

Report of the Head of Planning, Sport and Green Spaces

Address 49 BOURN AVENUE HILLINGDON

Development: Single storey side extension

LBH Ref Nos: 13688/APP/2016/2562

Drawing Nos: 1348-ex-01
1348-pl-21
1348-os-01

Date Plans Received: 01/07/2016

Date(s) of Amendment(s):

Date Application Valid: 04/07/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the western side of Bourn Avenue and comprises a detached bungalow with an existing rear extension and a detached outbuilding to the rear.

The original bungalow has a pitched roof with gable ends to the front and rear elevations. The existing rear extension projects to a depth of 4.2m occupying part of the width of the rear elevation of the original property and having a stepped rear elevation.

There is a gap of some 2.1m between the southern flank wall of the application property and the southern side boundary. Abutting the southern boundary is 47 Bourn Avenue, a detached bungalow. It is to be noted that the boundary between the two sites at this location is defined by the flank wall of 47 Bourn Avenue. There is no additional fence/wall. 47 Bourn Avenue has a window within this flank wall, serving a bedroom.

The northern flank wall of the application property forms the boundary with the dwelling to the north, 51 Bourn Avenue.

The area is characterised by bungalow type dwellings, with groups of similarly designed types.

The site is situated within a developed area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey side extension.

1.3 Relevant Planning History

13688/APP/2012/1032 49 Bourn Avenue Hillingdon

Conversion of roof space to habitable use to include 2 side dormers, 2 side rooflights and a new gable end window (Application for a Certificate of Lawful Development for a Proposed

Development)

Decision Date: 07-06-2012 Approved **Appeal:**

13688/APP/2013/2683 49 Bourn Avenue Hillingdon

Single storey side extension and conversion of roof space to habitable use to include 2 side dormers and new gable end window to front

Decision Date: 02-04-2014 Refused **Appeal:**

13688/APP/2015/723 49 Bourn Avenue Hillingdon

Single storey side extension and conversion of roofspace to habitable use to include 2 side dormers (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 14-04-2015 Refused **Appeal:**

13688/APP/2016/76 49 Bourn Avenue Hillingdon

Single storey side extension and conversion of roof to habitable use to include 2 side dormers and 1 gable end window to front, involving installation of flat roof to existing rear element (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 27-01-2016 Refused **Appeal:**

13688/APP/2016/841 49 Bourn Avenue Hillingdon

Conversion of roofspace to habitable use to include 2 side dormers, alterations to elevations and replacement of pitched roof to existing single storey rear element with a flat roof (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 08-04-2016 Approved **Appeal:**

Comment on Planning History

The following planning history is considered to be of relevance to this application.

13688/APP/2016/841 - Conversion of roofspace to habitable use to include 2 side dormers, alterations to elevations and replacement of pitched roof to existing single storey rear element with a flat roof (Application for a Certificate of Lawful Development for a Proposed Development) - Approved (Not implemented)

13688/APP/2016/76 - Single storey side extension and conversion of roof to habitable use to include 2 side dormers and 1 gable end window to front, involving installation of flat roof to existing rear element (Application for a Certificate of Lawful Development for a Proposed Development) was refused for the following reason:-

1. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015) as the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres and the window inserted in the wall/roof slope forming a side elevation of the dwellinghouse are not shown to be obscure glazed and non-opening below 1.7 metres above the floor of the room in which the windows are installed.

13688/APP/2015/723 - Single storey side extension and conversion of roofspace to habitable use to include 2 side dormers (Application for a Certificate of Lawful Development for a Proposed Development) was refused for the following reason:-

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 as the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres.

