

has a ridge line running north-south (90-degrees to the street). Dormer windows are proposed in the front and rear facing roof slopes (1.8m wide, 2.5m high, including a hipped roof, and 5.8m above the ground (measured from the front elevation)). Flights of steps are proposed to the western and rear (southern) side of the structure, connecting it to the apron which runs around the property itself.

The swimming pool area is positioned 12m behind the new garage structure (7m past the house, but located towards the eastern side boundary). The total area of the swimming pool (including the apron that surrounds it) is 17m in length and 10m in width, with an area 13m long and 6m wide within which a swimming pool would be situated. The exact design and shape of the pool is not yet known (that shown on the plans is indicative). The pool will be situated slightly lower than the existing garden level. As such retaining walls will be required around the structure, and access will be sought in the north western corner, up steps at 45-degrees to the rear patio area of the house.

The proposals as described are based on the latest of the two sets of amendments to the plans, which have relocated the swimming pool further down the garden and sited it at a lower level (when submitted it was directly behind the garage and elevated to the level of the apron around the house).

1.3 Relevant Planning History

Comment on Planning History

13772/APP/2007/744: Erection of 2, five-bedroom detached dwellinghouses with roofspace accommodation and integral garages (involving demolition of existing dwellinghouse). Refused permission, appeal allowed.

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

External:

9 letters neighbouring residents and Eastcote Residents Association consulted. Two letters of objection have been received from local residents in Chiltern Road stating the following (only the latest letters following latest amendments are considered):

- * Bedroom window to the side of No.12 will be affected by the garage;
- * The swimming pool is too close to the boundary of No.12 and will generate noise;
- * There is no room for soft landscaping between the pool and the boundary;
- * Damage will occur to surrounding trees and shrubs; and
- * No reference to trees.

One letter of objection has been received from the Eastcote Residents Association stating the following:

- * Garage has a footprint four times that of the original garage and car port;
- * The footprint is twice the size of the property at No.12;
- * It is a one and a half storey building;
- * Will be prominent and out of keeping with the street scene;

- * The side of the garage will take all the natural light from the side bedroom window of No.12;
- * The garage is a detached building and could be converted into a habitable dwelling;
- * Plant will be noisy;
- * Swimming pool will affect ground water flow;
- * Sustainable Urban Drainage System should be installed;
- * Not enough consideration of the difference on ground level between No.10 and 12; and
- * Swimming pool will cause a loss of amenity.

The applicant has submitted a supporting statement following the submission of the above objections which raise the following points:

- * The property has planning permission to be redeveloped to accommodate 2 houses;
- * The property is on a very large double plot and has a significant garden area between it and No.12;
- * The proposed garage is designed along the lines of the approved new house that the applicant does not wish to implement; and
- * The development is not out of character with Chiltern Road.

Ward Councillor: Requests that the application is reported to committee.

Internal:

Environmental Protection: An old brick works and clay pit has been identified at this site based on Ordnance Survey map. There is no information in our records with regard to any actual contamination at the site. Informative is suggested.

Environmental Protection Unit: Conditions concerning noise associated with the plant and a construction site informative should be attached if the application is approved.

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. |
| 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 | Residential Extensions |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |

5. MAIN PLANNING ISSUES

The main issues for consideration with this application are the design of the proposed development, landscaping, impact on residential amenity, and highway safety and parking.

Design and scale

UDP Policy BE13 states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

The Councils adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions offers under Section 9, guidance on how to assess detached outbuildings. The SPD offers the following criteria for assessment of such structures:

- * Paragraph 9.2: Building should be positioned away from neighbouring properties and set in from the boundary by at least 500mm;
- * Paragraph 9.3: The ridge should not be higher than 4m;
- * Paragraph 9.4: The outbuilding must be used for normal residential activities ancillary to the main house.

The plot has an 11m wide side garden that can adequately accommodate the proposed garage. Whilst the structure is over half the width of the main house, forward-set of the main house and has a pitched roof at 6.4m in height (when viewed from the street), the structure can be accommodated on the plot, with ample distance to the common boundary with No.12 Chiltern Road, the proposals height, mass and position therefore to accord with policy BE13 and BE15 and the criteria within the House Extension SPD.

The proposed building has a smaller, yet substantial, footprint when viewed against the main house but is larger than that of No.12. However, permission has been granted, on appeal, for a substantially larger structure (a detached two storey dwelling) in this location, which was not considered to impact on the character of the existing properties or the street scene.

With regards the swimming pool, the application has been the subject of various amendments, relocating it further back from the property and at a lower level, so that it will not be visible from the street or neighbouring gardens.

Amenity

With regards impact on amenity, Policy BE21 of the UDP is relevant. The policy states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity. Furthermore the House Extension SPD notes under Section 5.4 that no direct overlooking will be permitted. Adequate distance should be maintained to any area from which overlooking may occur.

The neighbouring resident at No.12 has raised concerns over the use of the proposed garage. The structure is intended to be used for garaging, storage, play room and gym purposes. Should the application be considered acceptable it would be conditioned so as to restrict its use to activities that would be in connection with the main dwellinghouse.

The neighbouring resident at No.12 has also raised concerns over the potential noise

generated by plant for the swimming pool. The amended plans no longer make reference to plant in the rear part of the garage building. However, again, should the application be considered acceptable, then the location and acoustic insulation provided in association with the plant, can be conditioned.

The neighbouring property at No.12 has a west facing principal bedroom window, which will be affected by the proposal. The garage is at the same distance and no further forwards than an earlier approved property on the site (13772/APP/2007/744), with a similar height and roof design. As such it is not felt that the impact on this window is any greater than that approval.

