

**39 Oak Avenue  
Ickenham  
UB10 8LR**



## **PLANNING STATEMENT**

*Erection of a replacement dwellinghouse*

PB Planning Consultancy Ltd

E: [paulbroderickplanning@gmail.com](mailto:paulbroderickplanning@gmail.com)

T: 020 3289 7292

## **1. Introduction**

- 1.1 This application follows a recent pre-application submission (LPA ref: 321/PRC/2021/186) in which the council gave their feedback in a letter of 18<sup>th</sup> October 2021.
- 1.2 In their pre-application response, the council accepted the principle of a replacement dwelling on this site but provided comments about various aspects of the proposed development that would need to be addressed in order to render the proposal acceptable.
- 1.3 The scheme presented in this full planning submission incorporates many of the council's comments and suggestions and where it does not, evidence is provided to explain why a particular aspect of the development is in fact acceptable.
- 1.4 The full list of issues raised by the council in their pre-application response are listed below:
- (i.) **Crown roof profile.**
  - (ii.) **Ridge height.**
  - (iii.) **Front alignment.**
  - (iv.) **Rear alignment.**
  - (v.) **Ground floor depth.**
  - (vi.) **Materials.**
  - (vii.) **Trees.**
  - (viii.) **Forecourt landscaping.**
  - (ix.) **Parking/forecourt.**
  - (x.) **Rear garden.**

- (xi.) **Internal layout.**
- (xii.) **Side elevations.**
- (xiii.) **Section drawings.**
- (xiv.) **Boundary treatment.**

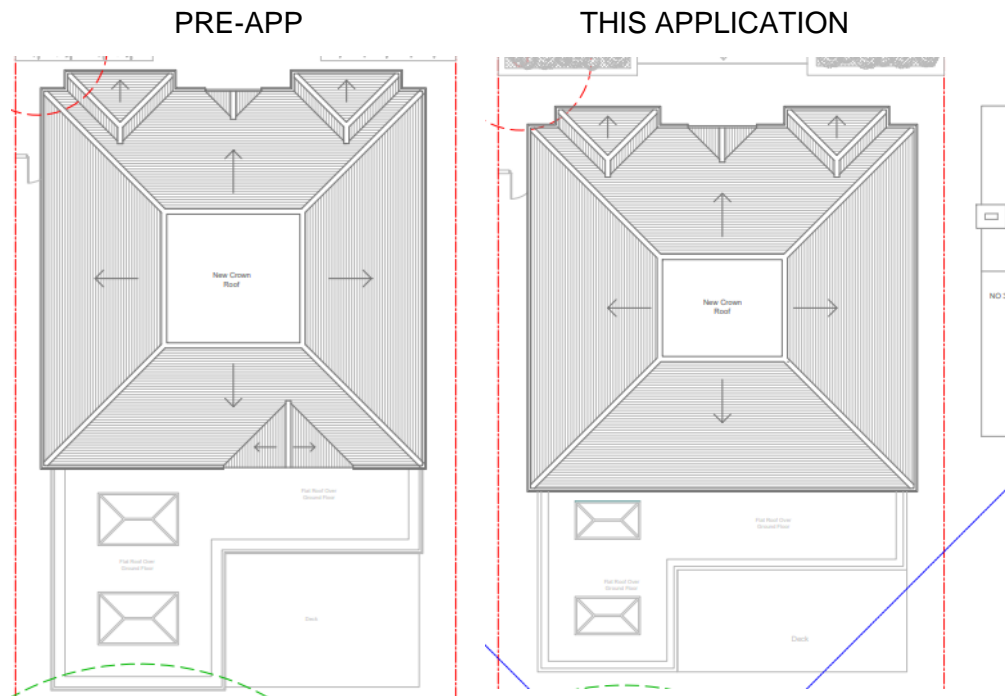
1.5 All of the issues listed above are discussed in the relevant sections of this planning statement.

