches and bay windows should be assessed against to consider the impact on neighbouring properties. These include:

- retain foundations and guttering within the application site;
- not to include windows and doors that overlook neighbouring properties.
- use of materials to complement existing house
- provision of sufficient garden space.

The Inspector in his consideration of the impact on adjoining properties commented as follows:

"7. Although the Council did not refuse the proposal on the grounds of the adjoining residents' living conditions, there are objections from residents on that basis. The proposed 2-storey extension would project about 4m from the existing rear wall at the sides closest to nos. 17 and 21 Grove Road, with a greater projection of some 6m in the central section. There would be an additional 1m projection at ground-floor level on the side adjoining no. 21. The drawings were subject to amendment so that the scale was reduced from the original proposal.

8. There would remain good sized gaps between the proposed building and the dwellings at nos. 17 and 21 Grove Road and with the habitable room windows of these houses. The submitted drawings indicate that the proposal would not be within the 45 degree line of sight from any habitable room window of either no. 17 or no. 21. This Building Research Establishment indicator is commonly used to assess the effect of a proposal on daylight and outlook on adjoining dwellings. Paragraph 6.22 of the SPD also refers to the 45 degree guideline. Therefore, taking into account the position of the proposed extension relative to the adjoining dwellings, I conclude that there would be no harm to residents' living conditions in respect of outlook and daylight.

9. The Council prepared a Sunlight Assessment and reported no unacceptable impact. The assessment demonstrates that there would be a loss of some sunlight in the morning immediately at the rear of no. 17 and later in the day in respect of no. 21. The effect from overshadowing would not therefore be so significant as to cause material harm to

residents living conditions.

10. I am also satisfied that there would be no harm to privacy since there would be no new side windows to habitable rooms. A condition could be imposed to require obscure glazing to the proposed first floor shower room facing no. 21.

11. I have taken into account all matters raised by local residents, including the effects on traffic and highway safety, flood risk, site stability and noise and light pollution. I find none that merit dismissal on these grounds, or that could not otherwise be dealt with by means of a condition, or by other legislation."

The situation with regard to the impact has only changed in the sense that the proposed two storey rear extension is some 0.75m further removed from the adjoining properties resulting in a lesser impact than the previous application. Given this and the fact that the Inspector considered that the impact on adjoining occupiers was acceptable previously, it is considered that the proposed development would not harm the residential amenities of the occupiers of 17 and 21 Grove Road through, overdominance and visual intrusion.

The proposed windows that face neighbouring properties are conditioned to be obscure glazed and non-opening below 1.8m.

It is therefore considered that the proposal would not harm the residential amenities of adjoining occupiers and would be in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3.

Some 700sq.m of private amenity space would be retained which would be sufficient for the enlarged house. With regard to parking, the Council's standards require two off-street parking spaces to be provided and two spaces are available on the frontage in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

6. RECOMMENDATION

APPROVAL subject to the following:

1 HH-T8 Time Limit - full planning application 3 years

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 HH-OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies

with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 HH-M2 External surfaces to match existing building

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.

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 Unitary Development Plan Saved Policies (September 2007).

4 HH-RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 17 and 21 Grove Road.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 HH-RPD2 Obscured Glazing and Non-Opening Windows (a)

The windows and openings facing 17 and 21 Grove Road shall be glazed with permanently obscured glass and shall also 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 Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

AM14	New development and car parking standards.
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.
HDAS	'Residential Developments'
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

- 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: Ceri Porter

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