

## Report of the Head of Planning & Enforcement Services

**Address** 7 COLNE AVENUE WEST DRAYTON

**Development:** Erection of a two storey side and single storey rear extension with rooflights and 2 rooflights in the rear roofslope.

**LBH Ref Nos:** 29673/APP/2010/13

**Drawing Nos:** 1:1250 Location Plan  
02  
03E  
04  
05E  
06A  
01B

**Date Plans Received:** 04/01/2010      **Date(s) of Amendment(s):**

**Date Application Valid:** 12/01/2010

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the west side of Colne Avenue and comprises a two storey semi-detached house with a single storey side garage and a part single storey rear extension along the side boundary with 9 Colne Avenue. The attached house, 9 Colne Avenue, lies to the north and also has a side garage and a part single storey rear extension along the side boundary with the application site. To the south lies 5 Colne Avenue, a two storey semi-detached house with a two storey side extension and single storey rear extension. The street scene is residential in character and appearance comprising two storey semi-detached and detached houses, and the application site lies within the Garden City, West Drayton Area of Special Local Character, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 1.2 Proposed Scheme

Planning permission is sought for the erection of a two storey side and single storey rear extension.

The proposed two storey side extension would be set 1m behind the front wall of the application property. It would measure 2.1m wide, 7m deep and finished with a hipped roof set 0.5m below the roof ridge. The proposed single storey rear extension would measure 7.8m wide for the full width of the application property and the two storey side

extension, 3.6m deep along the side boundary with 9 Colne Avenue, 4.6m deep along the side with 5 Colne Avenue, due to the stepped rear wall, and finished with a flat roof 3.2m high.

The originally submitted scheme proposed a rear dormer window however, this has been omitted from the scheme and replaced with rooflights.

Alterations to create a front porch is also proposed, however this is permitted development.

### **1.3 Relevant Planning History Comment on Planning History**

There is no planning history relating to this site.

### **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**

EXTERNAL:

6 adjoining owner/occupiers have been consulted. 1 letter has been received raising no objections to the proposal but raising concerns regarding access to the manhole between 5 and 7 Colne Avenue.

Officer comments: The maintenance of access to the manhole is a civil law issues and as such is not a material planning consideration.

INTERNAL:

Urban Design/Conservation:

This site lies within the Garden City ASLC. The property is a two storey, C 1950-60 semi-detached house in brick.

The scheme involves the demolition of the single storey garage. There would be no objections to this, as it would not have any impact on the character or street scene of the area.

The proposed two storey side extension would be set back and would be lower in height than the main ridge height of the house. The proposed fenestration is secondary to the main house, and as such the extension would appear subservient to the main house, and would be acceptable.

To the rear the single storey extension accords with the guidance given in HDAS (December 2008) and would be acceptable in principle. However, the proposed dormer is very wide with brick infill, which appears bulky and would not be subservient on the roof form. It is suggested that the dormer is divided to two depending on the internal layout.

Conclusion: Acceptable. Rear dormers to be revised as above.

Trees/Landscape:

This site is not covered by a TPO or inside a Conservation Area, however it is inside the Garden City area of special local character. There are two trees of merit in this site, a large Lawson cypress in the front garden, and a young cedar in the rear garden, close to the boundary with 9 Colne Avenue. Both of these trees could be damaged by construction-related activity, and should be retained and protected during development.

Therefore, the plans (drawing number 1) should be amended to show these two trees as retained, and protective fencing should be shown as described below.

In the front garden, the north-eastern corner, containing the Lawson cypress, should be fenced off. In the rear garden, protective fencing should be installed across the garden, about 10 m away from the rear of the house.

Subject to the revision of the plans and conditions TL2 and TL3 this scheme is considered acceptable in terms of Saved Policy BE38 of the UDP.

Environmental Protection Unit:

The above property is approximately 150 metre from the former Philglow North landfill site. There is thought to be low levels of gas being produced at the site based on limited spike testing information from the late 1980s, early 1990s. The proximity of the river to the landfill also is likely to reduce the risk of gas migration from the site. Based on this and the distance to the development site, it is possible no special gas protection measures are required.

A gas and site construction informatives are recommended.

