

## **Report of the Head of Planning & Enforcement Services**

**Address** 4 HAROLD AVENUE HAYES

**Development:** Single storey side and rear wraparound extension

**LBH Ref Nos:** 67940/APP/2011/1780

**Drawing Nos:** 1604/1 Rev A  
1604/4 Rev B  
Location Plan  
Planning Statement  
1604/5 Rev A

**Date Plans Received:** 20/07/2011      **Date(s) of Amendment(s):** 21/07/2011

**Date Application Valid:** 01/08/2011

### **1. CONSIDERATIONS**

#### **1.1 Site and Locality**

The application relates to a single storey detached bungalow, located on the eastern side of Harold Avenue. The interior of the dwelling is currently in a dilapidated state and requires extensive work to bring the property back into habitable condition. The property has a stepped rear building line with the rear elevation of the kitchen set 1.35 metres deeper into the garden than the rear elevation of the living room.

The property has an area of hardstanding in front of the principal elevation, which provides parking for up to two cars. At the rear, the property has a sizeable private garden which is used as the amenity space for the dwelling.

Harold Avenue is small street linking North Hyde Road and Nestles Avenue, containing ten residential dwellings. The streetscene is composed predominantly of detached bungalows of uniform architectural appearance. A number of these dwellings have undergone extensions to the rear, which have been completed prior to the introduction of the current Hillingdon Design and Access Statement Residential Extensions.

#### **1.2 Proposed Scheme**

The application is for planning permission for the erection of a single storey side and rear extension, which would wraparound the northern side and rear elevations of the property.

The proposed side extension would be set flush with the principal elevation and would extend beyond the existing side elevation by a width of 1.25 metres, retaining a distance separation to the northern side boundary line of 0.9 metres. The extension would have a

depth of 12.65 metres, retaining the 0.9 metre distance separation for the depth of the extension. The side extension would entail the erection of a low level hipped roof, with the angle of the hip matching the angle of the original hipped roof of the dwelling.

The rear extension would remove the inward step in the rear elevation, creating a flat building line. This would entail the erection of a rear extension which would extend 4 metres beyond the rear wall of the existing kitchen and 5.3 metres beyond the rear wall of the existing living room. The proposed rear extension would be built up to the southern side boundary line, shared with 6 Harold Avenue, and would include a set of sliding patio doors in the rear elevation and a mansard-style flat roof design.

The single storey wraparound extension would have a maximum height above ground level of 3.75 metres to the flat roof of the extension, with the eaves set 2.55 metres above ground level. The proposed development would be erected out of brick, pebble-dash, red tiles and white-Upvc windows and doors, all to match the external materials of the existing dwelling.

### **1.3 Relevant Planning History**

67940/APP/2011/1760      4 Harold Avenue Hayes

Single storey side/rear extension, conversion of roof space to habitable use to include a rear dormer, 3 front rooflights and conversion of roof from hip to gable ends and single storey detached outbuilding to rear for use as store involving demolition of existing detached garage to rear (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision Date:** 24-08-2011      **Approved**      **Appeal:**

#### **Comment on Planning History**

A Certificate of Lawful Development has been granted for the erection of a proposed single storey side extension and a single storey rear extension under application reference 67940/APP/2011/1760. In addition, the application for a Certificate of Lawful Development included the conversion of the roof from hipped to gable ends, a rear dormer, three roof lights and the replacement of a single storey outbuilding. As that proposal meets the requirements of the General Permitted Development Order, the certificate was approved.

The development proposed in this full planning application differs from the aforementioned certificate of lawful development as it would create a wraparound extension, linking the side and rear extensions. In addition, the certificate of lawful development only granted a four metre deep rear extension. This application for planning permission would increase the rear extension by an additional 1.3 metres past the rear elevation of the existing living room.

### **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**

Advertisement Expiry Date: Not Applicable

Site Notice Expiry Date: Not Applicable

13 neighbouring dwellings were consulted with regard to the proposed development, including Nos. 2 & 6 Harold Avenue, No. 142 Nestles Avenue and Nos. 2, 3 & 4 Gordon Crescent who share a boundary line with the applicant dwelling.

No responses have been received from any neighbouring occupier.

Environmental Protection: No major comments, however, recommend a construction site informative is added to any approval granted.

The application has been passed to Central and South Planning Committee for determination as the applicant is a Councillor of the London Borough of Hillingdon.

#### **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:

AM14 New development and car parking standards.

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.

LPP 3.5 (2011) Quality and design of housing developments

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

#### **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 house, the impact on amenity of the neighbouring dwellings, the impact on the visual amenities of the surrounding area, the retention of amenity space within the application property and the availability of parking.

Paragraph 4.5 of the HDAS Residential Extensions requires a single storey side extension to be between half and two-thirds the width of the original house. The 1.25 metre side extension would be less than half the width of the 9 metre wide dwelling.

In addition, paragraph 4.2 of the HDAS Residential Extensions requires a single storey side extension to have a pitched roof no higher than 3.4 metres above ground level. The proposed side extension would be 3.75 metres above ground level.