## 2. Design

### Crown roof profile

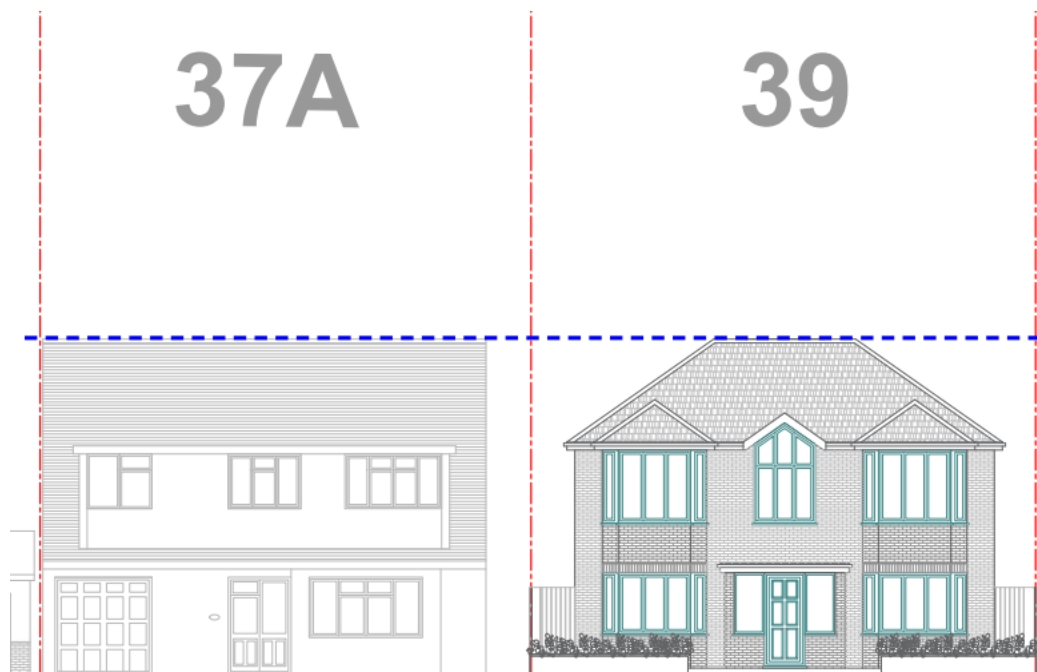
- 2.1 This council's pre-application response was supportive of the design concept of the replacement dwelling but requested that amendments be made to the crown roof profile in that *'the central flat roof element is reduced to resemble the appearance of the crown roof profile at no.38 Oak Avenue.'*
- 2.2 The crown roof profile has been amended in accordance with the council's request and this is demonstrated in Fig.1 below.

**Fig.1 – Comparison images showing the reduction in the crown roof profile**



- 2.3 The council's pre-application letter also stipulated that *'the ridge height of the proposed replacement dwelling would need to match the ridge height of the property at no.37a Oak Avenue.'*
- 2.4 The ridge height of the proposed dwelling has now been amended so that it is commensurate with that of no.37a Oak Avenue, as demonstrated in Fig.2 below.

**Fig.2 – Image showing how the proposed ridge height matches that of 37a Oak Avenue**



### Materials

- 2.5 The applicant was also advised in the pre-application response that *'...officers would expect the external brick work and tiles to match those found on no.38. It is recommended that a material schedule and product specification details are submitted with any forthcoming planning application.'*

- 2.6 The application is accompanied by a materials schedule with detailed product specification for the tiles, brick and decking. Also, the Design & Access Statement (Section 7) explains 'Products and Materiality'.

### **3. Impact on neighbouring properties**

#### **Front alignment**

- 3.1 The council were concerned about the alignment of the front elevation of the replacement dwelling and stated that *'the replacement dwelling would need to be positioned in alignment with the front dormer at no.37a Oak Avenue to prevent any adverse impact upon this neighbour's residential amenities.'* *Projecting beyond these front dormers is unacceptable as it would give rise to unacceptable loss of outlook and overbearing impact for no.37.'*
- 3.2 Notwithstanding the fact that a modest projection beyond the front dormer of 37a would not reduce outlook or create a sense of enclosure, the proposed development has been amended so that the first floor does not project beyond the front dormers of no.37a.

#### **Rear alignment**

- 3.3 The council's pre-application comments were also concerned with the rear building line and how this would impact on the upper floor windows of the neighbouring properties on either side. The pre-application letter stated that:
- 'the rear building line would need to be reduced to overcome the harm caused to the living conditions of the occupiers of Nos. 37a and 41 Oak Avenue.'* *45-degree test only relates to daylight and given position of dormers at 37a and 41, there will be unacceptable impression of enclosure which would be overbearing for these neighbouring occupiers. Also the outlook from these dormers would be severely undermined. Instead, it is strongly recommended that the depth of the proposed dwelling is reduced so that its*

*two-storey rear building line does not project beyond the rear dormer at no.37a (this would require a 1.6 metre depth reduction.)'*

- 3.4 However, a detailed analysis of the relationship with no.37a and no.41 Oak Avenue shows that there will be no impact to these neighbours in terms of loss of outlook or with regard to creating a sense of enclosure and this presented below.