Councillor Bull:

I request that this application be brought before the planning committee for determination as I have some concerns about the proposal.

1. Volume increase seems excessive
2. Depth of extension into the rear garden is excessive
3. Closeness of the rear dormer to the ridge
4. Degree of hardstanding to the front of the property and lack of landscaping
5. Lack of privacy to the rear of 5 Colne Avenue by the two storey extension.

Officer comments: The points raised are addressed in the report.

#### **4. UDP / LDF Designation and London Plan**

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

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

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.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 3.0 Rear Extensions and Conservatories: Single Storey 5.0 Side and First Floor Side Extension: Two Storey
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

## 5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area, and on residential amenity.

The proposed two storey side and single storey rear extension by reason of their overall size, siting, bulk, scale, design and length of projection are considered to harmonise with the character and proportions of the original house. They would appear subordinate as the two storey side extension would be set behind the front wall and below the roof ridge of the application property, in accordance with paragraphs 5.7 and 5.8 of the Hillingdon Design & Accessibility Statement: Residential Extensions, while the single storey rear extension would be set sufficiently below the cill of the rear first floor level.

There are other similar developments in the street, notably at 5 Colne Avenue, and therefore the proposal would not be out of keeping with the street scene and surrounding area. As such, the proposal is not considered to detract from the appearance of the original house, unbalance the pair of semi-detached houses, or harm the character, appearance and visual amenities of the surrounding area and the Garden City, West Drayton Area of Special Local Character, in accordance with policies BE5, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and sections 3.0 and 5.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

Paragraph 5.1 of the Hillingdon Design & Accessibility Statement: Residential Extensions advises that two storey side extensions should retain a 1m set-in from the side boundary. The proposed two storey side extension would maintain a 1m gap to the side boundary with 5 Colne Avenue and this would be sufficient to maintain the open character and visual amenities of the street scene and the Garden City, West Drayton Area of Special

Local Character, in accordance with policies BE5, BE13, BE19 and BE22 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

The attached house, 9 Colne Avenue, would not be adversely affected by the proposed two storey side extension as it lies on the opposite side. The proposed two storey side extension would not project beyond the front wall of 5 Colne Avenue and would not breach a 45 degree line of sight taken from the rear habitable room window at that property closest to the side boundary with the application property. Furthermore, 5 Colne Avenue does not have any habitable room windows facing the application property.

The proposed single storey rear extension would not project more than 3.6m beyond the rear extensions at 5 and 9 Colne Avenue, nor would it breach a 45 degree line of sight taken from the rear habitable room windows within the rear extensions of those properties closest to the side boundary with the application property. No windows are proposed facing 5 and 9 Colne Avenue and therefore, no overlooking will result. As 5 Colne Avenue lies to the south, no overshadowing will result. The proposed single storey rear extension would result in an increase in overshadowing onto 9 Cole Avenue, however this increase is not considered to be so significant as to justify a refusal of planning permission.

It is therefore considered that the proposal would not harm the residential amenities of the adjoining properties through overdominance, visual intrusion, overshadowing and overlooking, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Over 100sq.m of private amenity space would be retained for the enlarged house and the application has been amended showing only two off-street parking spaces retained on the existing driveway resulting in no effect on the existing front garden. Matters relating to tree protection can be secured by way of planning conditions should planning permission be granted.

In conclusion, the proposal would comply with the adopted policies and as such, this application is recommended for approval.

## **6. RECOMMENDATION**

### **APPROVAL subject to the following:**

**1**            HH-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**            HH-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 HH-MRD4 Single Dwellings Occupation**

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

**REASON**

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 HH-OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

**REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 HH-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 5 and 9 Colne Avenue.

**REASON**

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

**6 HH-RPD4 Prevention of Balconies / Roof Gardens**

The roof area of the rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

**REASON**

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

**7 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the

Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **8** TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **INFORMATIVES**

- 1 It is recommended that the extension is designed and constructed to prevent/minimise the possible entry of any migrating landfill gas. Please contact the Building Control Inspector and/or the Environmental Protection Unit on 01895

250155 if you require any advise.

## 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.**

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.
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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, Environment and 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, Environment and Community Services Reception, 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.