Whilst the proposed side extension would be contrary to the guidance on side extensions provided within Chapter 4 of the HDAS. The dimensions of the proposed side extension would be equal to the side extension which has been permitted under the certificate of lawful development which has recently been granted.

The fact that there is a Certificate of Lawful Development issued in relation to this site is an important material planning consideration in the assessment of the current full planning application. That is to say where the current application would be of a size and design which is identical to that allowed as permitted development, no objection is raised.

Whilst the rear extension would be 0.35 metres higher above ground level than the height limit suggested in paragraph 3.7 of the HDAS Residential Extensions, the proposed height is the same as that already allowed under permitted development. In this case a reduction in the height of the current scheme of 0.35m would serve little purpose in the context of the permitted development extensions already allow that the juxtaposition between the higher and lower roof form would look very awkward in the context application proposed.

#### IMPACT ON No. 6 HAROLD AVENUE

The proposed development would entail the erection of a rear extension which would extend 5.3 metres beyond the rear elevation of the existing living room. This would contravene paragraph 3.4 of the HDAS Residential Extensions which permits a detached house to have a single storey rear extension up to 4 metres in depth.

The primary objective of restricting rear extensions to 4 metres in depth is to protect the amenity of the neighbouring dwellings. The 5.3 metre rear extension would be built up to the boundary line shared with 6 Harold Avenue. This neighbouring dwelling has a rear elevation with no windows in the northern side of the rear elevation. The only windows in the rear elevation are on the southern side, which is stepped back from the northern side. It should also be noted that rear elevation of No. 6 Harold Avenue Closest to the site boundary has a greater depth than No. 4 Harold Avenue, such that the extension would not be read as 5.3m deep. Therefore, the proposed development would not breach the 45 degree guideline from any existing window in the rear elevation, when measured from 6 Harold Avenue.

6 Harold Avenue has an extant planning permission for a single storey rear extension which would create a flat building line in the rear elevation and infill an area of space on the southern side of the building. As part of the development, a new window would be installed on the northern side of the rear elevation. However, as this neighbouring dwelling is set 2.2 metres from the boundary line shared with the applicant dwelling. There would still be no conflict of the 45 degree guideline caused by the proposed development, if the owners of 6 Harold Avenue implemented their extant permission, which is due to expire on 25th September 2011.

Whilst the proposed 5.3 metre rear extension would contravene Chapter 3 of the HDAS Residential Extensions , it would not cause sufficient harm to the appearance of the applicant property or the amenity of the neighbouring dwellings, through loss of light or

outlook, to be considered contrary to Policies BE15, BE20 & BE21 of the adopted Unitary Development Plan (Saved Policies September 2007).

#### IMPACT ON No. 2 HAROLD AVENUE

The proposed development would also link the side and rear extensions, which have been granted permission under the lawful development certificate. This extension would be built 0.9 metres from the boundary line shared with 2 Harold Avenue.

It should be noted that under the Certificate of Lawfulness there is already a 4m deep extension allowed, although the permitted development extension was set back 2.15m on its side elevation from the shared boundary. The key issue for consideration is the additional impact arising from the difference between the permitted development and the proposals in this full planning application. The 4m deep extension is HDAS compliant on this side of the detached property. Furthermore, it is not considered that the additional development proposed closer to 2 Harold Avenue (2.15m closer than the permitted development scheme) would cause such additional harm to the residential amenity of the occupants of 2 Harold Avenue as to warrant refusal.

The proposed development would erect two windows in the northern side elevation facing 2 Harold Avenue. These windows would face the blank side elevation of this neighbouring dwelling causing no loss of privacy. The proposed development would, therefore, be considered to comply with Policy BE24 of the adopted UDP (Saved Policies September 2007).

#### IMPACT ON STREET SCENE

The only part of the proposed development which would be visible from the public domain would be the 1.25 metre wide side extension. The angle of the hip in the roof of the side extension would match the angle of the hipped main roof. This would minimise the visual impact of the small side extension which would not be contrary to the HDAS Residential Extensions as it would not be more than half the width of the original house. As the side extension has already been largely permitted under the certificate of lawful development, its impact on the visual amenities of the area would be acceptable under Policy BE13 of the adopted UDP (Saved Policies September 2007).

#### OTHER MATERIAL CONSIDERATIONS

It has been considered, that all the proposed habitable rooms, and those altered by the development still maintain an adequate outlook and source of natural light, therefore complying with Policies BE20 of the UDP (Saved Policies September 2007) and 3.5 the London Plan (2011).

The site currently has adequate off street parking within the curtilage of the premises. Therefore, the proposal would comply with policy AM14 of the UDP (Saved Policies, September 2007).

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

The proposal 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-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 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **3 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).

