

Report of the Head of Planning, Sport and Green Spaces

Address 6 BROWNGRAVES ROAD HARLINGTON

Development: Ground floor rear conservatory

LBH Ref Nos: 36832/APP/2016/2590

Drawing Nos: GTD610-02HPA
GTD610-03HPA
GTD610-01HPA
Location Plan (1:1250)

Date Plans Received: 04/07/2016

Date(s) of Amendment(s):

Date Application Valid: 04/07/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a semi-detached dwelling located on the southern side of Browngraves Road with an area of open space in front. The application property is attached to 5 Browngraves Road to the east, with 7 Browngraves Road located to the west. The Radisson Edwardian International Hotel car park is located at the rear of the site.

1.2 Proposed Scheme

Planning permission is sought for the erection of a ground floor rear extension on the back of an existing single storey rear extension. The proposed extension would therefore be classed as a second generation rear extension to the property. The proposed rear extension would be 5.15m wide, would have a pitched roof measuring 3.05m at the roof ridge and 2.44m at the eaves and would extend 2.5m from the rear wall of the existing rear extension.

1.3 Relevant Planning History

36832/APP/2016/1530 6 Browngraves Road Harlington
Single storey rear extension to existing extension

Decision Date: 28-06-2016 Refused **Appeal:**

36832/APP/2016/1531 6 Browngraves Road Harlington

Single storey detached outbuilding to rear for use as a gym/storage (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 13-06-2016 Approved **Appeal:**

Comment on Planning History

The application site has been subject to an enforcement investigation for the erection of a single storey second generation rear extension and a wooden balcony enclosure on the roof of the original rear extension. An enforcement notice was served in July 2015 requiring the removal of the secondary single storey rear extension and wooden balcony enclosure. The

secondary rear extension and wooden balcony enclosure were removed in compliance with the Enforcement Notice in February 2016.

Planning application ref: 36832/APP/2016/1530, for a 4m deep rear extension, was refused in June 2016 for the following reasons;

1. The proposed extension, in conjunction with the existing extension, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupiers at 5 and 7 Browngraves Road, 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. The proposed extension, in conjunction with the existing extension, by reason of its overall size, scale, bulk and depth, would result in a visually intrusive and discordant development harmful to the architectural composition, character and appearance of the original dwelling and the wider area. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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

Consultation letters were sent to 3 local owners/occupiers and a site notice was displayed. No responses were received.

Harlington Village Residents Association: No response 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.
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

5. MAIN PLANNING ISSUES

The main planning issues relate to the impact the proposed rear conservatory would have on the character and appearance of the original building, and on the residential amenity of the occupiers and neighbours.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the appearance and layout of developments to harmonise with the existing street scene and the surrounding area whilst Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires alterations and extensions to existing buildings to harmonise with the scale, form, architectural composition and properties of the original building. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions states that extensions should be designed so as to appear subordinate to the original house and should not protrude too far out from the rear wall of the original house in order to ensure that the proposed extension would not block daylight and sunlight received by neighbouring properties. Paragraph 3.3 of the SPD states that single storey rear extensions proposed on semi-detached houses with a plot measuring 5m wide or more should be no more than 3.6m deep from the rear wall of the original house. Second generation extensions added to existing extensions are likely to exceed the depth limit and may not be in character with the original house.

The application property has previously been extended by 3m beyond the rear wall of the original house. The proposal is for a further extension of 2.5m from the rear wall of the existing single storey rear extension, resulting in an extension with a total depth of 5.5m. As such the proposed extension would project 1.9m beyond the depth limit set out in the Council's HDAS: Residential Extensions SPD.

Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD seek to ensure that extensions maintain and allow adequate levels of daylight and sunlight to penetrate into and between them. New developments should comply with the 45 degree principle. Furthermore these policies state that planning permission will not be granted for new buildings and extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

The adjoining property at 5 Browngraves Road has a 3m deep rear extension meaning that currently the rear walls of the two extensions are in line with each other. The proposed

extension would protrude 2.5m beyond the rear building line of both properties. Given the existing neighbouring extension, although the proposed extension would exceed the depth limit from the original rear wall, the extension would not fall within a 45 degree angle from the mid-point of rear windows of the neighbouring extension, and so would not result in an undue loss of light and outlook to the occupants of 5 Browngraves Road.

The adjoining property at 7 Browngraves Road is sited well forward of the application property and is also extended. The previous application for a 4m deep extension was considered to have an unacceptable impact on the amenity of 7 Browngraves Road, due to the large projection beyond the rear most part of this dwelling. The proposed extension has now been reduced in depth from 4m to 2.5m such that it would no longer fall within a 45 degree angle from the rear windows of the neighbouring extension, and so would not result in loss of light and outlook to 7 Browngraves Road.

With regards to roof height, Paragraph 3.7 of the Council's SPD states that extensions with pitched roofs should not exceed 3.4m at its highest point. The extension would have a pitched roof measuring 3.05m at the roof ridge and 2.44m at the eaves. The proposal would therefore comply with Paragraph 3.7 of the SPD.

