

Report of the Head of Planning, Sport and Green Spaces

Address 168 WHITBY ROAD RUISLIP

Development: First floor side extension

LBH Ref Nos: 38420/APP/2015/1148

Drawing Nos: Location Plan (1:1250)
3508/01A

Date Plans Received: 27/03/2015

Date(s) of Amendment(s):

Date Application Valid: 08/04/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application property is an end of terrace, two storey dwelling situated on the south-eastern side of Whitby Road. It is sited adjacent to a vehicular access that leads to the rear garages of the properties in the road, and an area of open space beyond.

The property has been extended from its original state in the form of a conservatory and single storey rear and part side extension.

The streetscene is residential in character and appearance comprising two storey terraced houses and the application site lies within the Developed Area as identified in the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for a first floor side extension.

1.3 Relevant Planning History

38420/APP/2011/2410 168 Whitby Road Ruislip

Single storey side extension to existing property

Decision Date: 06-12-2011 **Approved** **Appeal:**

38420/APP/2014/1979 168 Whitby Road Ruislip

First floor extension with gable-end roof.

Conversion of existing rear conservatory to a ground floor extension

Decision Date: 15-07-2014 **NFA** **Appeal:**

Comment on Planning History

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**

A total of 3 neighbouring occupiers, along with the Eastcote Residents Association were consulted on the application on 13th April 2015. By the close of the consultation period on 4th May 2015, no responses had been received.

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM14 New development and car parking standards.

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

LPP 3.5 (2015) Quality and design of housing developments

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 dwelling, the impact on the visual amenities of the surrounding area, the impact on the residential amenity of the neighbouring dwellings, and the availability of parking.

The property currently already has a single storey side and rear extension as well as a conservatory. The depth of the conservatory is 3.4m and the depth of the rear extension is 2.8m. The existing single storey side extension is in line with the main front building line, but is set back from the front bay windows and front porch by 1m. Due to the shape of the plot, the width of the side extension increases towards the rear. The width of the existing side extension at the front is 1.7m, while the width at the rear is 3.3m. The length of the existing side extension is 8.9m. The height of the existing single storey side and rear extension is

2.9m.

The proposed first floor side extension will not extend beyond the rear wall of the original house and will have a length of 6.1m. The width of the proposed first floor side extension will be 1.7m to the front and 3.3m at the rear matching the existing single storey side extension

Paragraph 5.3 of the HDAS Residential Extensions guidance, states, "in situations where two storey or first floors side extensions are proposed where the side of the house adjoins a road or open space there may be some scope for flexibility on the set-in. A relaxation of the 1m set-in may be considered where the openness of the corner plot would be maintained and return building lines are not breached. Where an existing return building line exists, any extension should ensure that the openness of the area is maintained and the return building line is not exceeded".

As the application property is an end of terraced property, that adjoins a service road, there is no need for the proposed extension to be set in from the side boundary, as it is considered that the openness of the corner plot would be maintained.

Paragraph 5.8 of the HDAS Residential Extensions guidance's, states "for detached and terraced houses, the roof height of the extension should be equal to that of the main house'

The roof of the proposed first floor extension will be 0.21m below the ridge of the main roof and comprises of a gable end design, which does not follow the hipped roof design of the property as it currently is. Normally this would not be acceptable, however, the property is the end property within a small terrace of four dwellings and the other end of terrace property (No. 162) has had its roof converted to a gable end under permitted development. The proposal would thus balance this terrace and is thus considered acceptable in this instance.

Paragraph 5.11 of the HDAS Residential Extensions guidance, states, windows and doors "should reflect the existing house in terms of their style and positioning. No window or door should overlook a neighbouring property. These should therefore usually be located on the rear wall".

The proposed first floor side extension will have single panel window on the front elevation, and a three panel window on the rear elevation. These proposed windows match the existing windows of the original dwelling and therefore will harmonise with the existing dwelling.

The proposed development will be rendered to match the original dwelling ensuring it harmonises with the original dwelling.

As a result the proposed development is considered to form a proportionate addition that would not have a significant impact on the character of the original property or the visual amenity of the surrounding area. Therefore the proposed development is in accordance with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Due to the size, scale, design and siting of the development, it is considered not to cause any undue loss of residential amenity to the occupiers of the neighbouring dwellings in terms

of loss of light, loss of outlook or overshadowing as it does not extend beyond the rear wall and thus does not impact on No. 166 Whitby Road and is separated from No. 170 by the service road. Although there are two windows proposed, they will not cause any issues regarding privacy or outlook, as one is located on the front elevation and the other on the rear elevation. Therefore, the proposed development is in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all proposed habitable rooms and those altered by the proposals would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan.

The proposed extension would not impact the parking provision to the front of the property and the development is considered to not materially increase the parking demand for the occupiers of the site.

Given the above, the proposed development is considered to have an acceptable impact on the appearance of the existing property and the residential amenity of the neighbouring dwellings.

Therefore, the application is recommended for approval.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 Time Limit

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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 3508/01A.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

3 HO4 Materials

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 and shall thereafter be retained as such.

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 Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

- 1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

- 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).

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