

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: 27 EASTBURY ROAD NORTHWOOD

Development: Proposed replacement dwelling and outbuilding at rear (Retrospective application)

LBH Ref Nos: **75352/APP/2023/2684**

Drawing Nos: Planning & Heritage Statement Ref Date: 27ER-1302 dated 16/01/24
A871-2c (revised and received 31-10-23)

Date Plans received: 13-09-23 **Date(s) of Amendments(s):** 03-04-24

Date Application valid 13-09-23

1. SUMMARY

The application proposes the erection of a replacement dwelling and outbuilding at rear (Retrospective application).

Whilst planning permission was allowed at appeal for a similar scheme, the proposed dwelling subject of the current application, due to its design, materials and fenestration, would harm the visual amenities of the street scene, resulting in less than substantial harm to the Northwood Frithwood Conservation Area. The harm to the heritage asset is not outweighed by any public benefits.

In addition, the proposal would adversely impact on the residential amenity of neighbouring occupiers by way of loss of outlook, visual intrusion, overlooking and loss of privacy.

For the above reasons, the application is recommended for refusal. A detailed assessment of the proposal is set out below.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Character and appearance

The proposed replacement dwelling, by reason of its overall design including the use of unsympathetic modern materials and poor fenestration (including excessive proliferation of rooflights) together with the overall scale, siting and poor overall design of the outbuilding, would result in an incongruous, dominant and visually intrusive form of development that would fail to preserve or enhance the appearance and character of the Northwood, Frithwood Conservation Area. The development would lead to less than substantial harm to the significance of the designated heritage asset and would harm the visual amenities of the street scene and the

surrounding area. There are no public benefits that outweigh the harm identified. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and HC1 of the London Plan (2021), Paragraphs 135, 140 and 208 of the National Planning Policy Framework (2023) and Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990.

2. NON2 Neighbouring Residential amenity

The development, by reason of the scale, siting and proximity of the outbuilding, and the positioning and proximity of the dormer window and rooflights in the south facing elevation, would respectively, result in visual intrusion and loss of outlook that would be harmful to the residential amenity of the neighbouring occupiers at No.29, and an unacceptable loss of privacy and overlooking that would be harmful to the residential amenity of the neighbouring occupiers at No.25. The proposal is therefore contrary to Policies DMHB 11 and DMHD 2 of Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of London Plan (2021) and Paragraph 135(f) of the National Planning Policy Framework (2023).

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. I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. I71 LBH worked applicant in a positive & proactive (Refusing)

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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

4. I74 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

No.27 Eastbury Road is a detached two storey property that has recently been reconstructed. The application property lies within the Northwood Frithwood Conservation Area. The street scene is residential in appearance, predominantly characterised by generous plot sizes with a leafy open character and detached dwellings which are set back from the road. There is a notable prevailing materials palette of traditional red brick finish and red/brown clay tiles, which provides a cohesive and attractive visual amenity to the street scene and contributes to a distinct character of the area.

3.2 Proposed Scheme

Planning permission is sought for the erection of a replacement dwelling and outbuilding at rear (Retrospective application).

3.3 Relevant Planning History

75352/APP/2023/1796 27 EASTBURY ROAD NORTHWOOD

Part retrospective planning application for a two storey front extension and part two storey, part single storey rear extension. Conversion of roof space to habitable use to include 5 x roof lights and 1 side dormer. Conversion of integral garage to habitable use with replacement of garage door with new front facing window. Erection of outbuilding to rear garden. Rendering of exterior walls. Fenestration alterations and new front porch.

