

## Report of the Head of Planning & Enforcement Services

**Address** 76 EXMOUTH ROAD RUISLIP

**Development:** Part single storey, part two storey side/rear extension, involving demolition of existing detached garage to side and single storey extension to rear.

**LBH Ref Nos:** 66257/APP/2010/1112

**Drawing Nos:** Location Plan to Scale 1:1250  
Block Plan to Scale 1:500  
0155  
0199

**Date Plans Received:** 14/05/2010      **Date(s) of Amendment(s):** 14/05/2010  
**Date Application Valid:** 28/06/2010      21/06/2010  
20/01/2011

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the south east side of Exmouth Road and comprises a two storey end of terrace house with a detached garage along the side boundary with 76 Exmouth Road and a part single storey rear extension. The attached house, 74 Exmouth Road, lies to the south west and has a single storey rear extension. To the north east lies 78 Exmouth Road, a two storey end of terrace house with part two storey side and part two storey, part single storey rear extension and front porch. This property is set behind the front wall, but extends beyond the rear wall of the application property. The street scene is residential in character and appearance, comprising two storey terraced houses and the application site lies within the developed area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 1.2 Proposed Scheme

The originally submitted scheme (ref: 66257/APP/2009/1785) proposed a part single, part two storey side and part two storey part single storey rear extensions and a detached double garage at the bottom of the rear garden. That application was amended as:

- (i) The proposed part single, part two storey side extension did not retain a sufficient gap to the side boundary;
- (ii) The overall projection of the part two storey rear extension was considered to be excessive; and
- (iii) The detached garage in the rear garden was considered to be excessive in size and scale.

The application was amended and proposed a single storey side and rear extension. The proposed side element was set flush with the front wall of the application property and measured 2.35m wide and 10.1m deep, projecting 3.65m beyond the rear wall of the application property. At this point it wrapped around the rear wall to form a single storey rear extension measuring 7.6m wide, for the full width of the application property and the proposed side extension, and 3.65m deep. The proposed single storey side and rear extension was finished with a crown roof, 2.3m high at eaves level and 3m high at its highest point.

This current application now proposes a part first floor rear extension above the proposed single storey rear extension. The proposed part first floor rear extension would be set flush with the flank wall of the application property. It would measure 2.6m wide, 2.6m deep, and finished with a hip end roof set 1.35m below the main roof ridge.

The remainder of the scheme is as per the previously approved scheme.

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

As above.

### **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**

14 adjoining owner/occupiers and the South Ruislip Residents' Association consulted. 2 letters of objection and two petitions from the same petitioner, totalling 77 signatories, have been received making the following comments:

- (i) The landlord has no intention of living at the premises;
- (ii) There has been endless problems with the tenants leading to unsociable behaviour;
- (iii) Increase in noise and disturbance;
- (iv) Insufficient parking provided; and
- (v) Loss of light to 78 Exmouth Road.

Officer comments: Points (i) and (ii) are not planning considerations, with regard to point (iii) there is no evidence to suggest that the proposed extensions would lead to an increase in noise and disturbance. Points (iv) and (v) are addressed in the main report.

Ward Councillor: Requests that this application is reported to the planning committee for determination.

### **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	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 6.0 Rear and First Floor Rear Extensions: Two Storey
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
BE22	Residential extensions/buildings of two or more storeys.

## 5. MAIN PLANNING ISSUES

The main issues for consideration relate to the impact 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 single storey side and rear extension are identical to that previously approved. Therefore no objections are raised to these elements of the scheme.

The proposed part first floor rear extension, by reason of its overall size, siting, design and appearance would harmonise with the character and proportions of the original house. It would appear subordinate as it would retain a sufficient proportion of the original rear wall of the application property and would be set sufficiently below the main roof ridge.

It is therefore considered that the proposal would not detract from the character and appearance of the surrounding area generally, in accordance with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 6.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposed part first floor rear extension would be set some 2.7m from the side boundary with 74 Exmouth Road and some 5m from the flank wall of 78 Exmouth Road. These distances are sufficient to ensure that the proposal does not impinge on the 45 degree line of sight from the nearest habitable room windows on these adjoining properties. The proposed two storey rear extension would not, therefore, harm the residential amenities of the occupiers of the adjoining houses through overdominance, visual intrusion and overshadowing. No windows are proposed facing the adjoining properties and therefore, no overlooking will result. The proposal would thus comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 6.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions. 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 60sq.m of private amenity space would be retained in accordance with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The proposal would not generate the need for additional parking and as such, would comply with policy AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

## **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 74 and 78 Exmouth Road.

**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 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).

**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	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the

emerging Local Development Framework documents):  
6.0 Rear and First Floor Rear Extensions: Two Storey

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.  
BE22 Residential extensions/buildings of two or more storeys.

- 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 (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:** Sonia Bowen

**Telephone No:** 01895 250230





**Notes**

 Site boundary

For identification purposes only.

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Site Address	
<b>76 Exmouth Road Ruislip</b>	
Planning Application Ref:	Scale
<b>66257/APP/2010/1112</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b>	<b>January 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning, Environment  
& Community Services**

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

