

Report of the Head of Planning, Sport and Green Spaces

Address 53 MAHLON AVENUE RUISLIP MIDDLESEX
Development: Two storey side extension and single storey rear extension
LBH Ref Nos: 58755/APP/2016/1231
Drawing Nos: SB/B57/1
SB/B57/2

Date Plans Received: 30/03/2016 **Date(s) of Amendment(s):**
Date Application Valid: 13/04/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey semi-detached dwelling located on Mahlon Avenue. The external walls of the property are covered by a gable roof. The area to the front of the property, within the curtilage of the dwelling, is covered hard standing and provides space to park approximately 2 vehicles.

The site is located in a developed area as identified in the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for a two storey side extension and single storey rear extension.

1.3 Relevant Planning History

58755/APP/2003/2138 53 Mahlon Avenue Ruislip Middlesex

CONVERSION OF ROOF FROM HIP TO GABLE END WITH INSTALLATION OF A REAR DORMER (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

Decision Date: 09-10-2003 Approved **Appeal:**

58755/APP/2013/1567 53 Mahlon Avenue Ruislip Middlesex

Two storey side extension and porch to front

Decision Date: 08-08-2013 Refused **Appeal:**

58755/APP/2013/3217 53 Mahlon Avenue Ruislip Middlesex

Two storey side extension, porch to front, new rooflight to front and new window to first floor rear

Decision Date: 27-12-2013 Refused **Appeal:** 19-MAY-14 Allowed

58755/APP/2013/576 53 Mahlon Avenue Ruislip Middlesex

Part two storey, part single storey side extension and porch to front.

Decision Date: 14-05-2013 Refused **Appeal:**
58755/APP/2015/3877 53 Mahlon Avenue Ruislip Middlesex

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 2.8 metres, and for which the height of the eaves would be 2.8 metres

Decision Date: 02-12-2015 Refused **Appeal:**
58755/APP/2015/4661 53 Mahlon Avenue Ruislip Middlesex

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5 metres, for which the maximum height would be 2.7 metres, and for which the height of the eaves would be 2.7 metres

Decision Date: 15-02-2016 Approved **Appeal:**

Comment on Planning History

The property has had a previous planning application (reference number: 58755/APP/2013/3217) for a two storey side extension allowed at appeal in 2013, and has also had a Prior Approval application approved for a 3.5m deep rear extension approved on 15th February 2016.

The property is currently subject to a planning enforcement notice concerning hardstanding to the front of the property.

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 4 neighbouring occupiers, along with the South Ruislip Residents Association, were consulted on the application on 4th April 2016. By the close of the consultation period on 25th May 2016, 1 objection was received from a neighbouring occupier.

The comments from the neighbouring occupier have been summarised in bullet point format below:

- This will become an eye sore and as this property is mainly being let it is only to increase the amount of letting space. ie more tenants.

- It will also obliterate my outlook and there will not be enough car parking spaces.

OFFICER NOTES: The comments regarding the property being increased for letting purposes is not necessarily a planning consideration. With regards to the other comments, they will be discussed in the main body of the report.

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:

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.

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

LPP 3.5 (2015) Quality and design of housing developments

AM14 New development and car parking standards.

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, provision of acceptable residential amenity for the application property and the availability of parking.

Paragraph 4.5 of the HDAS Residential Extensions Guidance, states "in order to appear subordinate, the width and height of the extension should be considerably less than that of the main house and be between half and two-thirds of the original house width".

The proposed two storey side extension will have a width of 3.5, which is less than half and two thirds the width of the original dwelling, which is approximately 6.59m wide.

The proposed side extension will have a length of 10.77m at ground floor level, and a length of approximately 7.19m at first floor level, as the proposed ground floor will wrap around and join onto the proposed single storey rear extension. The proposed first floor of the side extension will be inline with the rear wall of the original dwelling.

Paragraph 5.1 of the HDAS Residential Extensions guidance, states: "the Council requires all residential extensions and buildings of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property for the full height of the building". The proposed two storey side extension will be set in from the side boundary shared with no.51 Mahlon Avenue by 1.5m at both ground and first floor level.