Decision: 13-09-2023 Withdrawn (P)

75352/APP/2020/183 27 EASTBURY ROAD NORTHWOOD

Two storey front extension, part two storey part single storey rear extension, conversion of roof space to habitable use to include 3 x side dormers and 3 x roof lights and conversion of garage to habitable use

Decision: 23-03-2020 Refusal **Appeal:** 29-10-20 Part Allowed

Comment on Planning History

The relevant planning history is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: 10th December 2023

4.2 Site Notice Expiry Date: 6th December 2023

5. Comments on Public Consult

PUBLIC CONSULTATION:

6 neighbours and Northwood Residents Association were consulted by letter dated 02-10-23 and 07-11-23. 4 letters of objection were received from residents. The matters raised are summarised below:

- Out of character with the area, materials
- Overbearing, overlooking and loss of privacy
- Loss of trees and hedges
- Outbuilding size and use
- Drainage/ water run-off

Residents Association (objection):

Whilst now a revised application, with the same application number, for a rebuild, the envelope should be no more than that effectively granted on appeal, including any changes to the roof line and windows/dormers. As a new build, all side windows should be obscured glazing and unopenable below 1.7m from the floor. There is no statement that the first-floor extension complies with the 45 degree rule with regard to 25 Eastbury Road. Given the history of do first and apply later, retrospective consent should not be granted if falling outside what has already been granted planning permission. The location of the outbuilding has an adverse impact on 29 Rofant Road and should be set back further from the boundary and reduced in size to no more than 30 sq m to comply with the Local Plan.

Petition:

A petition in objection was received with 30 signatures. The petition raises concerns regarding the scale of the building being more than the appeal scheme; materials being out of character with the street scene; side windows should be obscure glazed and unopenable below 1.7metres; the outbuilding has an adverse impact on neighbours and should be set away from the boundary and no more than 30sq.metres to comply with policy and conditioned to restrict residential use.

OFFICER COMMENTS:

The comments made by the residents association, residents and in the petition are noted. The matters raised have been considered in full as part of the planning process and are discussed in relevant sections of this report.

CONSULTEE RESPONSES

Conservation and Design (objection):

The proposed replacement dwelling and outbuilding do not meet the relevant policy guidance and would present less than substantial harm to the conservation area. This harm is not outweighed by any public benefits. The application is objected to in design and conservation terms and refusal is sought.

6. 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
PT1.HE1	(2012) Heritage
PT1.EM1	(2012) Climate Change Adaptation and Mitigation

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature

LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP H10	(2021) Housing size mix
LPP HC1	(2021) Heritage conservation and growth
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
EM6	(2012) Flood Risk Management

In addition: Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

NEIGHBOURING RESIDENTIAL AMENITY:

Paragraph 135(f) of the National Planning Policy Framework (2023) states planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

The main properties to consider are Nos. 25 and 29 Eastbury Road. The impact on the residential amenity of these two properties are discussed in order below.

Impact on No.25:

The rooflight towards the rear of the south facing roofslope was shown on the scheme allowed at appeal, however it was noted to serve an en-suite bathroom. Whilst the rooflight on the allowed scheme served a non-habitable room, the floor plans for the current application indicate that the room would be used as a prayer room.

Paragraph 5.60 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - When assessing the size of households the Council will assume that any bedroom over 11.5 sqm is capable of being occupied by two persons. Similarly any study, bonus room or third living/reception room that is not annotated as a bedroom will be assumed to be capable of serving as a bedroom.

Given its size, the prayer room is considered to qualify as a 'bonus bedroom' as it could be readily used as a bedroom by the current or future occupiers. The prayer room is served by a rooflight in the south facing roof slope.

The current scheme also adds a further rooflight towards the rear of the south facing roof slope, which serves the first floor rear bedroom. It is also noted that one of the windows in the south facing dormer also serves the rear bedroom. Whilst the original dwelling comprised a two storey side element, it is noted that the two first floor side windows originally served a bathroom and the stairs. The current scheme would therefore introduce a side dormer window serving a habitable room, in this case, the rear first floor bedroom. The side dormer is located in proximity to the shared boundary and results in inter-visibility with the flank windows of the neighbour and directly overlooks the neighbouring property.