#### **4 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).

#### **5 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**

- 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, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

- AM14 New development and car parking standards.
- 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.
- LPP 3.5 (2011) Quality and design of housing developments
- HDAS-E> 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 - 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 Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows: The applicant should ensure that the following are complied with as part of their environmental management strategy:

(i) To assist in good management of noise from demolition and construction works at the site, the contractor involved is advised to consider applying to the London Borough of Hillingdon for prior consent under section 61 of the Control of Pollution Act 1974. The application should specify the method of working, the hours of work and noise controls to be applied in accordance with the best practicable means as defined in section 72 of the Control of Pollution Act 1974;

(ii) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays and Bank Holidays. All noise generated during such works should be controlled in compliance with British Standard 5228;

(iii) Measures should be taken to eliminate the release of dust and odours caused by the works that may create a public health nuisance; and

(iv) No bonfires on the site should be allowed to take place at any time.

## **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.**

AM14	New development and car parking standards.
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.
LPP 3.5	(2011) Quality and design of housing developments
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 - 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.

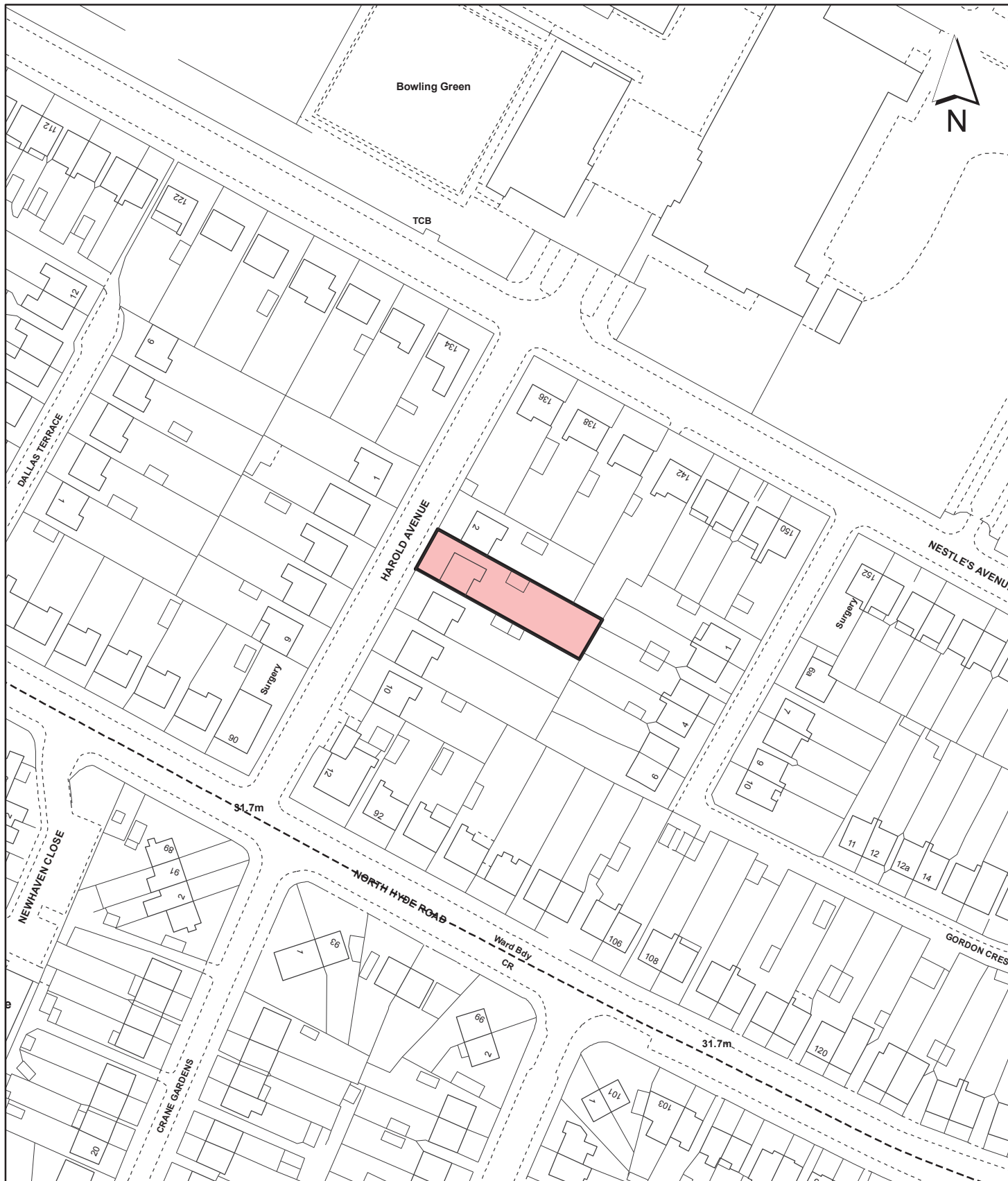
D) No bonfires that create dark smoke or nuisance to local residents.

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:** Alex Smith

**Telephone No:** 01895 250230



## Notes



Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2011 Ordnance Survey 100019283

Site Address

**4 Harold Avenue  
Hayes**

Planning Application Ref:

**67940/APP/2011/1780**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**August  
2011**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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



**HILLINGDON**  
LONDON