13688/APP/2013/2683 - Single storey side extension and conversion of roof space to habitable use to include 2 side dormers and new gable end window to front was refused for the following reasons:-

1. The proposed single storey side extension and side dormers by reason of their location, height, depth, width and design, would represent an incongruous and visually intrusive form of development that would be detrimental to the character and appearance of the application property and the visual amenities of the surrounding area contrary to Hillingdon Local Plan (November 2012) Part 1 Policy BE1, Policies BE13, BE15 & BE19 of the Hillingdon Local Plan (November 2012) Part 2 - Saved Policies UDP and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed single storey side extension and side dormers by reason of their overall size, bulk, scale, siting and proximity to No.47 Bourne Avenue would represent an unneighbourly and intrusive form of development which would result in an unacceptable loss of residential amenity due to loss of light, loss of outlook and loss of privacy contrary to Policies BE20, BE21 & BE24 of the Hillingdon Local Plan (November 2012) Part 2 - Saved Policies UDP.

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

11 neighbouring properties were consulted by letter dated 12.7.16 and a site notice was displayed to the front of the site which expired on 11.8.16.

6 letters of objection have been received raising the following issues:

1. Loss of light and outlook to the bedroom window at Number 47 Bourn Avenue
2. Development out of keeping with the street scene which would fail to respect the spacing of development within Bourn Avenue and create a precedent for future similar extensions.
3. The construction of the bungalows would not withstand development in such close proximity to the boundary.

The application has been called to committee for consideration by the Ward Councillor.

4. UDP / LDF Designation and London Plan

Standard Informatives

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.
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.
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

In terms of design and appearance, the proposed side extension at a width of 1.75m at the front of the property would be less than half of the width of the existing property and at a height of 3.1m would comply with the advice contained within section 4 of the Council's HDAS guidance Residential Extensions. Whilst the proposal would result in a reduction of the gap to the boundary to 0.7m, this is a single storey extension and there is no requirement within the SPD to leave substantial to the boundary in such circumstances. However, the eaves of the proposed extension would be higher than the eaves of the original dwellinghouse which would detract from its architectural integrity and would result in an extension which would not integrate with the design of the original dwelling. As such, the proposed development, by reason of the excessive eaves height, would represent an incongruous and visually intrusive form of development which would be detrimental to the architectural integrity of the host dwelling and character and appearance of the street scene and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13, BE15 and BE19 of the

adopted Hillingdon Local Plan - Saved UDP Policies (November 2012).

In terms of the impact on the neighbouring occupiers, the proposed side extension would maintain a separation distance of 0.7m from the flank wall of the neighbouring property to the south, 47 Bourn Avenue. It is to be noted that the existing original flank wall of the application property is located 2.1m away from the side of 47 Bourn Avenue. The side extension would have a significantly detrimental impact on the outlook from and daylight received by the side bedroom window at 47 Bourn Avenue. There would also be a significant sense of enclosure for the neighbouring occupants caused by the side extension. The neighbouring bedroom is served by a single window, which is located directly opposite the proposed side extension. The proposal would be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), due to the loss of light and loss of outlook which would occur.

It is noted that the proposed extension would have a window within the flank wall. However this would not be the only window serving this bedroom as there is also a window on the rear elevation, and thus this window could be conditioned to be obscure glazed, were the application recommended for approval. The outlook and levels of light to this room would thus be acceptable. All the other habitable rooms within the dwelling and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2016).

In terms of the garden area at least 60sq.m of rear garden should be retained to provide adequate amenity space for the 3 bedroom dwelling. The resultant amenity space would be significantly over 60sq.m, at around 200sq.m, which would be in compliance with the HDAS guidance. The proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The frontage provides ample parking for at least two vehicles. The proposal would be in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

For the reasons stated above, the application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed single storey side extension by reason of its overall size, bulk, scale, siting and proximity would be detrimental to the amenities of the adjoining occupier at 47 Bourne Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed development, by reason of the excessive eaves height, would represent an incongruous and visually intrusive form of development which would be detrimental to the architectural integrity of the host dwelling and character and appearance of the street

scene and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan - 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 (2016). 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 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.
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- 1 The decision to REFUSE 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 REFUSE 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

