

DELEGATED HOUSEHOLDER 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 Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | <input type="checkbox"/> |
| 11. Householder application in the Green Belt | <input type="checkbox"/> |

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 | <input type="checkbox"/> |
| 13. Refusal of change of use from retail class A1 to any other use | <input type="checkbox"/> |
| 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. | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | <input type="checkbox"/> |
| 16. Certificate of Lawfulness (for existing use or Development) | <input type="checkbox"/> |
| 17. Certificate of Appropriate Alternative Development | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning and Enforcement**

Address 4 THE COVERT NORTHWOOD

Development: Construction of a semi-subterranean garage to front and conversion of integral garage to habitable use involving alterations to front elevation.

LBH Ref Nos: **4927/APP/2017/3302**

Drawing Nos: 006 A
 008 A
 011 A
 002
 007
 005
 003
 004
 010
 009
 001

Date Plans Received: 11/09/2017 **Date(s) of Amendment(s):** 22/11/2017
Date Application Valid: 25/09/2017 11/09/2017

1. CONSIDERATIONS

1.1 Site and Locality

The application property is set in a hillside location and relates to a large two storey detached property located on the North Western side of The Covert, a cul-de-sac. The property currently benefits from a single integral garage. The property is situated approximately 3 m above road level, set back approximately 16.6 m from the road. There is a levelled terrace providing parking for two cars immediately adjacent to the house, with a grassed bank sloping down to the road in front. The driveway sits to the side of this, with steps to the side.

The street scene is residential in character and appearance comprising large detached properties. The application site lies within the Copsewood Estate Area of Special Local Character and the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site is also covered by Tree Preservation Order (TPO) 400.

1.2 Proposed Scheme

The application is for the conversion of the integral garage to habitable use and the erection of a subterranean garage to the front of the property.

1.3 Relevant Planning History

4927/APP/2008/2946 4 The Covert Northwood

Demolition of existing dwelling and erection of two-storey 5-bedroom detached dwelling with roofspace accommodation.

Decision Date: 19-12-2008 Approved

4927/APP/2011/2032 4 The Covert Northwood

Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 4927/APP/2008/2946 dated 19-12-2008 (Demolition of existing dwelling and erection of two-storey 5-bedroom detached dwelling with roofspace accommodation.)

Decision Date: 20-10-2011 Approved

4927/APP/2014/1260 4 The Covert Northwood

Details pursuant to conditions 3 (Materials), 4 (Windows and Doors) and 15 (Roof) of planning permission ref: 4927/APP/2011/2032 dated 20/10/2011 (Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 4927/APP/2008/2946 dated 19-12-2008 (Demolition of existing dwelling and erection of two-storey 5-bedroom detached dwelling with roofspace accommodation))

Decision Date: 20-06-2014 Refused

4927/APP/2014/3731 4 The Covert Northwood

Details pursuant to conditions 3 (Materials), 8 (Tree Survey), 10 (Tree Protection), 11 (Landscaping), 16 (Ground/Floor Levels) and 20 (Sustainable Urban Drainage Systems) of planning permission ref: 4927/APP/2011/2032 dated 20/10/2011 (Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 4927/APP/2008/2946 dated 19-12-2008 (Demolition of existing dwelling and erection of two-storey 5-bedroom detached dwelling with roofspace accommodation))

Decision Date: 03-02-2015 Refused

Comment on Planning History

4927/APP/2011/2032 - Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 4927/APP/2008/2946 dated 19-12-2008 (Demolition of existing dwelling and erection of two-storey 5-bedroom detached dwelling with roofspace accommodation.) (approved).

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

17 neighbours were consulted for a period of 21 days expiring on the 17 October 2017. A site notice was also erected on the telegraph pole opposite expiring on 26 October 2017.

There was one response received raising the following issues:

- Our primary concern is the potential impact on the foundation of our property. There is a risk of subsidence given the construct of the area. We request the Council share the Construction Method Statement so we are able to obtain professional advice to allay concerns.
- The proposed scheme is not in keeping with the road and would do irreparable damage to the overall appearance of The Covert, which has a unique character.