Impact of first floor on no.41

- 3.5 Firstly, in the case of no.41 Oak Avenue, the rear dormer window of this property is located high up in the rear roof slope (see Figs.3 & 4 below).

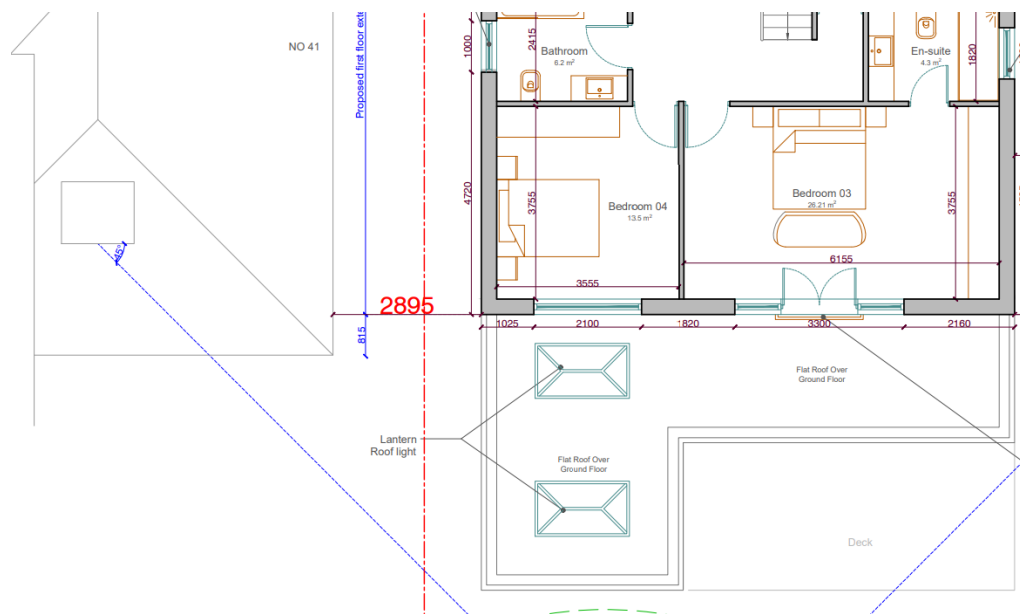
**Fig.3 – Image showing the position of no.41's rear dormer and how it cannot possibly be affected in terms of loss of outlook or suffer from an overbearing impact as a result of the proposed development.**





- 3.6 The blue lines in Fig.3 above indicate the reasonable line of vision from this dormer window; as the proposed first floor of the replacement dwelling does not even project beyond the rear wall of no.41 (see Fig.4 below) it is simply impossible for no.41's rear dormer to be affected by the proposed development in terms of outlook or sense of enclosure. This dormer occupies a position very high up in the rear roof slope of no.41 and will be unaffected by the proposed development.

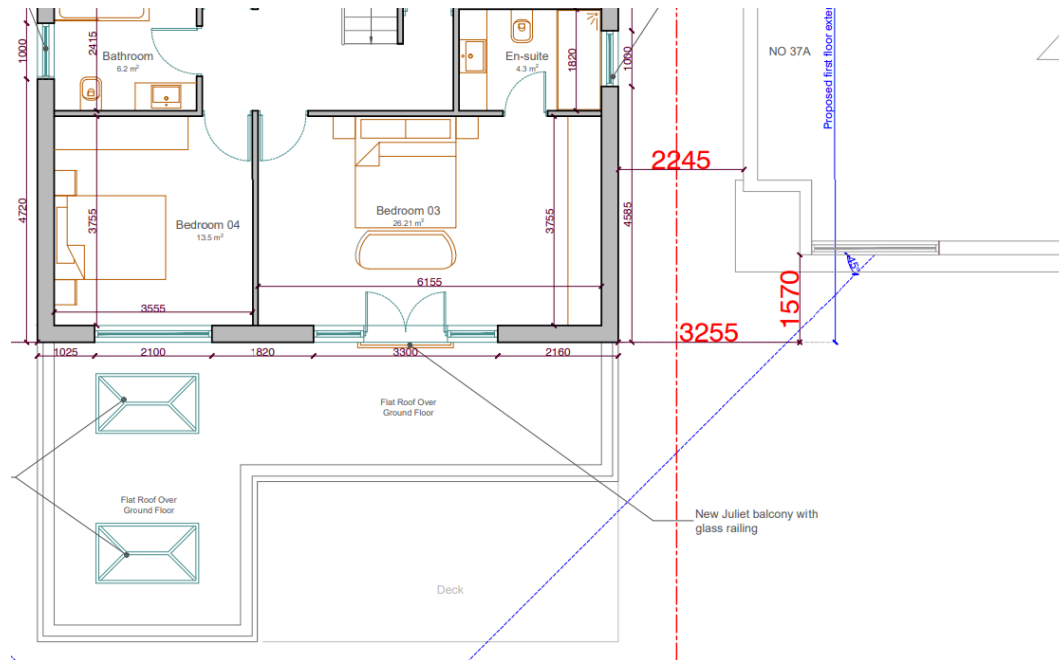
**Fig.4 – Excerpt of proposed first floor plan showing the rear dormer window at no.41 in relation to the proposed first floor building line.**