The proposal accords with the criteria for single-storey rear extensions and is therefore not considered to unreasonably impact on the amenity currently enjoyed by neighbouring properties.

It is considered, that all the proposed habitable rooms, and those altered by the development still maintain an adequate outlook and source of natural light, therefore complying with Policy 4A.3 of the London Plan (2004).

Highways

Policy AM14 of the UDP refers to the Councils car parking standards contained under Annex 1. The standards indicate that 2 car parking spaces are required in order to comply with the policy. Adequate car parking can be provided in the proposed garage and new driveway.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 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 M2 External surfaces to match existing building

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.

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 Unitary Development Plan Saved Policies (September 2007).

3 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 Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 RCU3 Loss of Garage(s) to Living Accommodation (Not Garage Courts
Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990, the garage(s) hereby approved shall be used only for the accommodation of private motor vehicles incidental to the use of the dwellinghouse as a residence.

REASON

To ensure that adequate off-street parking to serve the development is provided and retained, in accordance with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NONSC Non Standard Condition

The use of the building hereby approved shall be for the purpose(s) stated on the application form and approved drawings. The building shall not be used for purposes such as a living room, bedroom, kitchen or as a separate unit of accommodation.

REASON

To safeguard the amenities of adjoining occupiers and to ensure that any separate use is in accordance with the policies of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 N12 Air extraction system - noise and odour

No plant associated with the swimming pool shall be used on the premises until a scheme for the control of noise emanating from the site or to other parts of the building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

INFORMATIVES

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.
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	Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.

- 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 & 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 & Community Services Reception Desk, Level 3, 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.

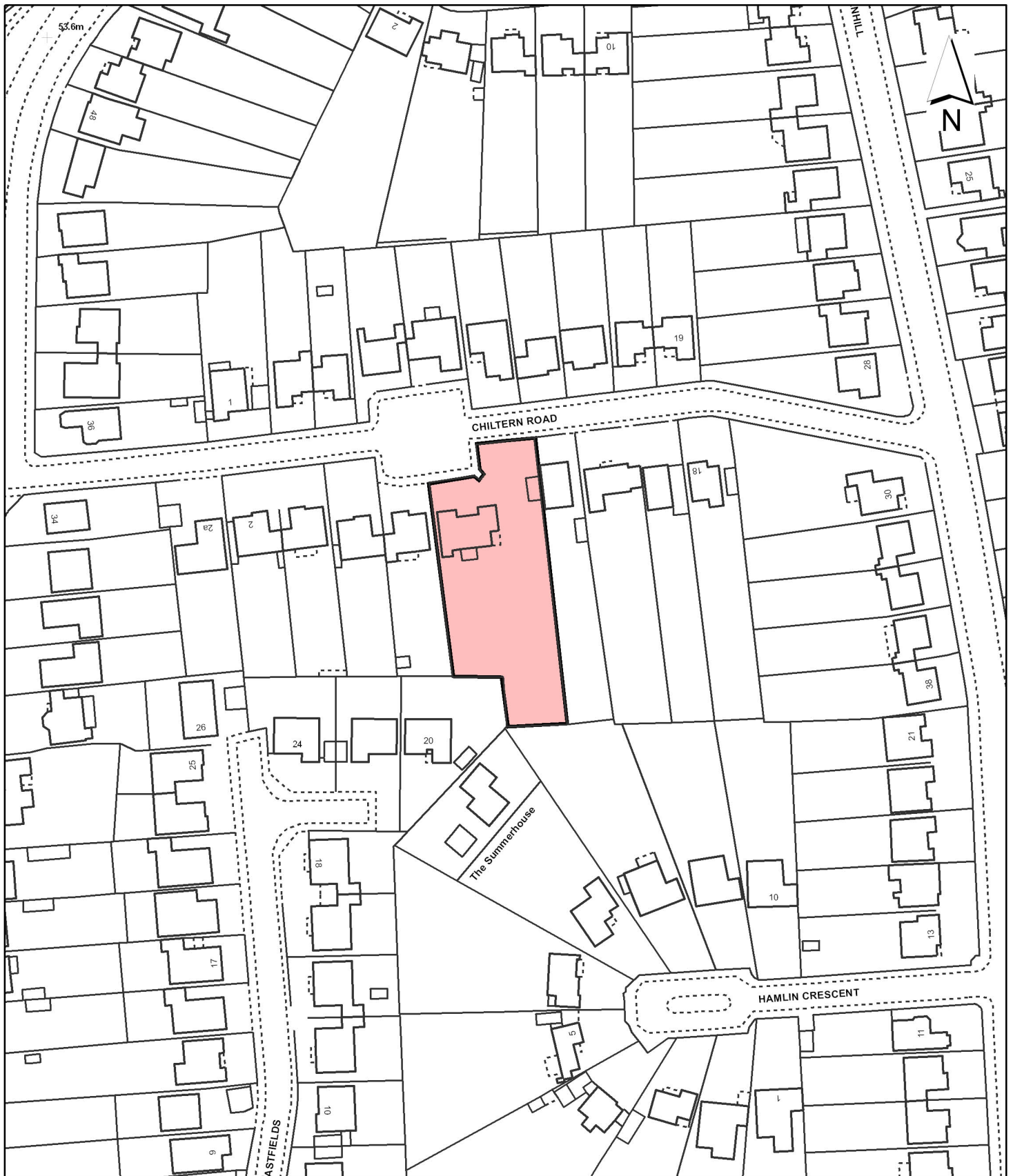
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the 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: Andy Fuller

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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London Borough of Hillingdon
100019283 2009

Site Address

**10 Chiltern Road,
Eastcote**

Planning Application Ref:

13772/APP/2009/1897

Planning Committee

North

Scale

1:1,250

Date

January 2010

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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



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