

Report of the Head of Planning, Sport and Green Spaces

Address 6 FLOWERS AVENUE EASTCOTE

Development: Single storey rear extension

LBH Ref Nos: 72269/APP/2016/4278

Drawing Nos: 78 L001 Rev. P2
78 L 110 Rev. P2
78 L 111 Rev. P2
78 L 112 Rev. P2
78 L 113 Rev. P2
78 L 010 Rev. P2
78 L 011 Rev. P2
78 L 012 Rev. P2
78 L 013 Rev. P2

Date Plans Received: 24/11/2016

Date(s) of Amendment(s):

Date Application Valid: 24/11/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a three storey, mid terrace, town house located to the South of Flowers Avenue. The brick and tile dwelling is set back from the road by over 8 metres by an area of hardstanding and soft landscaping which provides space to park at least 2 cars safely within the curtilage of the site. To the rear of the dwelling is a garden area which acts as private amenity space.

The application property is attached to Nos.4 and 6 Flowers Avenue to the West and East respectively. To the rear of the site is open space.

The street scene is residential in character and appearance and the application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application is seeking planning permission for the erection of a single storey rear extension. The extension would project from the rear elevation by 2.995 metres and would span across the full width of the original dwelling house. It would taper inwards following the boundary lines. It would be characterised by a mono pitched roof with a maximum height of 3.392 metres with parapet sides with a maximum height of 3.6 metres. The proposal would create an extended family room.

1.3 Relevant Planning History

72269/APP/2016/3719 6 Flowers Avenue Eastcote

Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 25-10-2016 **Refused** **Appeal:**

Comment on Planning History

The extension was previously refused under a Lawful Development Certificate reference 72269/APP/2016/3719 dated 17/10/2016. The extension did not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as Condition 4 of the original planning permission for the development of the dwelling (Ref: 10189/APP/2007/2463) removed permitted development rights for extensions to the property.

The application property forms part of the RAF Eastcote development which was approved by application 10189/APP/2007/2463 dated 31/03/2008. Following this approval, applications to allow for the provision of glazed conservatories on some of the plots were approved, including 10189/APP/2010/736 and 10189/APP/2010/737 dated 22/06/2010, which allowed for the existing conservatory at no.4 Flowers Avenue to be constructed.

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

Two neighbouring dwellings and the Residents Association were notified of the proposed development on 29/11/2016. A site notice was also displayed which expired on 29/12/2016.

No responses were 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:

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

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.
LPP 3.5	(2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the impact of the proposal on the character of the existing property and surrounding area, upon residential amenity and private amenity space. As the proposal would not involve an increase in the number of bedrooms, parking provision does not need to be considered in this instance.

Section 3 of the Hillingdon Design and Accessibility Statement (HDAS) - Residential Extensions states that single storey rear extensions to mid terrace houses on plots less than 5 metres wide should not exceed 3.3 metres in depth and 3.4 metres in height if a pitched roof is proposed.

The proposed extension would have a maximum depth of 2.995 metres and would have a pitched roof with a maximum height of 3.392 metres. The side parapet walls would have a maximum height of 3.6 metres which would exceed HDAS recommendations. The proposal would be partially visible from the open space to the rear. However, it would be built to match the existing extension at No.4 and as such, it is considered that the extension would ensure it would harmonise with the architectural composition of the existing dwelling and visual amenities of surrounding area. Therefore, the application would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed development would be built up to both the shared boundary lines with Nos.4 and 8 Flowers Avenue. The proposal would not exceed the height or depth of the existing rear extension at No.4 Flowers Avenue and as such would not impact on this neighbouring property. Although the height would exceed HDAS guidelines by 0.2 metres, No.8 Flowers Avenue is 0.5 metres higher than the application property. Therefore it is considered that the extension would have an acceptable level of impact to residential amenity in terms of loss of light, loss of outlook or sense of dominance to Nos.4 and 8 Flowers Avenue. Therefore, the proposed extension would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

No additional windows will be installed as part of the proposal. As such, it is considered that the proposed works would not cause significant loss of privacy to any neighbouring dwelling. