Residents Services

APP. REF. NO: 69761/APP/2014/496

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	☐
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 then 10 dewlling 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 Heads of Terms have already received Committee approval	☐
25. WORKS TO TREES	☐
26. OTHER (please specify)	☐

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, Sport and Green Spaces**

Address 5 SWEETCROFT LANE HILLINGDON UXBRIDGE

Development: Two storey rear extension and conversion of garage to habitable use

LBH Ref Nos: **69761/APP/2014/496**

Drawing Nos: MB/2027/1
MB/2027/2
MB/2027/3
Photographs x 2

Date Plans Received: 13/02/2014 **Date(s) of Amendment(s):** 13/02/2014

Date Application Valid: 18/02/2014

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located to the south side of Sweetcroft Lane off Long Lane in north Hillingdon, a residential area comprising of detached dwellings and cul-de-sac infill development forming part of the Developed Area of the Borough as identified in the Hillingdon Local Plan.

No. 5 Sweetcroft Lane is a modest unaltered detached house dating from the post-War era. The property is within the Hillingdon Court Park Area of Special Local Character (ASLC) and forms one of a small group of buildings in a traditional 'olde world' style, featuring gables, dormers, canted bay windows and integral garages. The area is characterised by such detached properties mostly of the post and inter-War era.

The two storey dwelling comprises of four bedrooms and an attached integral garage under a cat slide roof containing a front dormer window. There is parking capacity for up to three or four vehicles on the gravelled forecourt which is accessed along a gated driveway shared with No. 7. The property also benefits from a rear garden of 12.25 metres in depth x 14m wide.

1.2 Proposed Scheme

The proposal is for a two storey rear extension (4.0m deep x 8.2m wide) plus conversion of the garage to habitable use as a study with a front window added. The additions and alterations would provide a new dining room on the ground floor and an additional new bedroom on the first floor.

The rear extension would be completed by a pitched roof that continued the existing 40 degree angle of the main roof slope. It would be finished externally in materials to match the existing building, comprising of red facing brick, brown roof tiles and white upvc window/door openings.

1.3 Relevant Planning History
Comment on Planning History

None relevant to this application.

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

4no. neighbouring occupiers were consulted (19.2.2014) and in addition a site notice was displayed from 26.2.2014. Three responses and an additional three representations have been received with the following objections:

AMENITIES OF NEIGHBOURS
- blocking/loss of significant level of sunlight and daylight (to the kitchen, rear living room);
- height will severely affect the amount of sunlight to garden (particularly during the summer when it would be blocked from 0800hrs./mid-afternoon 1400-1500 hrs. onwards)/overshadowing;
- loss of privacy/overlooking (from side/rear windows to gardens, rear and side of adjoining houses);
- loss of outlook and sense of enclosure (feeling of being hemmed in) because of the close proximity/height.

SCALE/PROPORTION
- design of the extension too dominant/overbearing in terms of the original house
- large and oversized considering the overall size of the garden and space available - is this not in contravention of any local planning permission guidelines?

IMPACT ON SURROUNDING AREA
- out of keeping with design of those in the street

OTHER
- contravenes The Party Wall Act.

Ministry of Defence - no comments.

National Air Traffic Services - no comments.

MOD Safeguarding (RAF Northolt)- no safeguarding objection.

Flood Water Management Officer - recommends condition re. scheme for the provision of sustainable water management.

Urban Design/Conservation Officer:

Any extension will have an effect on the character and appearance of the building, but also the ASLC. It is proposed to construct a two storey full-width rear extension which would extend the property to a depth of 4 metres. This would create an addition that due to its bulk, width and height, would appear as a discordant addition, disproportionate in size to the existing dwelling. It would unacceptably dominate the rear facade to the detriment of the character and appearance of the dwelling and the group. For the same reasons, it would appear as an incongruous addition in the streetscene.

This would not sustain the character or appearance of the ASLC and would not meet the Framework's core principles; particularly that planning should be seeking to ensure high quality design and seeking to conserve heritage assets in a manner appropriate to their significance.