The two storey rear section of the dwelling projects almost six metres beyond the neighbours rear elevation at No.25 and the two rooflights located towards the rear section of the south facing elevation and the dormer window directly overlook onto the neighbours rear patio area, resulting in a significant loss of privacy and visual intrusion. Owing to the new rooflights and dormer window that serve habitable rooms, this is considered to represent a material worsening of the neighbours amenity. Obscure glazing of the side windows and rooflights in the south facing elevation could have been secured by condition in the event of an approval to mitigate some of the harm on the

neighbours amenity. However these windows would be openable and the occupants would readily be able to view out into the neighbouring property. On balance, a condition would therefore not mitigate all harm due to their positioning.

It is noted that the ground levels are approx. 40cm higher at the application site than the neighbours rear garden. However the outbuilding is sited at a sufficient distance away from the neighbour No.25 and largely screened by boundary fencing and planting and therefore the outbuilding is not considered to be harmful on their amenity.

Impact on No.29:

A separation distance exceeding 21metres would be provided between the rear elevation of the dwelling and the neighbours front elevation at No.29. As a result of the sufficient separation, the neighbour would not experience any undue overlooking from the main dwelling.

The additional 2no rooflights in the north facing side elevation serve an en-suite and the stairs/landing to the loft. As these serve non-habitable rooms, these rooflights would not be harmful on neighbouring amenity.

The north facing dormer windows serve a bedroom and an en-suite. Noting that there were originally 2no side dormers facing north that both served bedrooms, in the same locations, it is considered that the neighbour would not experience any worsening with regards to overlooking or loss of privacy as a result of the works relating to the main dwelling, relative to the pre-existing situation.

The outbuilding measures 2.7metres in height to the rear and is located in proximity to the shared boundary with No.29. The ground levels of the application site garden are noted to be approximately 80cm higher than the ground level at No.29. The outbuilding is very prominent from the side and front garden areas of No.29 as it is located in proximity to the rear boundary which along with the raised levels increases its prominence. Being sited 5metres from the neighbours principal elevation and appearing to breach to 45degree line of sight from the nearest front windows, the outbuilding is considered to be harmful on the neighbours amenity by way of visual intrusion and loss of outlook.

For the reasons discussed in the above, the application would conflict with the requirements of Policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Paragraph 135(f) of the National Planning Policy Framework (2023).

7.2 Impact on Street Scene

CHARACTER AND APPEARANCE INCLUDING HERITAGE IMPACT:

Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that - In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 135 of the NPPF (2023) states - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

Policy HC1 Part C of the London Plan (2021) states - Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

Policy D3 of the London Plan (2021) states that: Development proposals should: D1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy HE1 of the Local Plan: Part One (2012) states the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes Designated heritage assets such as statutorily Listed Buildings, Conservation Areas and Scheduled Ancient Monuments.

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states A) The Council will expect development proposals to avoid harm to the historic environment.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states - New development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of

heritage assets, designated and un-designated, and their settings; and
v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Policy DMHD 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states - The Council will require residential outbuildings to meet the following criteria:

- i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees;
- iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and
- iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

Dwelling:

The appeal under PINS ref: APP/R5510/D/20/3250793 (LPA ref: 75352/APP/2020/183) was part dismissed in respect of the proposed side dormers as the inspector found to be visually dominant and harmful to the character and appearance of the street scene and Conservation Area.

The appeal was part allowed for the proposed two storey front extension, part two storey part single storey rear extension, conversion of roof space to habitable use to include 3 x roof lights and conversion of garage to habitable use.

The appeal scheme comprised limited alterations to fenestration as the scheme would be utilising and widening the existing window openings. It is also noted that the appeal scheme comprised a rear second floor window and 3no rooflights on the south facing elevation; two of the rooflights were located towards the front and one to towards the rear of the south facing roof slope.

The appeal decision was issued with a compliance condition that exterior material shall match those used in the existing building (condition 3). The approved plan drawing number A871-1 showed brickwork and tiles to match existing and white upvc windows and doors. The appeal scheme maintained the band of render above the converted garage which visually broke up the design and retained the simple design of the fenestration and the architectural detailing of the original dwelling.

