

Report of the Director of Planning & Community Services Group

Address 42 LAWRENCE DRIVE ICKENHAM

Development: Single storey rear extension with roof lantern

LBH Ref Nos: 23057/APP/2009/1053

Drawing Nos: 2 - Proposed Floor Plan
3 - Proposed Roof Plan
1:1250 Site Location Plan
1 - Proposed Block Plan
4 - Proposed Rear Elevation
5 - Proposed Side Elevation
Flood Risk Matrix

Date Plans Received: 18/05/2009 **Date(s) of Amendment(s):**

Date Application Valid: 05/06/2009

DEFERRED ON 22nd September 2009 FOR FURTHER INFORMATION ON

- i) The production of a shadowing diagram; and
- ii) An assessment of the proposal against the BRE guidelines.

i) An overshadowing diagram has been produced and shows that from 8am until approximately 1.30pm the area of shadow cast by the proposed extension would fall within the extent of the existing shadow cast by the two storey dwellings, and as such would not result in any additional shadowing of the adjoining property.

ii) The Building Research Establishments report 'Site Layout Planning for Daylight and Sunlight 1991' recommends that suitable daylight to habitable rooms is achieved where a 25 degree vertical angle taken from a point 2 metres above the floor of the fenestrated elevation is kept unobstructed. This guidance refers to built development that would be directly in front of the existing opening of the adjoining property (French doors) and therefore in relation to this advice the daylight to this room would not be obstructed by the proposed extension and as such would comply with the recommended guidelines.

1. CONSIDERATIONS

1.1 Site and Locality

The application property is situated on the north side of Lawrence Drive at a 90° bend in the road such that the site is narrower at the front and then splays out at the rear. The existing property comprises a two storey semi detached dwelling with a pitched roof. The property has an existing single storey side and part rear extension and is in a street of broadly similar properties and is within the 'Developed Area' as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

1.2 Proposed Scheme

The application seeks planning permission to erect a single storey rear extension. The extension would fill the gap between the existing rear extension and the shared boundary fence with No.44. It would be 2.7m wide and 3.6m deep and would be finished with a flat roof at a maximum height 3m including the parapet wall to the side. A lantern style roof light is situated centrally in the roof space.

1.3 Relevant Planning History

23057/APP/2008/1202 42 Lawrence Drive Ickenham

ERECTION OF A PART SINGLE STOREY SIDE EXTENSION AND FRONT PORCH.

Decision Date: 30-06-2008 Refused **Appeal:**

Comment on Planning History

None

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

5 Neighbours consulted, one response received making the following Comments:

1. Object to the application due to loss of light and overshadowing. Instead of there being 18 feet between the kitchen wall of No.42 and our kitchen wall there will only be 9 feet;
2. The extension will run along the boundary and only be 18inches from our French window. This will create a brick corridor and severely cut the amount of light entering both our kitchen and lounge/dining room;
3. The visual impact will also be considerable and perhaps Policy BE20 would apply;
4. We also have concerns regarding the drainage and the damage that could be caused by digging the foundations;

Officer comment - Point 4 is not a planning matter and the remaining points are addressed in the full report.

Ickenham Residents Association

This extension is right on the boundary of No.44 and we trust that sympathetic treatment will be considered to minimise light loss by painting and rendering the wall in white.

A ward Councillor has requested that the application be reported to the North Planning Committee.

Environment Agency - We have reviewed the information and are satisfied that any concerns would be covered by our standing advice.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

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

5. MAIN PLANNING ISSUES

The main considerations are the impact upon the amenities of adjoining occupiers, design and impact upon the character of the dwelling and wider locality and car parking considerations.

The Supplementary Planning Document HDAS: Residential Extensions: Section 3.1 states extensions should not protrude too far from the rear wall of the original house and that for this type of property the extension should not exceed 3.6m in depth and Section 3.6 of the document states that a flat roof should not exceed 3m in height and where a parapet is proposed this should not exceed 3.1m in height.

No.40 Lawrence Drive is not affected by the proposal as there is an existing single storey extension between it and the proposed extension. Thus, the main issue is the impact on No.44 which has a ground floor main rear facing window adjacent to the proposed extension.

The proposed single storey rear extension would not be more than 3.6m deep and 3.0m high beyond the rear elevation wall of no.44 Lawrence Drive (in accordance with paragraphs 3.3 and 3.6 of the HDAS: Residential Extensions). Given this, the extension is not considered to have a visually intrusive and over-dominant impact upon the residential amenities of this property. The extension would not result in increased overshadowing to the rear of 44 Lawrence Drive over and above that from the existing two storey dwelling given its location to the west of the application site.

The rooflight and window to the extension would provide an adequate outlook and natural light to the room it would serve and the original rear dining room in the house.

With regard to loss of privacy, there are no openings in the flank wall facing no.44 and as such it is not considered a material loss of privacy would arise and that the proposal would comply with section 3.11 of the SPD: Residential Extensions, in relation to windows and overlooking. Although it is recommended that a condition should be added to any permission issued to restrict the insertion of any additional openings facing the adjoining property, (no. 44). Furthermore, as the extension would have a flat roof it is proposed that a condition should be added to any permission issued, restricting the use of the area to provide a balcony as set out in section 3.8 of the SPD.

As such, the proposal would not represent an un-neighbourly form of development and would comply with policies BE20, BE21 and BE24 of the UDP saved policies September 2007 and section 3.0 of the HDAS: Residential Extensions as well as the London Plan (2008) Policy 4A.3.

