

Report of the Head of Planning, Sport and Green Spaces

Address 27 KINGSTON AVENUE YIEWSLEY

Development: Single storey side extension

LBH Ref Nos: 67220/APP/2015/3631

Drawing Nos: SD1552(P)02-A
SD1552(P)03
Site Plans

Date Plans Received: 29/09/2015

Date(s) of Amendment(s):

Date Application Valid: 16/10/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a two storey end of terrace dwelling along Kingston Avenue. The property is set on a lower ground level than the adjacent highway and is characterised by a hipped roof with the front access via the flank elevation. The property benefits from ample garden area to the front and rear, with parking only available on street.

The surrounding area is characterised by semi-detached and terraced blocks that vary in size, form and appearance. A fair proportion of houses have created off road parking spaces within their curtilages however Kingston Avenue still depends heavily on on street parking as a result of the wide grass area directly opposite the row of terraced blocks.

1.2 Proposed Scheme

Householder permission is sought for the construction of a single storey side extension, following the demolition of the existing temporary single storey side element.

The proposed side extension would be set back from the principal elevation by 2.6m and would measure 4m in depth, 1.1m in width and would be characterised by a flat roof with a maximum height of 3m.

The extension would be finished in materials to match the main dwelling.

1.3 Relevant Planning History

67220/APP/2010/2068 27 Kingston Avenue Yiewsley

Single storey rear extension and single storey detached outbuilding to rear with 4 rooflights for use as storage.

Decision Date: 12-11-2010

Refused

Appeal:

67220/APP/2011/9

27 Kingston Avenue Yiewsley

Single storey rear extension with 2 rooflights and single storey detached outbuilding to rear for storage use.

Decision Date: 10-03-2011 Approved **Appeal:**

67220/APP/2015/3634 27 Kingston Avenue Yiewsley

Single storey detached outbuilding to rear for use as an entertainment area, gym and store
(Retrospective)

Decision Date: 05-05-2016 NFA **Appeal:**

Comment on Planning History

There is also an extant enforcement notice relating the independent residential occupation of the single storey outbuilding located in the garden to the rear of the house.

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 five neighbouring properties including the Whitehorn Residents Association were consulted via letter on 19.10.15 as well as a site notice which was attached to the front on 19.10.15.

One comment/ objection received from the owner of 29 Kingston Avenue stating:
As long as the bricks match, isn't an eyesore, is added on the side of the property and not used for additional occupancy, then no objections.

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.

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

5. MAIN PLANNING ISSUES

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenity and light levels of the adjoining neighbours.

- Character and Appearance

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance for all types of extensions. Section 4.0 states: single storey side extensions should not dominate the existing character of the original property but appear subordinate to the main house. The width and height of the extension should be considerably less than that of the main house to appear subordinate, and be between half and two thirds of the original house. Flat roofs will generally be acceptable over single storey side extension.

The proposed side extension would be set back from the principal elevation by 2.6m, 4m in depth to line up with the rear wall, 1.1m in width and would be characterised by a flat roof with a maximum height of 3m. The proposed extension would be less than quarter of the width of the original house, and would extend the full depth of the existing house as well as flush with the flank wall of the existing single storey rear extension. The extension would also retain a 1m gap from the shared boundary to retain access to the rear garden. The proposed extension by reason of its size, scale, bulk, and height is considered to be a subordinate addition to the main dwelling.

- Residential Amenity

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity would not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

The neighbour to the north at No. 29 benefits from no windows across the side flank elevation, and by reason of the size and scale of the proposed side extension it is considered to have a negligible impact on the light levels and residential amenities of the adjoining neighbour.

The adjoining neighbour at No.25 is sited on the opposite side of the proposed development and would not be visible from their outlook.

The proposed single storey side extension would comply with the objectives set out in Policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

- Possible breach of planning control

There is a live enforcement investigation into the use of the existing single storey rear extension regarding concerns that it is occupied as a separate residential unit. The existing floor plan shows no direct link between the main house and the existing single storey rear extension. Whilst the submitted floor plans show this area to be a bedroom, the enforcement investigation is seeking to check allegations of a possible creation in this space of a separate kitchen area and separate washroom.

This extension would create the link between the house and the room in the rear extension to overcome the current need to exit the house to get to it. This would represent the benefit of tying the extension back into the main house.