Following the appeal decision, works commenced at the site however the original building was substantially demolished. This resulted in the previous householder application being withdrawn and the current full planning application being submitted for effectively a new dwelling. Whilst there are some similarities between the current scheme that has been built out and the appeal scheme there are however several notable material differences.

The new dwelling proposed 17metres depth same as approved at ground floor level and 15.5metres depth at first floor with a 1.5metres set back at the rear. The height of the dwelling is also the same as the appeal scheme at 9.1metres. The gabled roof is also the same of the same proportions and eaves height as that allowed at appeal.

It is noted that the original dwelling had an element of white painted render at ground floor level on the principal elevation only, which was partly retained on the appeal scheme above the converted garage. The original dwelling was characterised by primarily its red brick exterior walls, its roof covered with brown clay tiles and red hanging tiles on the side dormers. The original windows were white upvc units with diamond lead detailing. These traditional materials are characteristic of the local vernacular of the street scene within the conservation area.

The chimney has been removed and ordinarily this would not be supported as it is an important character feature in the conservation area. It is however noted that the appeal scheme also involved the removal of the chimney. Therefore as the planning inspectorate allowed this part of the scheme, the removal of this element is not considered to be unduly harmful in isolation.

In the allowed Appeal (APP/R5510/D/20/3250793), the Planning Inspector had identified the proposal to have some harm with the inclusion of the proposed dormers directly above the existing dormers which resulted in an awkward roof composition with a two tiered appearance. The Inspector noted that this element would be clearly visible from Eastbury Road and would dominate the simple triangular roof appearance. In partially allowing the appeal, the Inspector did focus on the materials that were proposed which included the white banding over the converted garage which replicated the existing and brought some relief to the otherwise brick elevation. In summing up the design, the Inspector placed a condition that the materials shall match the existing building in order to preserve the character of the Conservation Area.

Under the current application, the proposed materials and fenestration are however considered to be harmful as a whole. It is noted that the brick and mortar used in the construction of the dwelling, as built out, are slightly different to the original building. Whilst the brickwork is somewhat comparable, the overall finish including the mix of brickwork and the variation in mortar colour results in a patchy and poor finish.

That being said, it is noted that the development is part retrospective with the proposed rendering of the exterior walls with k-rend yet to be carried out. For the reasons set out in the following paragraphs, the development that has been carried out already sits in a negatively stark contrast with the wider street scene and adversely affects the visual amenity and the character of the area. It is considered that the k-rendering of the entire exterior would certainly further exacerbate the harm on the character, appearance and visual amenities of the area.

It is noted the neighbouring properties exhibit a similar materials palette to the original dwelling, mainly traditional red brick finish and brown clay tiles, which is a positive and prevalent characteristic of this section of Eastbury Road. Whilst some minor elements of render can be found on properties, there is a strong consistency of traditional red brick finish and brown clay tiles which provides a cohesive and attractive visual amenity to the street scene and contributes to a distinct character of the Northwood, Frithwood Conservation Area.

The side dormers are located in similar positions and are of similar proportions to the existing side dormers and the two storey side element shown on the allowed appeal scheme. The roof and dormers walls have however been covered with grey slate effect concrete tiles which diverge significantly from the original brown clay tiles. The new slate effect tiles have a shiny texture and along with the new fenestration, contribute to making the development appear overly dominant in the street scene. It is evident that there are no examples of these same materials used on neighbouring properties.

Additional dark brown framed roof lights have been installed on both side roof slopes, which appear significantly larger than those shown on the proposed elevations. The number of roof lights is considered to be excessive and not appropriate within the conservation area. The proliferation of roof lights along both flanks of the roof slope detracts from the simple character of the building and adds an element of clutter and visual confusion to finished design. The series of the roof lights in particular, creates the appearance of a two tiered roof and adds to the poor quality finish of the development.