#### Impact of first floor on no.37a

- 3.7 In terms of the impact of the proposed first floor element on the amenities of no.37a Oak Avenue, again the relationship with the neighbouring dormer window is such that there will be no adverse amenity impacts (see Fig.5 below).

**Fig.5 – Image showing an excerpt of the proposed first floor plan and the position of no.37a's rear dormer.**



- 3.8 The proposed first floor plan shows that the edge of the proposed first floor flank wall will be 3.2 metres away from the edge of the dormer at no.37a and that there is a very good separation distance between the first floor of the proposed dwelling and no.37a's rear dormer.
- 3.9 Most significantly, the image above shows a 45-degree line drawn from the rear dormer window of no.37a and it is clear that even if this line were moved to edge of this window (closest to the application site) that the proposed first floor would not break this line and that there is clearly no loss of outlook to this window and nor will it suffer from a sense of enclosure. The proposed rear building line will not be readily visible from the rear dormer window of no.37a and will therefore have little to no impact on this neighbour. It has therefore been demonstrated that the proposed first floor building line will not adversely affect the amenities of the first floor rear windows of no.37a Oak Avenue.

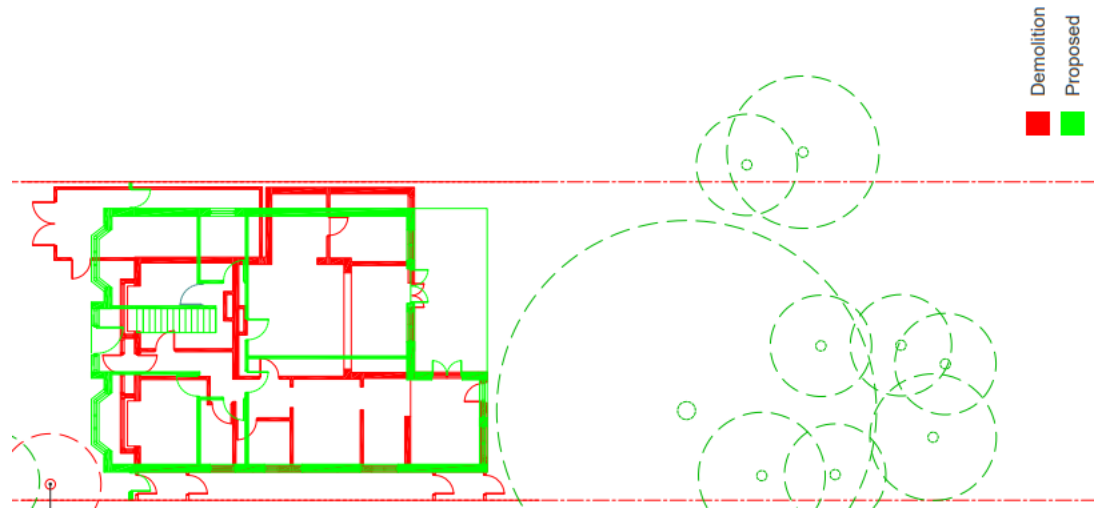
### Ground floor depth

- 3.10 The pre-application advice also commented that the proposed ground floor depth (which proposed an additional 1-metre depth beyond the existing ground floor flat roof extension) was unacceptable, stating that: *'the depth of the ground floor rear element would be unacceptably overbearing for the occupiers at Nos. 37a and 41 Oak Avenue, given the position of these neighbours' ground floor windows. Officers would recommend that the proposed single storey rear element is reduced to coincide with the reduction at first floor level.'*
- 3.11 The proposed ground floor rear element has been amended so that it does not protrude beyond what is currently on site.
- 3.12 The images in Fig.6 below show the extent of the existing flat roof ground floor rear extension at the application site. As this extension is in-situ, it is entirely reasonable to re-build this built form. The proposed development simply replicates an existing and long-established situation. Fig.7 below shows the outline of the existing and proposed footprint.

