

Report of the Head of Planning & Enforcement Services

Address 17 EAMONT CLOSE RUISLIP

Development: Single storey rear extension

LBH Ref Nos: 68141/APP/2011/2587

Drawing Nos: 1/SM/01 Rev. A

Date Plans Received: 24/10/2011

Date(s) of Amendment(s): 29/03/2012

Date Application Valid: 25/10/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a mid terrace dwelling situated on the southern side of Eamont Close, backing onto Glovers Grove. It is within a terrace of 4 within an estate of similar dwellings.

It is a relatively small family dwelling, being 4m wide, and has a flat south facing garden some 16.5m in depth.

The adjoining property to the east (No.16) is set slightly forward of the application property, and has a rear conservatory that extends 2m beyond the rear elevation of the application property.

The adjoining property to the west (No.18) is in line with the application property and has a large open canopy on the rear elevation. The properties to the west of that property (Nos. 19 and 20) extend slightly behind the rear elevation of No.18.

The streetscene is residential in character and appearance comprising two storey terraced houses and flats and the application site lies within the Developed Area as identified in the saved UDP, September 2007.

1.2 Proposed Scheme

The application is for a single storey rear extension 3m deep x 3.6m wide x 2.9m high with a flat roof, retaining a 0.25m gap to each of the side boundaries. Elevations would be finished in facing brick to match the main house.

1.3 Relevant Planning History Comment on Planning History

None.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

9 adjoining and nearby properties were notified of the application (as originally submitted) by means of a letter dated 27th October 2011. 3 responses have been received objecting to the proposal on the following grounds:

1. As we live next door to the applicant, and we ourselves have an extension, this is the only way of natural light to enter the premises. The house is dark enough as it is and we feel that this would put our expenses up due to using more electric lighting up the property. Therefore noticing the planned extension is going to be beyond our conservatory, I therefore must object to this planned extension. If the extension must go ahead, my partner and I feel it should be at the same length as ours and no further.

2. I would like to make a strong objection to this application for the following reasons. I believe that the extension would overshadow my habitable rooms and my garden patio area considerably.

3. My amenities would be deprived of significant natural daylight and sunlight, due to the siting and size of the extension. I believe I have a Right To Light and this proposal would adversely affect my daily living conditions, affecting me 24/7 as this is my home and workplace, where I reside all day, every day.

4. The extension would greatly overshadow my patio garden seating area also, as well as preventing natural light and also sunlight entering my kitchen diner and lounge area. I currently have the morning sun rise and stream onto my patio and into my kitchen up to lunchtime, which would be completely blocked out by the extension. Having recently gone to the expense of having patio doors installed to maximise the penetration of light, this would be severely reduced.

5. I currently have a 7ft (2.103 Metres) solid protrusion on my right hand side of my patio, where my property adjoins a 1 bedroom house (120cm brick, and then 90cm wooden porch with sloping roof), which is staggered further forward than my property. This would mean I also have a 3 metre solid brick wall on the other side, effectively making an oppressive tunnel effect on my patio. I have an open canopy attached to my own property.

6. It is my understanding that no other extensions, such as this, currently exist on this estate. If this application is granted, I believe it would set a precedent, and that many other mid-terraced properties on the Glovers Grove estate would apply for planning of a similar solid construction, which may alter the feel of the estate and also cause lack of light to other neighbouring houses, as it would do to my own property. I also have concerns that the proposed extension may be used more often for tap dancing lessons, possibly on a larger scale, with more clients, which could cause a significant increase in noise level than I currently endure. This already has a negative impact on my enjoyment of my home, so I would have concerns if it was for this purpose in mind. This would also

cause further parking issues within Eamont Close.

7. As you may appreciate, the noise of the building work would cause me considerable stress, due to being in such close proximity, and due to me being at home all day.

In conclusion, I feel this extension would have an overbearing and detrimental impact on my daily living, significantly reducing my Right to Light, which I currently enjoy.

