

Report of the Head of Planning, Sport and Green Spaces

Address 1 HAWTHORNE PLACE HAYES

Development: Retention of existing single storey rear extension

LBH Ref Nos: 65949/APP/2015/4135

Drawing Nos: 1038/P02 Rev 0 Existing Drainage Layout and Ground Floor Plan
1038/P03 Rev 0 Existing First Floor Plan, Roof Plan & Elevations
1038/P07 Rev 0 Proposed Side Elevation from Side Entrance
1038/P05 Rev 0 Proposed Side Elevation from No.3
1038/P06 Rev 0 Proposed Rear Elevation
1038/P04 Rev 0 Proposed Ground Floor Plan

Date Plans Received: 09/11/2015 **Date(s) of Amendment(s):**
Date Application Valid: 09/11/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south-west side of Hawthorne Place, a small cul-de-sac, and comprises a two-storey end of terrace house. The attached house, No.3 Hawthorne Place, lies to the north-west and has not been extended. To the south-east is an electricity sub-station and to the south-west lies No.87 Central Avenue, a two-storey semi-detached house with a side garage along the boundary with the application site and a single storey rear extension.

The street scene is residential in its character and appearance, comprising predominantly of blocks of two-storey terraced houses. The application site lies within the Central Avenue Hayes Area of Special Local Character as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The property comprises an approved two-storey side extension that occupies the entire length of the flank elevation of the original property (with a 1.2m set-in from the side boundary), an unauthorised single storey rear extension across the full width of the rear elevation of the original dwelling, an unauthorised single storey rear infill extension and an unauthorised lean-to side extension.

1.2 Proposed Scheme

Planning permission is sought for the retention of an existing single storey rear extension measuring 3.17m deep and 8.06m wide. The extension results in a 20.66sq.m increase in internal floor space. The roof to the extension is a pitched roof measuring 3.54m high at the ridge and 2.5m high at the eaves.

1.3 Relevant Planning History

65949/APP/2009/768 1 Hawthorne Place Hayes

Erection of a two storey side extension and alterations to front drive.

Decision Date: 10-06-2009 Approved **Appeal:**

65949/APP/2011/1162 1 Hawthorne Place Hayes

Single storey rear extension with 2 rooflights (Retrospective)

Decision Date: **Appeal:**

65949/APP/2011/2491 1 Hawthorne Place Hayes

Alterations to roof

Decision Date: 19-12-2011 Refused **Appeal:**

65949/APP/2012/1073 1 Hawthorne Place Hayes

Single storey rear extension and lean-to to side (Retrospective)

Decision Date: 12-07-2012 Refused **Appeal:**

65949/APP/2012/2168 1 Hawthorne Place Hayes

Single storey rear extension (infill) and lean-to side extension (Resubmission)

Decision Date: 28-08-2014 Refused **Appeal:**

65949/APP/2014/3637 1 Hawthorne Place Hayes

Single storey rear extension (Retrospective)

Decision Date: 21-10-2014 NFA **Appeal:**

Comment on Planning History

The application site is currently subject to an enforcement investigation regarding three unauthorised extensions; the single storey rear extension, the single storey rear infill extension and the lean-to side extension. In June 2014 two enforcement notices were issued for the single storey rear extension and the combined single storey rear infill extension and the lean-to side extension. In January 2016 the single storey rear infill extension and side lean-to extension were removed. The current application seeks to retain the single storey rear extension.

The existing two-storey side extension was approved in 2009 under planning application ref: 65949/APP/2009/768. A retrospective planning application (ref: 65949/APP/2011/1162) for the existing single storey rear extension was made invalid during the course of the application.

A retrospective planning application (ref: 65949/APP/2012/1073) for the existing single storey rear extension, the single storey rear infill extension and the lean-to side extension was refused in July 2012, due to the visual impact on the street scene and the wider Central Avenue Hayes Area of Special Local Character, the impact on the neighbouring property and reduced amenity space for occupiers.