The window openings have been enlarged in size and dark brown windows installed. The windows

appear oversized in relation to the proportions of the dwelling and the type and size of windows found on neighbouring properties. On the front elevation, there are two larger windows at first floor level (instead of three smaller windows found on the original dwelling). The windows are all side hung unlike the original windows which also had a smaller top hung element. The new windows being of a modern design and appearance do not appear sympathetic to the typology of the Conservation area and are visually prominent when viewed from the street.

The lack of deep reveals and being flush with the brickwork, results in a poor finish and a flat and unduly prominent facade. Due to the size of the windows, when one or more of the windows are open, they would appear dominant and prominent. This would emphasise the incongruity of the material and design of the windows within the street scene.

The front porch is also shown on the plans to be 80cm wider than the porch allowed on the appeal scheme. The porch as proposed would extend a width of almost 40% of the width of the dwelling and project 2metres ahead of the dwelling. The porch measures 2.5metres in height which is the same height as the appeal scheme. The increased width of the porch would appear out of scale with the proportions of the dwelling. Further, a modern bulky cream colour front door with side windows has been installed. These elements provide additional contrasting features to the development and further exacerbate the visual incongruity of the development.

The windows, doors and roof lights by virtue of their amount and appearance, are considered to be harmful and fail to preserve the character and appearance of the conservation area. Due to the cumulative impact of the change in window positioning and sizes, use of modern fenestration and installation of additional rooflights and the use of incompatible exterior materials, the development appears dominant and incongruous and visually detracts from the street scene.

Paragraph 140 of the NPPF (2023) states - 'Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'

As a result of the loss of original architectural features, the current scheme has lost its visual charm and represents a materially diminished scheme in relation to the scheme that was allowed on appeal.

The proposed materials to be used in the construction of the development subject of this application do not correspond to the prevailing materials palette of the original building or the wider street scene. It is evident that there are no examples of these same proposed exterior materials used on neighbouring properties.

The development as a whole is considered to be visually incongruous and discordant and fails to harmonise with the character and appearance of the surrounding properties and the street scene of Eastbury Road. It is therefore considered that the development would be harmful to the character and appearance of the area which lies within the Northwood, Frithwood Conservation Area. The level of harm to the heritage asset, is considered to fall into the category of 'less than substantial'.

Paragraph 208 of the NPPF (2023) states - 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

In this instance, as the development proposal relates to the extending of a private dwellinghouse,

there are no public benefits to outweigh the harm identified.

Outbuilding:

The outbuilding has a width of 7.25metres and a depth of 4.8metres. It is 2.7metres in height set under a flat roof. It is sited with a half metre gap to the rear boundary and side gaps of approx. 3.1metres to both side boundaries. Solar panels have been installed on the flat roof of the outbuilding. The solar panels project 30cm above the flat roof. The panels have a marginal visual impact however in isolation are not considered to be unduly harmful. It would however have been recommended that the projection of the solar panels be lowered to 20cm to further reduce their visual aspect.

With a floor area of 34.8sq.metres, the outbuilding exceeds the 30sq.metres guidance set out in Policy DMHD 2. Officers have noted that the site is slightly elevated from the properties in the immediate area. The cumulative height of the outbuilding (including the solar panels) measures 3metres and being sited in close proximity to the rear boundary and on higher ground relative to the neighbouring properties, the outbuilding is visible from the neighbouring properties.

In the context of the conservation area, the overall scale, siting and design of outbuilding would contribute towards eroding the planned form of the rear gardens. Whilst Officers do accept that there is scope for a small outbuilding incidental to the enjoyment of the dwelling house, the proposed outbuilding would be significant in overall scale. From the site inspection, it was clear that the outbuilding would have a dominating appearance within the garden. In the context of the surroundings within the conservation area, there are no similar outbuildings evident and the existing gardens largely remained undeveloped which contributes positively to the conservation area.

The outbuilding alters the largely leafy environment due to its overall size and scale. This is further exasperated by the discordant materials used within the finishing. The exterior walls have been rendered and painted in a pale blue colour, which is not considered to be particularly sympathetic to the character of the area and draws additional attention to the outbuilding. Whilst the outbuilding is of limited visibility from the street scene, it can be readily viewed from private view points of the neighbouring properties, a situation worsened through the removal of hedging and trees within the site. Therefore the outbuilding overall design is considered to be out of character with the area and fails to preserve or enhance the Northwood Frithwood Conservation Area.