**Fig.6 – Images showing views of the existing ground floor rear extension.**

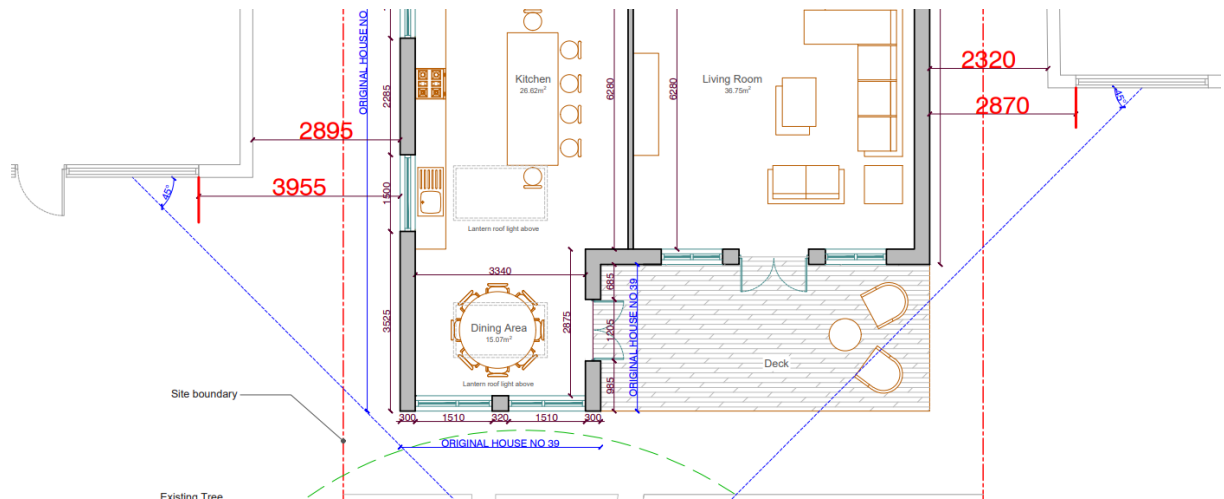


**Fig.7 – Image showing footprint of existing building (red) and the proposed building (green).**



- 3.13 The image below shows an excerpt of the proposed ground floor plan and how the 45-degree line of the nearest ground floor windows of the neighbouring properties will not be broken by the rear ground floor element of the proposed dwelling.

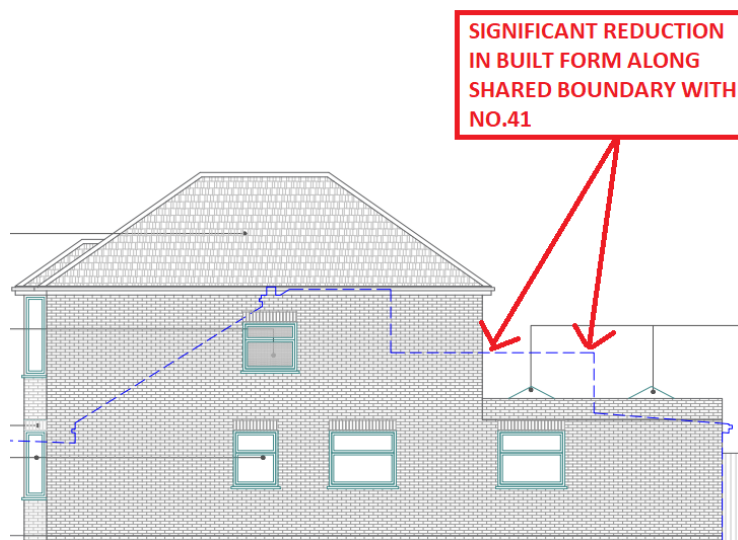
**Fig.8 – Excerpt of proposed ground floor plan.**



Impact on the nearest ground floor window of no.41

- 3.14 There is a significant separation distance between the proposed ground floor rear aspect and the neighbouring dwelling at no.41. The ground floor rear projection will be 3.95 metres from the edge of no.41's nearest ground floor window. This is a considerable distance and sufficient to ensure that there will be no overbearing impact on this neighbour.
- 3.15 In addition to the generous separation distance between no.41's ground floor window and the wall of the single-storey rear projection is the fact that the roof profile of the proposed ground floor rear element is a flat roof – further minimizing potential adverse amenity impacts. Most significantly, there is actually a substantial reduction in the height of the built form along the shared boundary with no.41 (see Fig.9 below). The blue line in Fig.9 below shows the outline of the existing building and how a significant area in a sensitive location on the boundary with no.41 will be reduced in height as a result of the proposal.