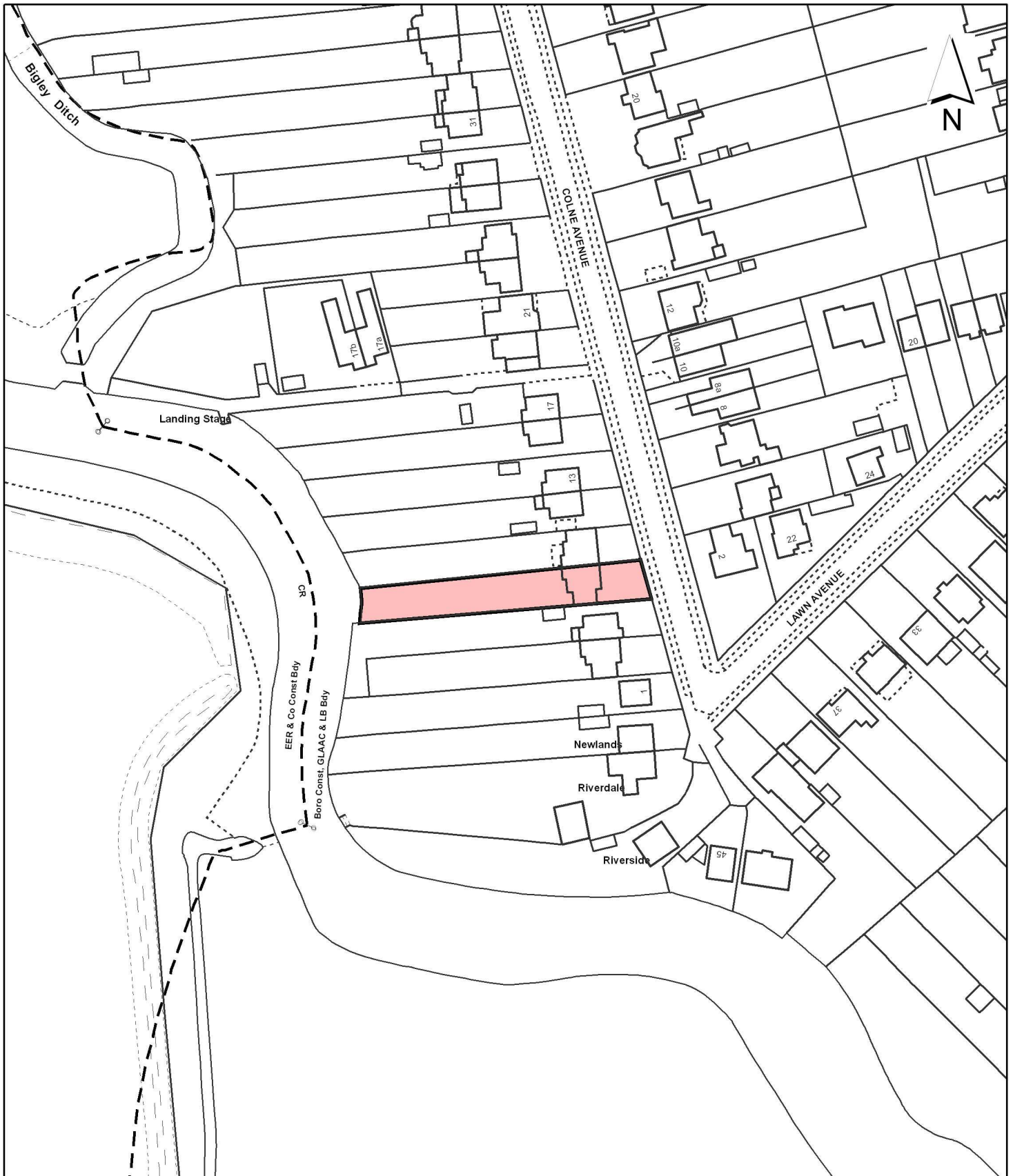
10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result 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 (CO<sub>2</sub>) 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:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary  
For identification purposes only.

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100019283 2009

Site Address	
<b>7 Colne Avenue, West Drayton</b>	
Planning Application Ref:	Scale
<b>29673/APP/2010/13</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>September 2010</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning &  
Community Services**

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