For the above reasons, the development proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and HC1 of the London Plan (2021), Paragraphs 135, 140 and 208 of the National Planning Policy Framework (2023) and Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990.

7.3 Traffic Impact/Pedestrian Safety

HIGHWAY SAFETY AND PARKING:

Policy T6.1 of the London Plan (2021) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3. The maximum requirement for a 3 bedroom 'plus' dwelling is for up to 2 spaces to be provided onsite in order to comply with the adopted parking standard which is broadly replicated by the regional 'London Plan' requirement.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed

developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The house is set back from the frontage to accommodate a paved area of hardstanding which provides at least 2 off street car parking spaces which is sufficient parking provision in accordance with adopted parking standards.

No changes are being proposed to the existing vehicle crossover serving the site, which is considered to be fit for purpose.

In terms of cycle parking there should be a provision of 2 secure and accessible spaces for this scale of rebuild in order to conform to the adopted borough cycle parking standard. Accommodation of this level of requirement has not been indicated therefore details are required.

In line with the London Plan (2021), within the final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. In this particular case, the proposal should incorporate 1 'active' and 1 'passive' spaces.

Subject to conditions securing the required cycle storage and electric vehicle charging points, it is therefore considered that the proposal would not exacerbate the demand for street parking or prejudice highway safety, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy T6.1 of the London Plan (2021).

7.4 Carparking & Layout

See 'Traffic Impact/Pedestrian Safety' section.

7.5 Urban Design, Access and Security Considerations

ACCESS:

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

If planning permission were to be granted, relevant conditions would be attached to the permission (i.e., the submission of details relating to step free access and compliance with Category M4(2) of Approved Document M to the Building Regulations (2010) 2015. Subject to such conditions, the proposal would accord with Policies D5 and D7 of the London Plan (2021).

CARBON REDUCTION/ ENERGY EFFICIENCY:

Policy SI 2 of the London Plan (2021) states that residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) sets out that the installation of renewable energy will be encouraged for all new developments.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.

Policy DMEI 10 Part G) of the Hillingdon Local Plan: Part 2 (2020) states - All new development proposals (including refurbishments and conversions) will be required to include water efficiency measures, including the collection and reuse of rain water and grey water. Part H) also states - All new residential development should demonstrate water usage rates of no more than 105 litres/person/day.

The development would incorporate solar panels which would reduce carbon emissions. In the event of an approval, a condition would be secured requiring the proposed dwelling to achieve as a minimum, a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the option requirement defined within Approved Document G of the Building Regulations).

Subject to the above condition, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

FLOOD RISK AND DRAINAGE:

Policy SI 13 Part B of the London Plan (2021) states - Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:

- 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
- 2) rainwater infiltration to ground at or close to source
- 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 Part F) of the Hillingdon Local Plan: Part 2 (2020) states - Developments should be drained by a SuDs system and must include appropriate methods to avoid pollution of the water environment. Preference should be given to utilising the drainage options in the SuDS hierarchy which remove the key pollutants that hinder improving water quality in Hillingdon.

The site lies within a Flood Zone 1 (low risk) and is not identified as being located in a critical drainage area or an area of surface water risk. If the application were recommended for approval a Sustainable Water Management scheme would have been secured by condition in accordance with Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) , Policies DMEI 9 and DMEI 10 Part F) of the Hillingdon Local Plan: Part 2 (2020) and Policy SI 13 Part B of the London

Plan (2021).

LIVING CONDITIONS:

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set outs the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015).

With a gross internal floor area of approximately 373square metres, the overall internal size of the dwelling is considered to be acceptable. It is noted that gross internal floor area of the dwelling would far exceed the highest occupancy level rate referred to in Table 3.1 of the London Plan (2021), i.e. 132 square metres for a 6bedroom 8-person two storey dwelling.