In addition, large additions of this nature are against the guidance given in Hillingdon's Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Extensions, in particular, para. 6.4, which states that rear extensions 'should always be designed so as to appear 'subordinate' to the original house. Rear extensions will only be allowed where there is no significant over-dominance'.

There is no objection to replacing the garage up-and-over door with a window and the aperture infilled in brick to match.

Trees/Landscape Officer: Acceptable, subject to conditions RES8 and RES10. This site is covered by TPO 32a. In terms of Saved Policy BE38 there is a protected Oak in the front garden of this site and a protected Monterey Cypress to the rear. To ensure that the roots of the Cypress are not damaged by soil compaction during construction, ground protection should be employed in the corner of the garden.

Recommends, in accordance with BS 5837:2012, that a tree protection plan should be submitted/or the plans should be amended to show ground protection in the south-eastern corner of the rear garden.

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

Part 2 Policies:

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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues with the proposal are the impact on the street scene and surrounding area; the design in terms of scale, proportion etc. and the potential impacts on the amenities of the neighbouring occupiers. Parking, amenity space provision and landscaping are also taken into account.

The Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies

(November 2012) 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.

The site lies within the Hillingdon Court Park Area of Special Local Character. Policy BE5 states that within Areas of Special Local Character new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. These areas of the Borough are so designated because they contain certain elements of character and identity which the Local Planning Authority wishes to preserve.

In addition, Policy BE22 sets out that extensions of two or more storeys should be set back a minimum of one metre from the side boundary of the property for the full height of the building in order to protect the spacing between the dwellings and thus the appearance in the street scene.

There would be sufficient spacing retained to the side of the dwelling (approx. 4m to the east side boundary, 1.2m to the west side) to ensure that the gaps in the street scene are protected. The set back from the road and slightly staggered position of No. 5 with regard to the neighbouring dwellings would also mean that the proposed extension would not be particularly visible or thus prominent in the general scene between the houses. The proposal would thus accord with the general objectives of Local Plan Part 1 Policy BE1 and Part 2 Policies BE13, BE19 and BE22 in this respect.

Policy BE15 permits extensions that are in harmony with the scale, form, composition and proportions of the original building. In order to achieve this, such extensions should be designed to appear subordinate to the original (Hillingdon Design And Accessibility Statement - Residential Extensions, paragraphs 3.1 and 6.4) and not protrude too far from the rear wall. For detached houses, 4.0 metres is thus considered an acceptable depth for a rear extension whilst the roof, matching in shape and angle of pitch, should though have a ridge height at least 0.5m lower than the original.

The Council's Urban Design/Conservation Officer considers the two storey full-width rear extension proposed would create an addition that due to its bulk, width and height, would appear as a discordant addition, disproportionate in size to the existing dwelling. It would unacceptably dominate the rear facade to the detriment of the character and appearance of the dwelling and the group. In this regard it would not sustain the character or appearance of the ASLC, or achieve the core principles of the National Planning Policy Framework which seek to ensure high quality design and seeking to conserve heritage assets in a manner appropriate to their significance.

It would also be contrary to the guidance given in HDAS, which states that rear extensions should to appear 'subordinate' to the original house and will only be allowed where there is no significant over-dominance'. The proposed rear extension would meet the minimum requirements of HDAS in terms of its depth but the height of its roof has not been set down.

Accordingly, for the reasons given, the extension would fail to appear wholly subordinate in scale and proportion to the existing house and the proposal is therefore contrary to the objectives of Policies BE5, BE15 and BE19 of the Local Plan and to HDAS.

The amenities of adjoining occupiers are sought to be safeguarded by Local Plan Policies BE20 (in terms of daylight/sunlight), BE21 (proximity, bulk and outlook) and BE24 (privacy). HDAS sets out the criteria by which such impacts are assessed including the

minimum horizontal and vertical angles of daylight to be maintained between the properties and general bulk due to size, height and proximity to boundary.