Each planning application must be judged on its own merits and the Council could not take into account the ongoing enforcement allegation. Any grant of planning permission for the proposed porch would not an impact on the Council's ability to take future enforcement action if it is later established that the rear extension has been subdivided from the main house and is being used as a separate independent dwelling.

It is recommended that planning permission be granted.

6. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 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 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.

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.
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.

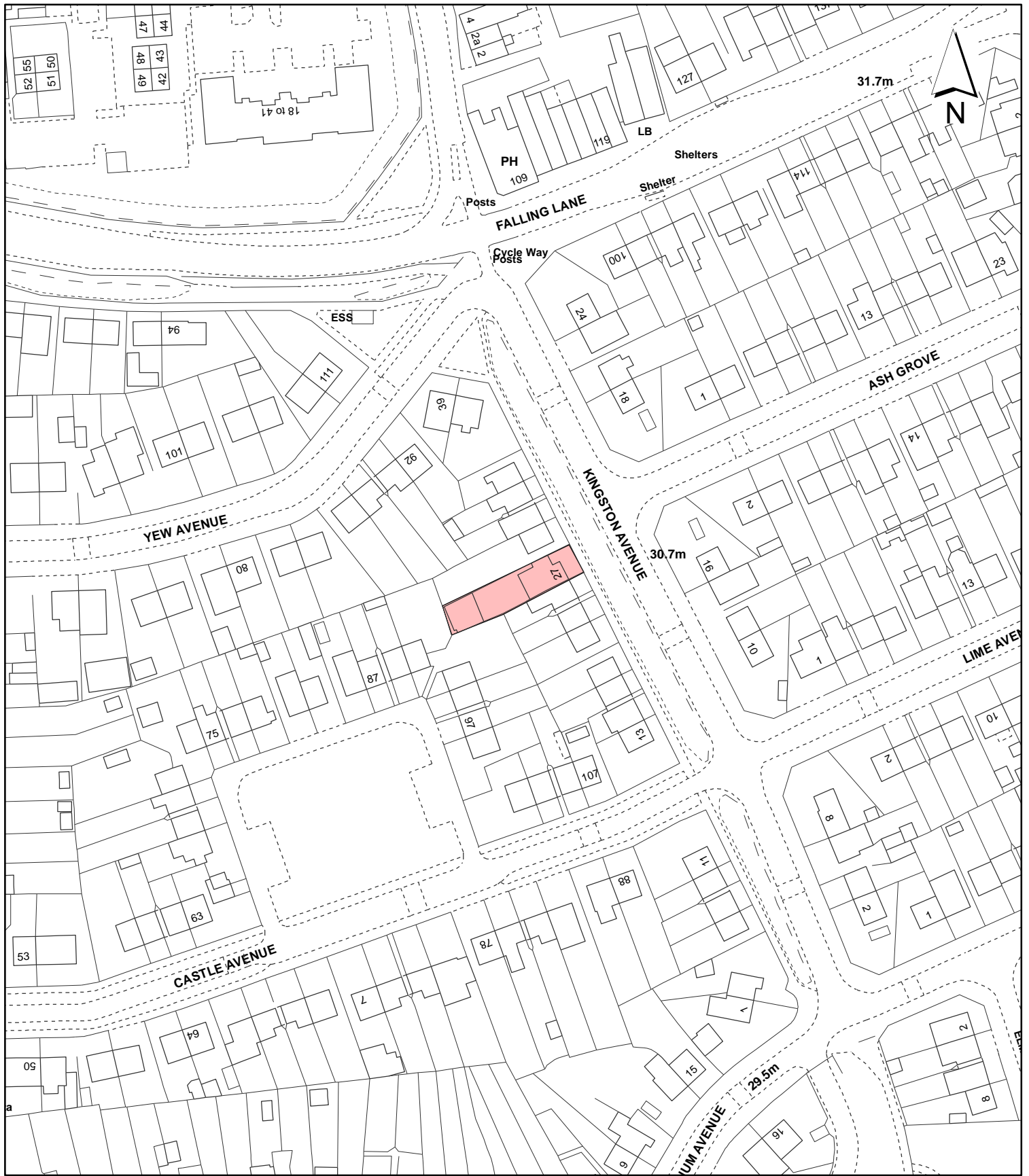
D) No bonfires that create dark smoke or nuisance to local residents.

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).

Contact Officer: Naim Poptani

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**27 Kingston Avenue
 Yiewsley**

Planning Application Ref:
67220/APP/2015/3631

Planning Committee:
Central & South

Scale:
1:1,250

Date:
May 2016

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