All the proposed bedrooms would exceed the minimum floor area standards set out in the Technical housing standards - nationally described space standard (2015). The proposed dwelling would be dual aspect with most of the habitable rooms being served by principal windows in the front or rear elevations of the building, thus providing future occupiers with a reasonable level of natural light and outlook. Whilst the north facing side dormer serves a bedroom this is noted to be the pre-existing arrangement for the original dwelling. The south facing side dormer also serves a bedroom however comprises a secondary window.

On the above basis, it is considered that the proposed dwelling would provide satisfactory internal living conditions for future occupants, in accordance with Policy D6 of the London Plan (2021) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

REFUSE ARRANGEMENTS:

Policies D6 and SI 7 of the London Plan (2021) require developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

Refuse collection will continue via Eastbury Road as is the case at present. In order to conform to accepted 'waste collection distances' from the public highway, the storage area should be positioned within 10m of a refuse vehicle on the roadway. No further details have been provided. As such, a condition requiring further details of the proposed bin store and type of bins to be provided, is recommended.

Subject to the above mentioned condition, it is considered that the proposed development would accord with Policies D6 and SI 7 of the London Plan (2021).

TREES, LANDSCAPING AND ECOLOGY:

Policy DMHB14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method

statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires development proposals to protect features of positive value within and adjacent to the site and for landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

There are no notable ecological designations applicable to the site. The original dwelling has been removed and thus it would be too late to survey the site for roosting bats. Further surveys in this instance would not be required.

It is noted that trees may have been removed from within the site. There is no evidence however that these trees would have been protected under the conservation area designation and would have required consent to be removed.

Trees and hedges are however considered to be of value to the visual amenity of the site and the setting of the conservation area generally. It would therefore be considered to be reasonable for the developer to provide some planting as part of a landscaping scheme, which could be secured by condition.

Subject to a condition which secures the implementation of a scheme of hard and soft landscaping, it is considered that an appropriate scheme of landscaping could be secured to improve the landscape and visual amenity of the site. The development would therefore accord with Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Paragraph 203 of the NPPF (2023) states - In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 213 of the NPPF (2023) states - Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

This is reinforced at a local level, in Policy DMHB 4 Part B) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) which states that the Council will - Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area.

Google aerial images dated 2023 show substantial demolition of the host dwelling. The previous application was submitted as a householder development and then withdrawn. The current full planning application has been submitted, which is the correct procedure.

Based on the interpretation of paragraph 039 of the Planning Practice Guidance, the Northwood

Frithwood Conservation Area is a designated heritage asset.

The original property whilst exhibiting some attractive features was not a statutory listed building, nor a locally listed building. It is therefore considered that the original building was not of considerable importance to the Conservation Area to warrant protection from demolition. Therefore, refusing this application on this ground alone would be considered to be unsustainable in the event of the appeal.

It is therefore considered, on balance, that the demolition of the original property whilst regrettable, is acceptable, in principle. Please refer to the subsequent sections of this report for an assessment in respect to the development.

COMMUNITY INFRASTRUCTURE LEVY:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014, and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked.

The proposal involves the erection of a new dwelling and would therefore be liable to pay CIL. A relevant informative would be attached to the decision pointing to these obligations. In this regard, the development accords with the aims of Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the NPPF (2023) and the Community Infrastructure Levy Regulations (2010).

OTHER MATTERS:

It is noted that a verandah has been erected to the rear of the property and two air-conditioning units have been installed over the flat roof of the single storey rear element. These are not shown on the submitted plans or listed in the description of development. These elements may also require planning permission however have not been assessed as part of this application. These AC units have been referred to Planning Enforcement for investigation.

8. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (2012)
Hillingdon Local Plan: Part 2 - Development Management Policies (2020)
London Plan (2021)
National Planning Policy Framework (2023)

Contact Officer:	Christos Chrysanthou	Telephone No:	01895 250230
-------------------------	----------------------	----------------------	--------------