A retrospective planning application (ref: 65949/APP/2012/2168) for the single storey rear infill extension and the lean-to side extension was refused in August 2014, due to the visual impact on the property, the street scene and the wider Central Avenue Hayes Area of Special Local Character, the impact on the neighbouring property and reduced amenity

space for occupiers.

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 4 owners/occupiers and a site notice was displayed. No responses were received.

Townfield Tenants & Residents Association:
No response was received.

Hayes Village Conservation Panel:

We have commented on many previous applications relating to this property. We believe strongly that the status of ALL the illegal extensions to this property should be determined together, as when taken individually their overall effect on their surroundings is liable to be underestimated or not fully assessed.

In November 2014, in relation to application 65949/APP/2014/3637, we submitted the following comments: "We have no objection to the granting of retrospective permission for the substantial single-storey rear extension with a mono-pitch roof. However, we would like to see a condition imposed that the later flat-roofed rear extension to the east must be removed. This, and the boundary wall making a single-storey covered passage to the side of the house, have already been refused planning permission twice (65949/APP/2012/1073 and 65949/APP/2012/2168) and are eyesores, having a negative impact on the Central Avenue street scene."

Revisiting the case now, we are minded to recommend retention of the extension which is the subject of the present application - but only if the infill extension that has been refused twice is removed, and rapidly.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

BE5 New development within areas of special local character

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 single storey rear extension would have on the character and appearance of the original building, the street scene and the surrounding Central Avenue Hayes Area of Special Local Character, along with the impact on the residential amenity of neighbours and amenity space for occupiers.

Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that developments within Areas of Special Local Character should harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.

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 HDAS: Residential Extensions SPD 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 to terraced 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. With regards to roof height, Paragraph 3.7 of the Council's HDAS: Residential Extensions SPD states that extensions with pitched roofs should not exceed 3.4m at its highest point.

The extension to be retained extends 3.17m from the rear wall of the original house; although the guttering extends 0.30m beyond the rear wall of the extension, the retained extension does not exceed the depth limit set out in the Council's HDAS: Residential Extensions SPD. The single storey rear extension would not extend beyond the existing side wall of the property. The retained extension has a pitched roof measuring 3.54m high at the ridge and 2.5m high at the eaves; whilst this marginally exceeds the recommended roof height set out in the Council's HDAS: Residential Extensions SPD, on balance it is considered that the height of the extension would not cause significant harm to the appearance of the property.

It is considered that the retention of the single storey rear extension is acceptable in this

instance and would not harm the character and appearance of the original dwelling, the street scene and the surrounding Central Avenue Hayes Area of Special Local Character. The proposal is therefore considered to comply with Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and 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. 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.

As the single storey rear extension does not exceed the depth limit set out in the Council's HDAS: Residential Extensions SPD, the extension would not fall within a 45 degree angle from the mid-point of rear windows of the attached property, 3 Hawthorne Place. As such, the retained rear extension would not result in an undue loss of light and outlook to the occupants of 3 Hawthorne Place. Given the orientation of the application property and the neighbouring property, 87 Central Avenue, the single storey rear extension would not result in overlooking of habitable windows to this property and so there would not be a loss of privacy. It is therefore considered that retaining the existing single storey rear extension would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

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 Council's HDAS: Residential Extensions SPD states that three-bed dwellings should be provided with a minimum of 60sq.m of external amenity. The amount of external amenity space at the rear of the building would not fall below 60sq.m and so complies with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

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,

1038/P02 Rev 0 Existing Drainage Layout and Ground Floor Plan

1038/P03 Rev 0 Existing First Floor Plan, Roof Plan & Elevations

1038/P04 Rev 0 Proposed Ground Floor Plan

1038/P05 Rev 0 Proposed Side Elevation from No.3

1038/P06 Rev 0 Proposed Rear Elevation

1038/P07 Rev 0 Proposed Side Elevation from Side Entrance

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).

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.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

BE5	New development within areas of special local character
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.
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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.