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to protect the privacy of neighbouring dwellings. Furthermore, Paragraph 6.12 of the HDAS: Residential Extensions SPD requires a 21m separation distance between habitable rooms to ensure no loss of privacy would occur. The rear of the application site faces onto the Radisson Edwardian International Hotel car park and so there would be no issue of overlooking or loss of privacy of habitable room windows.

On balance, the size and depth of the proposed extension would not impact unduly on the amount of sunlight/daylight received by neighbouring properties, would not result in loss of outlook and would not cause loss of privacy to residents. The overall size of the proposed extension is considered to be acceptable in this instance and would not harm the character and appearance of the original dwelling. The proposal is therefore considered to comply with Policies BE13, BE15, BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extension.

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that adequate external amenity space is retained for residential properties. The existing garden is over 170sq.m. The proposed extension would reduce this to 160sq.m so the proposal would not result in the amount of external amenity space for the dwelling being unacceptable, thereby complying with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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, numbers GTD610-02HPA and GTD610-03HPA.

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 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

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 (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** 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.
BE23	Requires the provision of adequate amenity space.
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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.

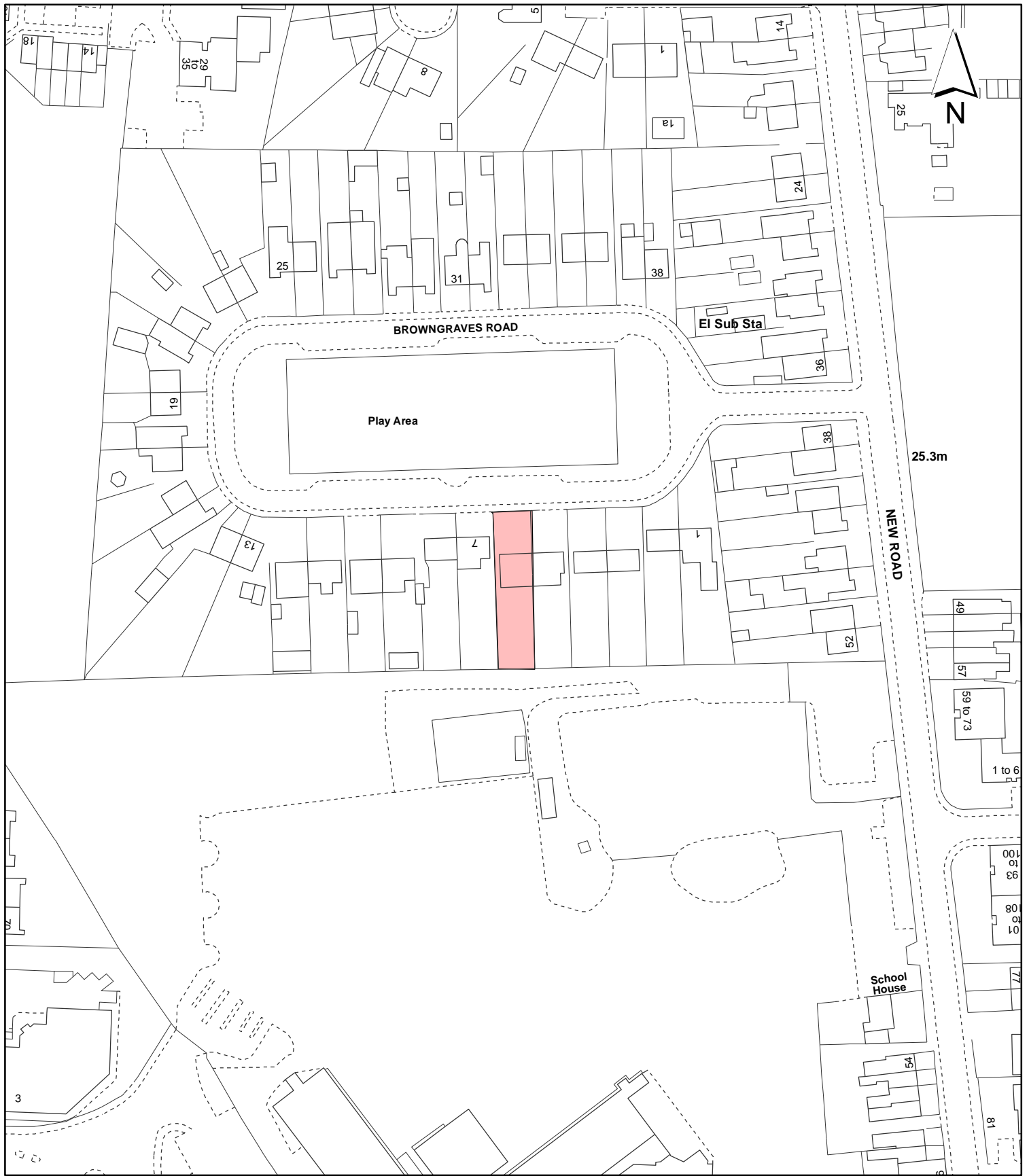
- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could 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: Katherine Mills

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

6 Browngroves Road

Planning Application Ref:

36832/APP/2016/2590

Planning Committee:

Central & South

Scale:

1:1,250

Date:

November 2016

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section

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



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