

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

**Address** 22 PAVILION WAY RUISLIP

**Development:** Demolition of existing detached store to rear, erection of single storey side/rear extension and alteration to first floor side elevation

**LBH Ref Nos:** 17423/APP/2011/57

**Drawing Nos:** Location Plan to Scale 1:1250  
3 (Existing Floor Plans and Elevations)  
2 Amended 8. 8. 2011 (Proposed Elevations)  
1 Amended 8. 8. 2011 (Proposed Floor Plans)  
4 Amended 8. 8. 2011 (Proposed Block Plan)

**Date Plans Received:** 11/01/2011      **Date(s) of Amendment(s):** 11/01/2011  
**Date Application Valid:** 20/01/2011      16/08/2011

### **DEFERRED ON 4th August 2011 FOR FURTHER INFORMATION ON**

**The accuracy of the submitted plans and an overshadowing assessment.**

## **1. CONSIDERATIONS**

### **1.1 Site and Locality**

The application site is located on the north side of Pavilion Way and comprises a two storey semi-detached property finished in red brick, with white render and white UPVC windows and a wooden door. The property has a detached garage to the rear which is presently used as a store, an area of hardstanding to the front and has been extended to the rear with a single storey extension. A loft conversion involving the formation of a gable end and the construction of a rear dormer has recently been undertaken as Permitted Development.

The street scene is residential in character and appearance and the application site lies within the developed area as identified in the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **1.2 Proposed Scheme**

Planning permission is sought for the erection of a single storey side/rear extension with alterations to the first floor side elevation of the existing house and demolition of the existing detached store to the rear. The extension would replace the existing single storey rear extension. It would project 3.6 metres from the original rear wall of the property and have an overall width of 7.6 metres. It would be set back 5.4 metres from the front main

wall of the property. It would be constructed with a flat roof to a height of 2.98 metres and be finished in materials to match the existing. The alterations to the first floor side elevation would comprise the installation of an additional toilet window.

### 1.3 **Relevant Planning History**

17423/APP/2010/1662 22 Pavilion Way Ruislip

Two storey side and rear extension, single storey rear extension, conversion of roofspace to habitable use to include a rear dormer, 1 front rooflight and conversion of roof from hip to gable end, involving demolition of single storey rear element.

**Decision Date:** 01-11-2010 **Refused**

**Appeal:**

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

Planning permission was refused on 1 November 2010 (17423/APP/2010/1662) for a two storey side and rear extension, conversion of roofspace to habitable use to include a rear dormer, 1 front rooflight and conversion of roof from hip to gable end, including demolition of single storey rear element for the following reasons:

1. The proposed two storey side and rear extension, by virtue of its siting, size, scale and bulk, would result in an incongruous addition which would be detrimental to the architectural composition of the existing dwelling and the pair of semi detached properties to which it forms a part of. The proposal would therefore be harmful to the visual amenities of the street scene and the area in general, contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Documents HDAS: Residential Extensions.
2. The proposed rear extension, by reason of its size, scale bulk including its excessive height and projection, would result in an overly dominant and incongruous feature in relation to the adjoining properties (No. 20 and No. 24 Pavilion Way), and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a material loss of residential amenity. Furthermore at ground floor level the single storey extension on the boundary with No. 20 Pavilion Way would result in over-shadowing of this property. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.
3. The proposed dormer by virtue of its siting, size, scale and bulk, would be an incongruous addition which would be detrimental to the architectural composition of the existing dwelling and the visual amenities of the area in general, contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Documents HDAS: Residential Extensions.
4. The proposed hip to gable end roof alteration by virtue of its design and appearance would be an incongruous addition which would be detrimental to the architectural composition of the pair of semi-detached properties and would create an unbalanced appearance. The proposal would therefore have a detrimental impact on the appearance of the existing dwelling and the pair of semi detached properties to which it forms a part of. The proposal is therefore contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.
5. The proposed dwelling would not be provided with sufficient off street parking, and

therefore the development is considered to be deficient in car parking provision to the Councils approved car parking standards, leading to on-street parking to the detriment of highway and pedestrian safety, contrary to policy AM14 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

## **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:

7 neighbours and the Eastcote Residents Association were consulted. A petition signed by 21 persons was received objecting to the proposal on the grounds that it is oversize and poses potential environmental issues.