Officer response: Details relating to the construction of the proposal would be controlled by Building Regulations. Also any works near or adjacent to boundaries would be bound by the Party Wall Act and would require a Party Wall Agreement, which is a civil matter between interested parties and not a material planning consideration. Any grant of

planning approval would not override the need to comply with any other legislation.

Northwood Residents Association - The development includes the creation of a basement for which no geotechnical or hydrological surveys have been provided and it is not possible to determine whether the development would have an unacceptable impact on drainage and flood risk.

Officer response. The site is not within an area with evidence of flooding that would mean that such information could reasonably be required based on present planning policy and appeal decisions.

Trees/Landscape - The site is covered by TPO 400, however there are no trees or landscape features of particular merit which would be affected by the proposal. There is no objection to the subterranean structure which will accommodate two parked cars beneath the current parking spaces. However, the proposal shows the retention of the existing ramped driveway to the North of the site, while removing the grassed slope to accommodate a new driveway and garage. This will result in 100% hard landscaped finish in the front garden which will be detrimental to the special character and appearance of the Copse Wood Estate. The proposal would be acceptable if the existing paved areas are removed and replaced with soft landscaping.

Officer response: Revised plans have been submitted including the provision of 25 % soft landscaping and the Landscape Officer has confirmed that these areas of soft landscape will make the proposal more acceptable subject to detail - these areas would benefit from suitable planting. No objection subject to landscape conditions.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

LPP 3.5 (2016) Quality and design of housing developments

BE5 New development within areas of special local character

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.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

AM14 New development and car parking standards.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and provision of acceptable residential amenity for the application property.

The Hillingdon Local Plan: Part One Strategic Policy BE1 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. Part Two - Saved Unitary Development Plan Policies of the Local Plan contains policies that seek to safeguard the appearance, character and amenities of the local street scene and surrounding area. Policy BE13 states that development must harmonise with the existing street scene and Policy BE19 that it should complement the amenity and character of the residential area in which it is situated. Policy BE15 seeks to ensure that proposals for extensions to dwellings should also harmonise with the scale, form and proportions of the original building.

The proposal includes the change of use of the integral garage to habitable accommodation. The proposal would include replacing the garage door with a wall and a window above to match the existing dwelling. This is a relatively minor alteration, which would be in keeping with the character of the original dwelling. To the front it is proposed to erect a new garage beneath the existing terrace. This would replace the existing sloping grass bank on the Southern side of the front garden with an excavated driveway leading to a garage door set beneath an extended terrace of approximately 2.3 m in depth with a 0.5 m high wall above. Although structures forward of the existing building line would not normally be considered acceptable, the level of additional built form in this instance is minimal. It is also noted that other properties within the cul-de-sac have driveways at a lower level including no. 5 adjacent which has a lowered driveway leading to an integral garage set beneath the existing dwelling. Concerns raised by the Landscape Officer over the potential visual impact of the loss of the green bank and the excessive hard landscaping have been addressed with the submission of revised plans to show the introduction of additional landscaping along the North East boundary. Therefore on balance it is not considered that the proposal would significantly impact of the visual appearance of the dwelling or the character and appearance of the wider Area of Special Local Character and as such the proposal accords with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS:

It is not considered that the proposals would significantly harm the residential amenities of the occupiers of the adjoining detached properties from increased overshadowing, loss of sunlight, visual intrusion, over-dominance or loss of privacy. As such, the proposal is in compliance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that the formation of the proposed habitable room within the converted integral garage would provide an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan.

There is no impact on the provision of private amenity space as a result of this proposal.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 Time Limit

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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 006 A, 007, 008 A, 009, 010 and 011 A.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (March 2016).

3 HO4 Materials

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 and shall thereafter be retained as such.

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 Local Plan: Part Two Saved UDP Policies (November 2012).

4 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

2.b Car Parking Layouts

2.c Hard Surfacing Materials

3. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

- 1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 3 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

- 4 On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

Part 2 Policies:

LPP 3.5	(2016) Quality and design of housing developments
BE5	New development within areas of special local character
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

- 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 - Residents Services, Building Control
3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 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 Services Reception Desk, 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: Liz Arnold

Telephone No: 01895 250230