**Fig.9 – Excerpt of proposed side elevation facing no.41 – the blue line is the profile of the existing building.**



- 3.16 In light of the generous separation distance, the fact the 45-degree line to the nearest ground floor window is unbroken and, the flat roof profile of the ground floor rear element with its reduction in built form along this shared boundary, it is clear that there will no overbearing impact on no.41 Oak Avenue – in fact the impact on no.41 will be lessened in comparison to the existing situation. In light of these facts, the refusal of planning permission in relation to perceived impact on no.41's ground floor window would be entirely unjustified.

Impact on the nearest ground floor window of no.37a

- 3.17 Similar logic applies to the relationship with no.37a. The ground floor rear wall of the proposed dwelling will be 2.87 metres from the edge of its nearest ground floor window and will not break the 45-degree line.
- 3.18 Also, the proposed footprint of the ground floor element is actually further away from no.37a than the existing building is (see Fig.7 above) and therefore there can be no reasonable grounds to object to the development's impact on 37a as it has a reduced impact on this neighbour in comparison to the existing situation. The new side passage will create relief to this neighbour and the reduction in built form in this part of the site is actually a positive benefit of the proposed development.
- 3.19 Furthermore, there is significant vegetation along the shared boundary with no.37a and this vegetation, which is very high, can be seen in Fig.10 below.

**Fig.10 – Photo of the rear garden showing the existing rear extension and significant vegetation along the shared boundary with no.37a.**



- 3.20 In summary, taking into account the separation distance, presence of high vegetation and, the fact that the replacement dwelling is actually set further away from no.37a, it cannot be reasonably contended that a replacement flat-roof single-storey element such as that proposed can have an unacceptable overbearing impact on no.37a Oak Avenue.

#### Side elevations

- 3.21 The final request from the planners in relation to residential amenity was that the side elevations demonstrate that the ground floor and first floor bathroom windows be obscure glazed and non-opening up to 1.8 metres above finished floor level and this annotation has now been added to the proposed drawings.

#### **4. Layout of forecourt and rear garden (inc. parking, cycle parking, refuse)**

##### Forecourt

- 4.1 The pre-application letter suggested several amendments to the layout of the forecourt area and the level of parking:

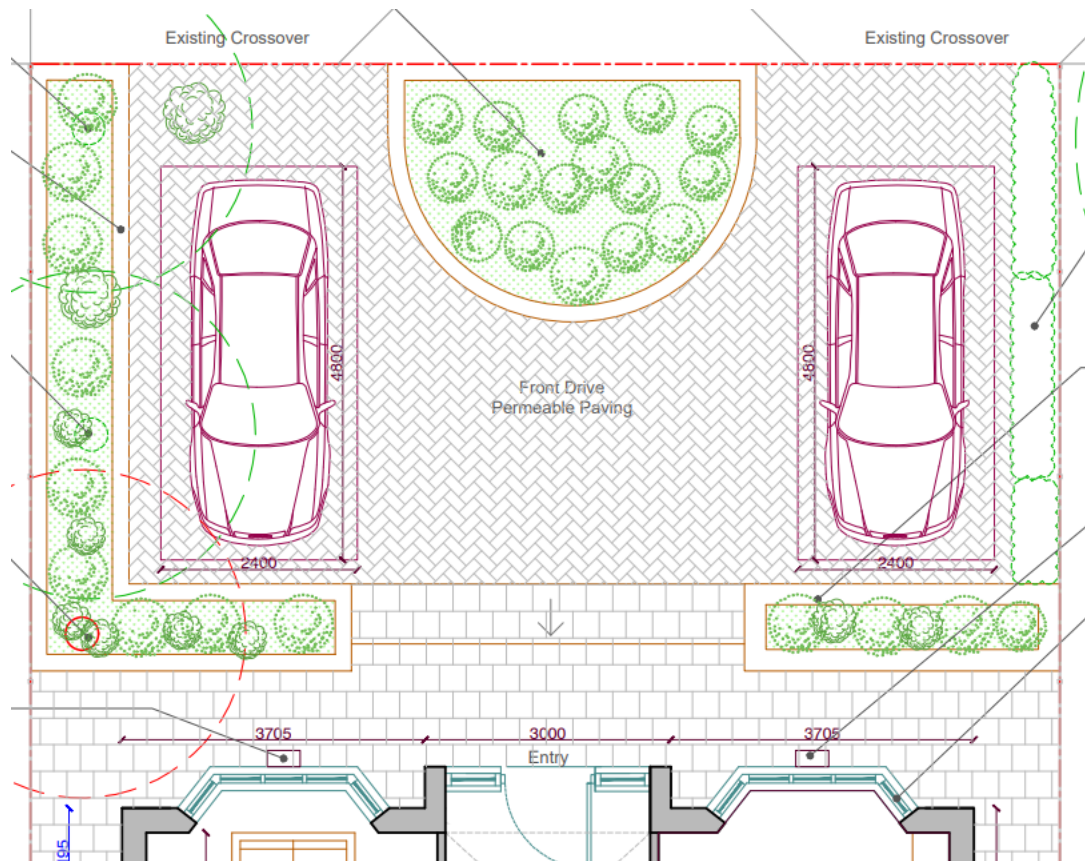
*'Front garden is indicated as predominantly paved area, with space for four or five cars and minimal soft/living landscape. This arrangement would be detrimental to the character and appearance of the area. It is environmentally unsound with regard to air quality carbon capture and Sustainable Urban Drainage System (SuDs). A greater area of soft landscaping should be retained / reinstated as part of the layout. Also, the reduced area of hardstanding would need to be covered in permeable paving.'*