Paragraph 5.6 of the HDAS Residential Extensions guidance, states: "the ground and first floor should be set back from the main front building line to ensure a subordinate appearance to the existing house". The ground floor of the proposed side extension will be set in line with the front wall of the main dwelling while the first floor will be set back from the front wall of the dwelling by 1m.

Paragraph 5.8 of the HDAS Residential Extensions states, "for semi-detached properties the roof height of the extension should not exceed the height of the main roof and so should be lowered by at least 0.50m at roof level". The proposed side extension will consist of a gable roof which will be set approximately 0.55m below the ridge of the main roof.

The attached property No. 55 Mahlon Avenue retains the original hipped roof whilst the application property has been converted to a gable roof, with the addition of a rear dormer window. Where semi-detached properties with hipped roofs are a strong reoccurring feature of the streetscene, the introduction of a gable roof and two storey side extension to a semi-detached property is normally considered to have a detrimental impact upon the character and appearance of the street scene as the semi-detached properties can appear unbalanced.

However, there is not considered to be a prevailing pattern of development within the immediate area. Within close proximity of the application site on Mahlon Avenue are single and two storey properties with mixed roof forms such as hipped and gable roofs, plus ridge lines which run both parallel and perpendicular to the street. Indeed Nos. 48 and 50 on the opposite side of Mahlon Avenue to the application site have been constructed with gable roofs. As such it is considered that the proposal would not have such a significant detrimental impact on the character of the streetscene as to warrant a refusal of the application.

In addition the property has had a previous planning application (reference number: 58755/APP/2013/3217) for a two storey side extension, though with a hipped roof to the extension, allowed at appeal in 2013.

Section 3 of the HDAS Residential Extensions guidance, states: single storey rear extensions to semi-detached houses should not exceed 3.6m in depth and should have a maximum height of 3m for a flat roof or 3.4m for a pitched roof.

The proposed single storey rear extension will have a depth of 3m and will be approximately 10.25m wide as it will extend the entire width of the main dwelling, as well as the side extension. The rear extension will consist of a flat roof which will be 2.7m in height.

It is considered that the proposed development would not have a detrimental impact upon the architectural composition of the original dwelling and would not have a negative impact upon the street scene. As a result, the proposed development accords with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The size, scale and design of the development is considered not to cause any undue loss of residential amenity to the occupiers of the no.55 and no.51 Mahlon Avenue , in terms of loss of light, loss of outlook or overshadowing.

The proposed single storey rear extension element of the proposed development will extend beyond the rear wall of no.55 Mahlon Avenue by 3m, which is considered to be

acceptable given that the HDAS states, a rear extension with a depth of 3.6m is considered acceptable to a semi-detached and terraced property. As the proposed side extension is on the opposite site, it will have no impact upon the residential amenity of the occupiers of no.55.

With regards to no.51 Mahlon Crescent, the proposed side extension and rear extension will be set in from the shared side boundary by 1.5l which is considered to be an acceptable separation distance.

As a result the proposed development will not result in any loss of light, loss of outlook or overshadowing, to either neighbouring occupiers.

Furthermore the proposed development will have windows and doors located on the front and rear elevations. The windows on the front elevation will have general outlook onto the street scene, while the windows and doors on the rear elevation will face the applicant's rear garden.

Although the proposal includes a side window at ground floor level on the side extension, this will not result in any overlooking, as the window will be serving a WC, and could be conditioned to be obscurely glazed. Furthermore the window will be facing the boundary fence and will have no direct outlook into the neighbouring property.

The proposed development will not overlook or breach the privacy of any neighbouring occupiers. 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 the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Paragraph 3.13 of the HDAS Residential Extensions guidance, states, "sufficient garden space should be retained as a consequence of an extension. For a 4 or more bed house at least 100sq.m of private gardens space should be retained". Following the construction of the development, approximately 134sq.m of private rear garden space will be retained. Therefore the proposed development is in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed rear 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.

As the property has had various enforcement action taken against it, the application will be determined at planning committee.

Having taken everything into consideration it is recommended that this application be approved.

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 SB/B57/2.

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 (2016).

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).

4 HO6 Obscure Glazing

The window(s) facing north west shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 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** 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.

- 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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments
AM14	New development and car parking standards.

- 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.