In terms of design and appearance, the proposed extension, at 3.6m deep, would comply with the recommended depth guidance in the SPD: Residential Extensions, which specifies a maximum of 3.6m deep. The proposed fenestration details would reflect the proportions and style of the existing property and therefore comply with section 3.11 of the SPD: Residential Extensions, and with regard to the roof design, the extension is shown to have a flat roof at an appropriate tie-in level to the original property. It is considered that the proposed extension would be both clearly articulated and visually subordinate to the main dwelling, such that its character would not be unduly harmed, and would therefore comply with policies BE13, BE15, and BE19 of the UDP (Saved Polices September 2007).

There would be no impact upon the levels of car parking at this dwelling. The proposal would therefore comply with policy AM14 of the UDP (Saved Polices September 2007).

A garden of more than 100 sq m would be retained and therefore it would comply with BE23 of the UDP (Saved Policies September 2007)

This site is within a flood zone 2, and the Environment Agency has commented that the application falls within the scope of the `Environment Agency's Flood Risk Standing Advice and they do not therefore object to the proposal. The proposal is , thus, considered to comply with Policy OE8 of the Hillingdon UDP (Saved Policies, September 2007).

6. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 44 Lawrence Drive.

REASON

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

4 RPD4 Prevention of Balconies/Roof Gardens

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the granting of further specific permission from the Local Planning Authority.

REASON

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

INFORMATIVES

Standard Informatives

- 1 The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

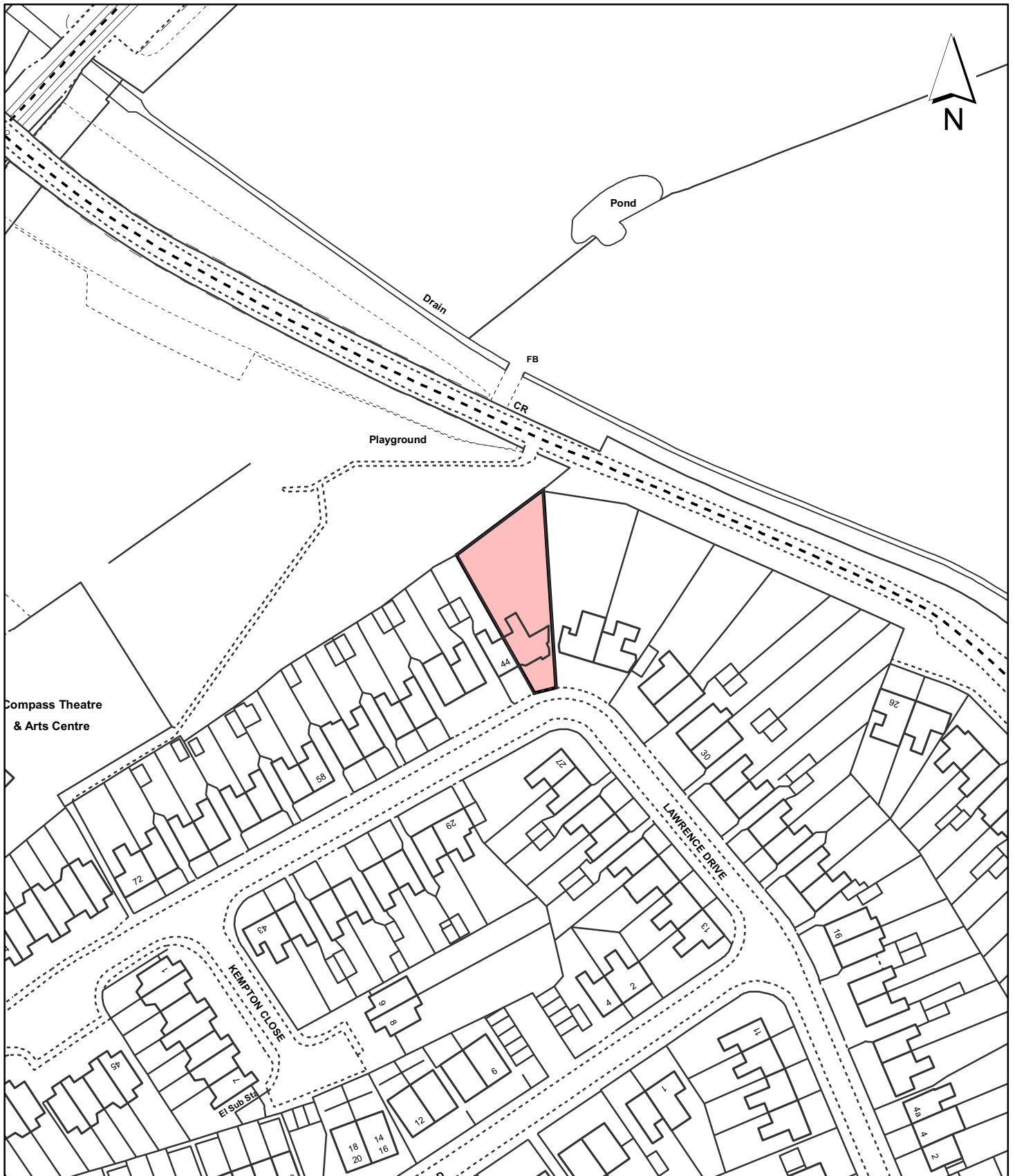
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS	Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, 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: Catherine Hems

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
42 Lawrence Drive Ickenham	
Planning Application Ref:	Scale
23057/APP/2009/1053	1:1,250
Planning Committee	Date
North	August 2009

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111



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