- 4.2 The forecourt plan has been amended in line with the council's stipulations and parking is reduced to 2 off-street parking spaces and large areas of landscaping have been introduced as well as demonstrating that the paving will be permeable (see Fig.11 below).

- 4.3 In addition, the presence of the 2 existing crossovers is noted on the updated forecourt plan as well as position of wall-mounted EV charging points (on the main house) to comply with Policy T6 (T6.1) of the London Plan (2021).



**Fig.11 – Excerpt of proposed forecourt plan**

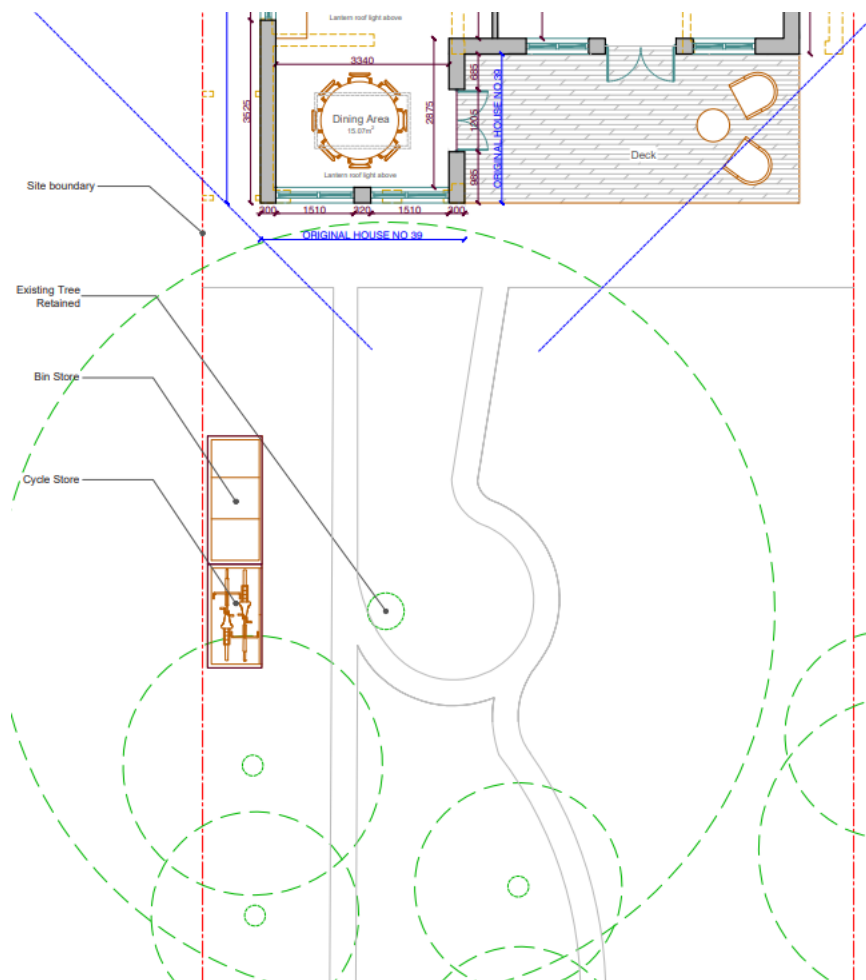


Rear garden/cycle stores/ refuse & recycling stores

- 4.4 In terms of the rear garden, a bike store and an area for storage of refuse and recycling bins is now shown and a document entitled 'Product Specification' is submitted with the application detailing the design of the proposed stores. The location of the stores is shown on the proposed ground floor plan (see Fig.12 below) and details of the bike store are shown in Fig.13 and the refuse store in Fig.14.