Eastcote Residents' Association

This is the second application on this site. The first being refused in October 2010. This application is for a much smaller development, but there are still some concerns. The rear element does appear to extend more than the 3.9 meters recommended in SPD 3.9. The small front garden is given over to parking for one vehicle, the driveway is shared with No. 24. At present there is a side access to the rear of no.22. However, the proposed side extension would remove the access to the rear garden, making it necessary to store refuse in the front garden. No allowance has been made for a bin store, indeed with the shared drive there is not adequate room for a bin store. Therefore, all refuse will have to be brought through the house. We trust these points will be taken into consideration.

Officer comments:

The size of the extension and parking issues are discussed under main planning issues. With regard to the storage of refuse, it is likely that this would take place in the rear garden and brought through the house to the front of the property on the day of collection. This is considered acceptable. Details of a bin store in the rear garden could be secured by an appropriate condition in the event of planning permission being granted.

The application was deferred at the meeting of the Committee on 4 August 2011 in order that the precise location of the party boundary with the adjoining property, No.20 Pavilion Way could be clarified with the applicant. The applicant has subsequently submitted a revised drawing showing the party boundary set at an angle, rather than perpendicular to the rear wall of the two properties. As a consequence the applicant has reduced the overall width of the extension from 8.4 metres to 7.6 metres in order to avoid any encroachment onto No.20 Pavilion Way. Neighbouring occupiers have been reconsulted on the revised drawings. No further replies have been received.

INTERNAL:

Trees and Landscape Officer

This site is not covered by a TPO, nor inside a Conservation Area. There is a line of boundary trees (hawthorn and ash) to the rear of this property (off site), however they are far enough away from the proposed extension to not be affected. There are no suitable locations to plant new trees. Therefore, the scheme is acceptable in terms of Saved Policy BE38 of the UDP.

Highway Engineer: No objection.

#### **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:

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.  
AM14 New development and car parking standards.  
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

#### **5. MAIN PLANNING ISSUES**

The main issues for consideration with this application are the design of the proposed development, impact on residential amenity, and highway safety and parking.

Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) requires that the layout and appearance must harmonise with the existing street scene, Policy BE15 goes on to state that extensions must be in keeping with the scale, form and architectural composition of the original building. The side element of the proposed extension would be set back 5.4 metres behind the front main wall of the house and would not be readily visible in the street scene due to the angled building line of the properties on this side of Pavilion Way. As such, the proposal would not be detrimental to the appearance of the property or the street scene and accord with the aforementioned Policies.

The Hillingdon Design and Accessibility Statement Residential Extensions Supplementary Planning Document (SPD) provides the following guidance in respect of house

extensions:

Section 3 of the SPD sets out criteria to assess single storey rear extensions against. This includes the following thresholds for appropriate scale and design.

- Para 3.4: Should not exceed 3.6m in depth on a semi-detached plot;
- Para 3.6: The roof should not exceed 3.0m in height in the case of a flat roof;
- Para 3.9: The extension should be set in 0.25m from the side boundary.

The proposed single storey rear extension would not exceed 3.6m in depth or 3m in height and would be set in a minimum of 0.25m from the side boundaries. As such, the proposal would accord with the aforementioned policies and guidance.

With regard to impact on neighbouring amenity, Policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) is relevant and should be considered. The policy states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

The proposed single storey rear extension would project 3.6m to the rear of the property and would not result in any undue loss of light or outlook to the adjoining properties at Nos. 20 and 24 Pavilion Way. An overshadowing diagram will be on display at the meeting. As such, the proposal would accord with the aforementioned policy.

A garden area of in excess of 100m<sup>2</sup> would be retained, in accordance with guidance set out in the Residential Extensions SPD and Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Policy AM14 of the UDP (Saved Policies September 2007) refers to the Council's car parking standards contained under Annex 1. The standards indicate that a maximum of 2 car parking spaces would be permitted in order to comply with the policy. There is currently an area of hardstanding to the front of the dwelling with provision for one car and a garage to the rear. The garage is to be demolished as part of the application and no additional parking provision is to be provided. However, the Council's Highway Engineer has revisited the site and considers that the remaining parking provision of 1 car parking space is sufficient for the existing 3 bedroom dwelling as any overflow parking could take place on-street, as Pavilion Way is not a particularly heavily parked road with most of the properties on the road having some off-street parking available. As such, the parking provision is considered to be acceptable and would not result in an undue impact on highway and pedestrian safety.

## **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 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-RPD1 No 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 windows, doors or other openings shall be constructed in the walls of the development hereby approved facing 20 and 24 Pavilion Way

**REASON**

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

**5 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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
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.