8. I also live in a mid-terrace on the Glover's Grove estate and am surprised an application has been submitted for a rear brick extension and am concerned it may set a precedent on the estate. To my knowledge no other property on the estate has a brick extension (they are mainly conservatories). If agreed and others follow suit it would considerably affect the amount of daylight reaching houses and gardens to those affected, especially those with an adjoining staggered property to one side.

Further comments have been received on the amended plans (although no formal consultation has been undertaken or is required to be undertaken). These comments reiterate and retain the concerns raised above.

Ruislip Residents Association: No comments received.

THAMES WATER

Comment on the application in relation to water and sewerage drainage, although the comments made are not relevant planning considerations to this application.

WARD COUNCILLOR

Requests that the application be reported to the Planning Committee if Officers are minded to recommend approval of the application.

ENVIRONMENTAL PROTECTION UNIT:

The site was on a former sewage works developed by Laing Homes in the early 1980's. Laing Homes would have most likely carried some work out at the site. We would like to add the informative as a precaution as we do not have any details on remediation works if undertaken at the time of building the houses.

Informative: You are advised this development is on the location of a former sewage works. We are not aware that any houses and gardens are affected by contaminated soil. However we would advise persons working on site to take basic precautions in case any unknown potential contamination were to be found at depth. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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
LPP 5.3	(2011) Sustainable design and construction

5. MAIN PLANNING ISSUES

The main planning issues are the impact of the development on the character of the house and the area in general, and also the impact on the amenities of the adjoining occupiers. The impact on parking provision and amenity space also needs to be considered.

The proposal would not be particularly visible from the streetscene, and as such there would be no impact in this respect.

The extension would extend 3m in depth from the main rear elevation of the house. HDAS suggests that 3.3m is acceptable for terraced houses such as this where the plot is less than 5m wide.

HDAS also suggests that flat roofs on extensions are acceptable up to 3m in height (with parapet up to 3.1m) or that pitched roofs are acceptable up to 3.4m in height. The proposal as amended now accords with this guidance. It should be noted here that the SPD on residential extensions sets out various criteria and size requirements in order to ensure that extensions are built to an appropriate scale. The dimensions as set out are designed to ensure a fair balance between the wishes of householders to extend their property and the need to limit the impact of any such extension on adjoining occupiers, in terms of over-domination, loss of daylight and loss of sunlight.

In this case the properties are small, with a close relationship between properties. However, given that the extension complies with guidance it is considered that the extension would not be so harmful to the amenities of the adjoining occupiers through loss of light and visual intrusion to justify a reason for refusal of the application.

As such, it is considered that the proposal would not be an unneighbourly form of development and in this respect would comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The proposal would result in the reduction of amenity space for the property. With a garden width of 4m and a depth of 16.5m the existing garden has an area of 66m². The extension would reduce the remaining garden area to 54m². This still exceeds the minimum 40m² stated in HDAS guidance. The remaining space is therefore considered adequate for the enlarged property and would be in accordance with paragraph 3.13 of the HDAS: Residential Extensions and Policy BE23 of the saved UDP September 2007.

Given that the extension is at the rear of the property, there would be no impact on parking or vehicular access arrangements which are at the front of the property. The proposal would not therefore conflict with Policy AM14 of the saved UDP, September 2007.

It is therefore recommended that planning permission be granted.

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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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 side walls of the development hereby approved.

REASON

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

4 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio 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 site was on a former sewage works developed by Laing Homes in the early 1980's. Laing Homes would have most likely carried some work out at the site. We would like to add the informative as a precaution as we do not have any details on remediation works if undertaken at the time of building the houses. Contamination Informative You are advised this development is on the location of a former sewage works. We are not aware that any houses and gardens are affected by contaminated soil. However we would advise persons working on site to take basic precautions in case any unknown potential contamination were to be found at depth. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

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
LPP 5.3 (2011) 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 (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: Warren Pierson

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**17 Eamont Close
Ruislip**

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

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

Planning Application Ref:

68141/APP/2011/2587

Scale

1:1,250

Planning Committee

North

Date

**May
2012**



HILLINGDON
LONDON