The flank elevation of No. 7 Sweetcroft Lane to the west contains a side door and at the rear are ground floor windows serving a habitable room in a small rear projection (of approx. 1.25m). The proposed extension would not however exceed a 45 degree line taken form the centre of the nearest opening in No. 7 and therefore the occupiers are unlikely to experience any significant loss of natural daylight. A small amount of sunlight would though be lost to the garden in the early mornings.

The depth of the rear extension would however extend considerably beyond a similar line taken from the centre of the nearest such window to No. 3a Sweetcroft Lane, the adjoining house to the east which is set forward of No. 5 by 5.7 metres at the rear. This property contains ground floor windows to habitable rooms in the rear elevation and the increased depth of No. 5 would undoubtedly have a detrimental effect on the outlook and daylight for its occupants in addition to the loss of afternoon sunlight to their garden.

In addition to one new ground floor window (serving the kitchen), there would be new side windows formed at first floor level on both flanks, to a dressing room and bedroom, facing Nos. 3a and 7 Sweetcroft Lane respectively. Whilst the dressing room window could be fitted with obscure glazing and be non-openable below 1.8m above internal floor level, the bedroom window would provide the only opening to this habitable room and need to be clear glazed. As such, it would afford the opportunity for overlooking and thus result in a loss of privacy to the rear garden of No. 7, which is contrary to Policy BE24 and HDAS in this respect.

The depth of the extension would also bring the proposed rear facing first floor bedroom windows in the extension to within 20 metres of the rear elevation of No. 8 Holm Grove, a detached dwelling situated in the adjacent cul-de-sac at the foot of No. 5's garden. This property has also been extended at ground floor and thus an unacceptable relationship would inevitably result with a loss of privacy likely from direct overlooking that is not currently prevented by trees or boundary planting.

For the reasons given above relating to the potential impacts on neighbouring amenities, the proposal is considered to be unacceptable and the proposal therefore conflicts with Local Plan Policies BE20, BE21 and BE24 in these respects.

The amenities of future occupants of the application property are also considered under Local Plan Policies BE23 (amenity space) and BE38 (landscaping). HDAS sets out a minimum of 100 square metres of outdoor private amenity space for five bedroom properties. This figure would be exceeded by the available private garden space retained to the rear (approx. 115 sq.m.).

In accordance with Policy BE38 there are no protected trees or other landscape features of merit to be removed or threatened by the proposal. In this regard, the Council's Trees/Landscape Officer has indicated that the roots of the large Cypress tree in the adjoining garden to the rear, can be protected during construction following any grant of permission.

Local Plan Policy AM14 seeks to ensure that adequate parking is retained in accordance with the Council's adopted maximum parking standards. The existing parking provision for up to four vehicles outside of the garage to be converted would be more than sufficient for a five bedroom house to meet this policy requirement.

In conclusion therefore, the scale of the proposed development would have an unacceptable impact on the appearance of the building and on the visual amenities of the surrounding area, which is an ASLC. In addition, there would be a detrimental impact on the amenities of the neighbouring properties.

Accordingly, the application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its size, scale, bulk, width and height, would appear as a discordant and disproportionate addition in relation to the existing dwelling. As such, it would fail to appear subordinate and would thus be detrimental to the character and appearance of the of the original dwelling and the wider Hillingdon Court Park Area of Special Local Character, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and to the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its size, scale, bulk and height, would be detrimental to the residential amenities of the neighbouring occupiers at 3a Sweetcroft Lane, by reason of overdominance, loss of natural daylight and sunlight, overshadowing and loss of outlook. It would therefore be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and to the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposed development by virtue of the new side facing window and its proximity to the neighbouring property, 7 Sweetcroft Lane, and the proposed rear windows, facing 8 Holm Grove, would be detrimental to the residential amenities of these neighbouring occupiers, by reason of the loss of privacy that would arise. The proposal is therefore contrary to Policies BE19 and BE24 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and to the adopted Supplementary Planning Document HDAS: Residential Extensions.

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. 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.

Standard Informatives

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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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 (July 2011) and national

Part 1 Policies:

PT1.BE1	(2012) Built Environment

Part 2 Policies:

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
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

guidance.

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