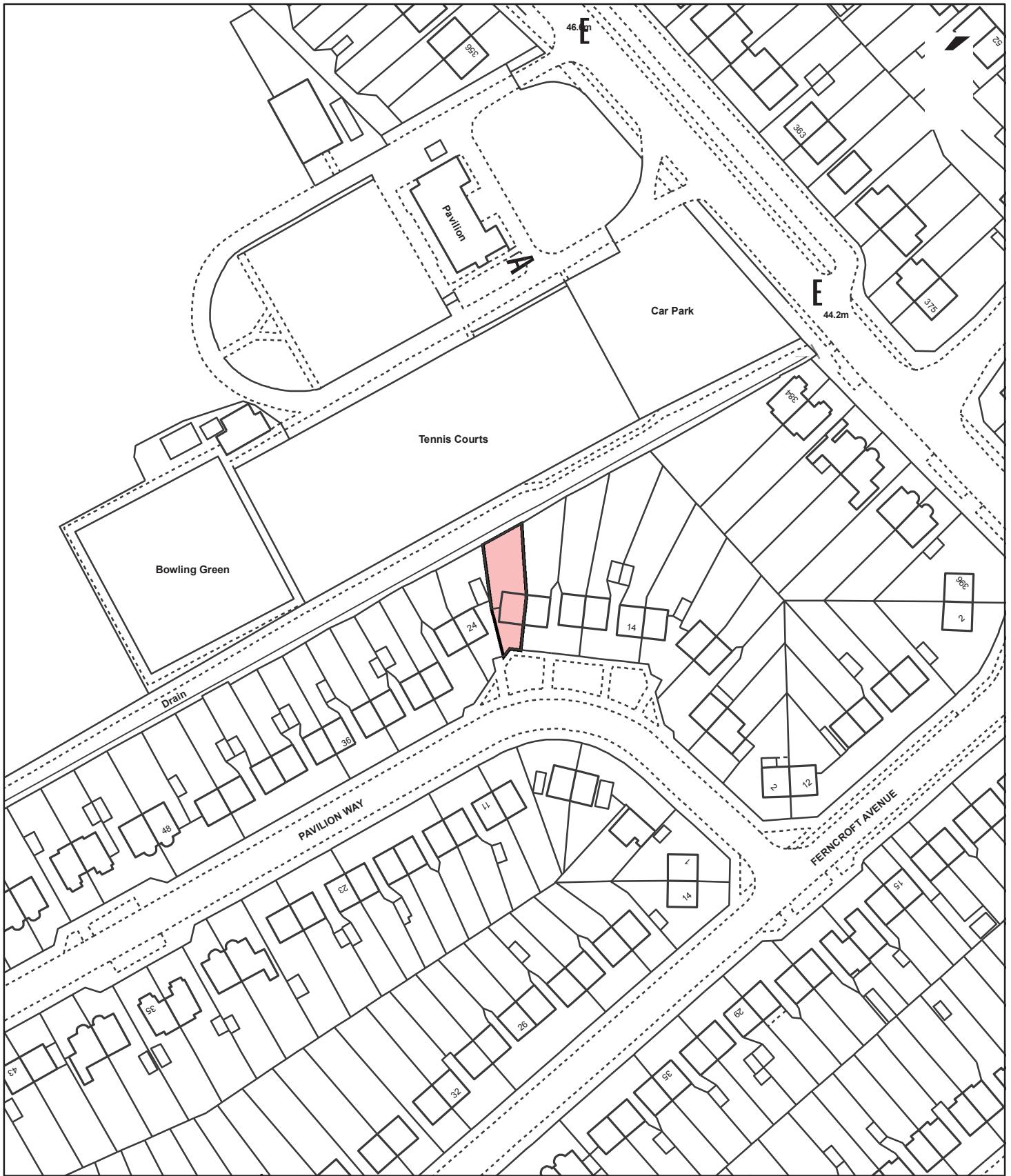
You are advised to consult the Council's Environmental Protection Unit, 3S/02,

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:** Mark Smith

**Telephone No:** 01895 250230



#### Notes

Site boundary

For identification purposes only.

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London Borough of Hillingdon  
100019283 2011

#### Site Address

**22 Pavilion Way,  
Ruislip**

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

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

Planning Application Ref:

**17423/APP/2011/57**

Scale

**1:1,250**

Planning Committee

**North**

Date

**May 2011**



**HILLINGDON**  
LONDON