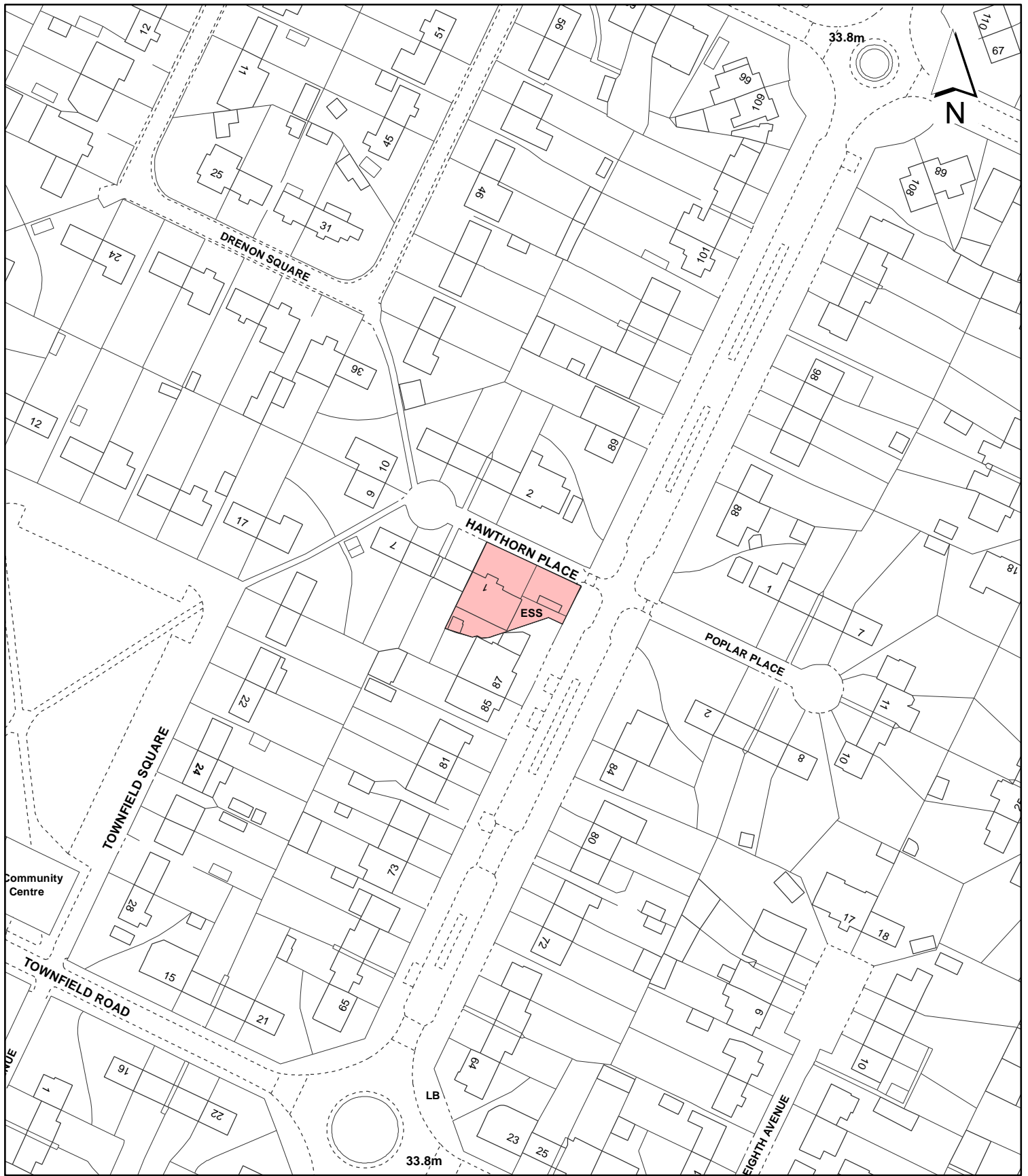
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek

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:

**1 Hawthorne Place
 Hayes**

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

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

Planning Application Ref:

65949/APP/2015/4135

Scale:

1:1,250

Planning Committee:

Central & South

Date:

November 2016



HILLINGDON
 LONDON