- 4.5 The bike storage unit can accommodate 3 bicycles and therefore exceeds the minimum requirement for the storage of 2 bicycles and is secure, covered and accessible.
- 4.6 The refuse storage unit can accommodate 3 x 240 litre bins and will meet the needs of the future occupiers.
- 4.7 The rear garden is considered to be an accessible and secure location as the side gates will be lockable and the store itself will also be lockable.

**Fig.12 – Excerpt of proposed rear garden plan**



**Fig.13 – Proposed bike store design**



**Fig.14 – Proposed refuse store design**



- 4.8 In summary, the application demonstrates that there is adequate and suitable provision for bike storage and refuse and recycling storage.
- 4.9 Lastly, the height of the boundary fences is annotated on the proposed ground floor plan.

## 5. Internal layout

5.1 The proposed dwelling will have a Gross Internal Area of 211m<sup>2</sup>. The dwelling is designed as a 4-bedroom house, however, the council note in their pre-app letter that two of the ground floor front rooms (marked 'study' and 'reception') could conceivably be used as bedrooms and that the house should be considered as a 6-bedroom dwelling. The minimum dwelling size for a two-storey 6-bedroom, 7-person house is 123m<sup>2</sup> and a 6-bedroom, 8-person house is 132m<sup>2</sup>. At 211m<sup>2</sup> the proposed dwelling significantly exceeds the minimum space standards.

5.2 All of the bedrooms comply with the minimum space standards as per the London Plan (2021) and are set out below:

**Table.1 – Schedule of proposed bedroom sizes**

	<b>Room size m<sup>2</sup></b>	<b>London Plan minimum room size requirement m<sup>2</sup></b>
Bedroom 1	13.06	11.5
Bedroom 2	13.06	11.5
Bedroom 3	26.21	11.5
Bedroom 4	13.5	11.5

5.3 Section drawings are included with the submission and these demonstrate that the floor to ceiling height of the proposed dwelling is 2.5 metres for more than 75% of the floorspace.

**Fig.15 – Floor to ceiling heights**



## 6. Trees

- 6.1 Following refusals of planning permission based (in part) on failure to safeguard a protected Oak tree on the site, a tree report was produced for this site by Trevor Heaps and the report is dated July 2021. The tree report was submitted for consideration at pre-application phase and is also submitted with this planning application.
- 6.2 This report confirms that one Grade C Magnolia tree would be removed to enable the development and, that all other trees, including the protected oak tree labelled T1 on the survey drawing, are capable of being protected and retained subject to tree protection measures specified in the report.
- 6.3 The pre-application letter stated that the council has no objection to the contents of the report but that '*a Construction Management Plan would be required to ensure that the building contractor incorporates the tree protection measures throughout the demolition and construction work.*'
- 6.4 The Construction Management Plan (specifically Section 7) submitted with this application sets out how the recommendations in the Trevor Heaps tree report will be implemented and therefore satisfies the council's requirements in terms of ensuring the long-term health of the protected tree.

## **7. Conclusion**

- 7.1 The design of this replacement dwelling has been amended in accordance with the advice given by the council and should now be acceptable in this regard. The issues of the ridge height, crown roof profile and materials have all been resolved.
- 7.2 In terms of its impact on neighbouring properties, this planning statement has demonstrated how the proposed development will not have an adverse effect on the amenities of the adjoining occupiers on either side and there are aspects of the proposed development that actually reduce the impact on adjoining neighbours.
- 7.3 The ground floor rear element does not exceed the footprint of the existing ground floor and therefore there can be no reasonable grounds to object to this aspect of the development. Notwithstanding this, site specific factors such as generous separation distances, unbroken 45-degree lines, areas of reduced building height or where the building has been pulled away from the neighbour and, vegetation on the shared boundary, that combine to ensure that there will be no detrimental impact on neighbours.
- 7.4 The overall GIA, the internal layout (room sizes) and the floor to ceiling heights all accord with the minimum requires in the London Plan (2021).
- 7.5 An appropriate level of off-street parking is provided for and at the same time making provision for electric vehicle use. The forecourt will also be suitably landscaped. The development also includes adequate provision for refuse and recycling and bicycle storage to meet the needs of the future occupiers.
- 7.6 The application demonstrates that the protected tree on site will be adequately protected from the impacts of the development.