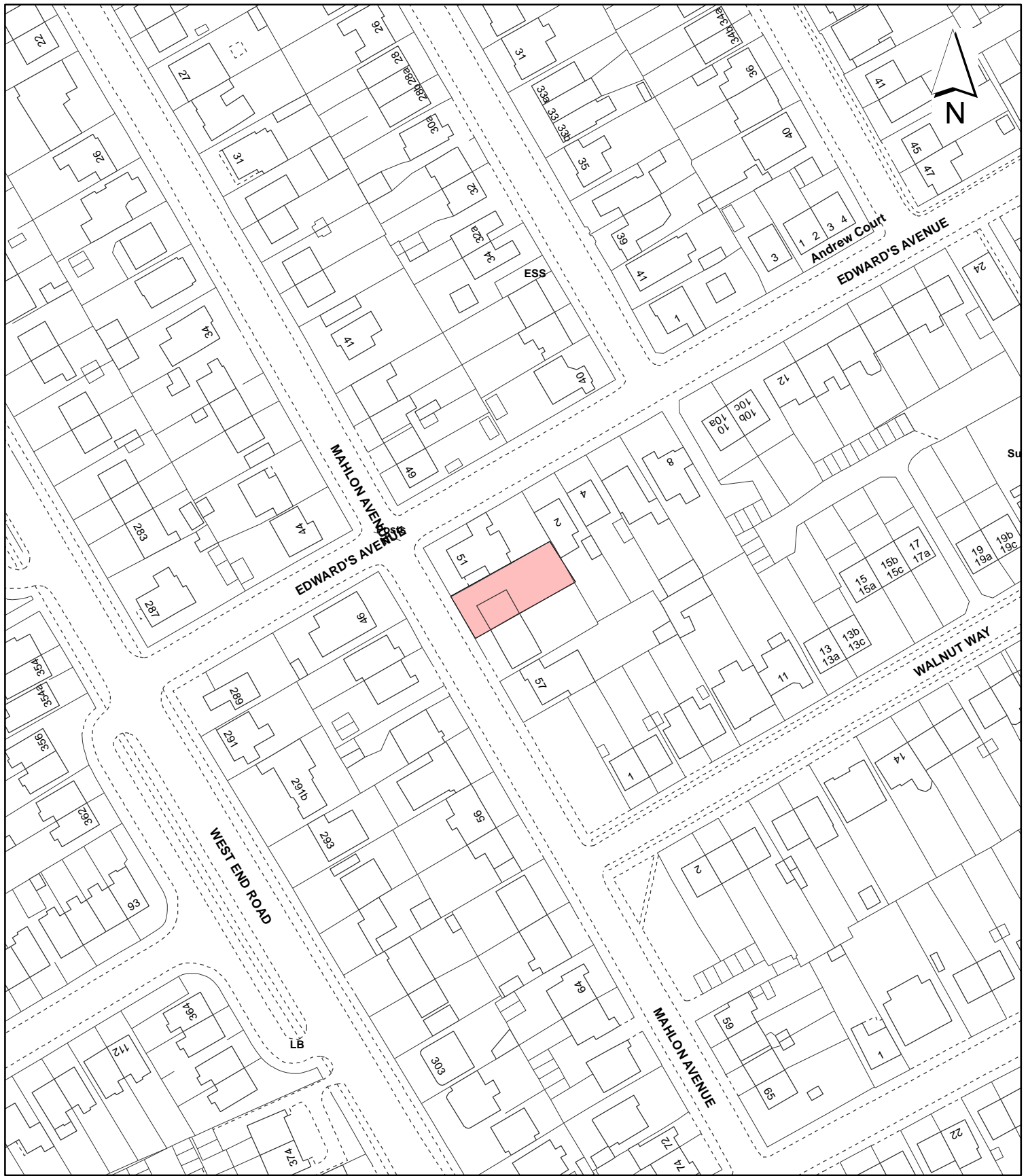
D) No bonfires that create dark smoke or nuisance to local residents.

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: Ayesha Ali

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**53 Mahlon Avenue
 Ruislip**

Planning Application Ref:

58755/APP/2016/1231

Planning Committee:

North

Scale:

1:1,250

Date:

October 2016

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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



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