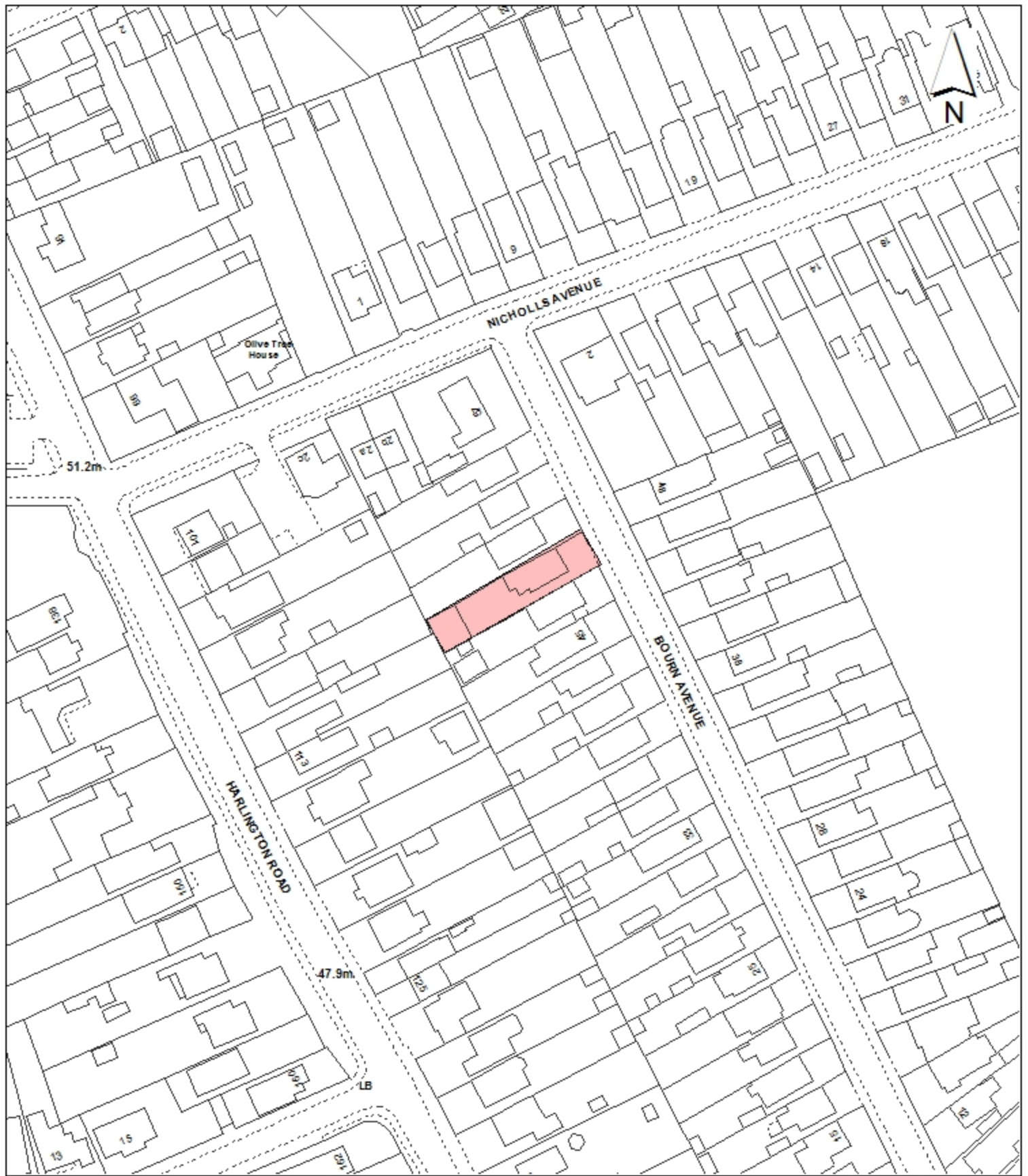
Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

49 Bourne Avenue

Planning Application Ref:

13688/APP/2016/2562

Planning Committee:

Central & South

Scale:

1:1,250

Date:

September 2016

LONDON BOROUGH OF HILLINGDON

**Residents Services
Planning Section**

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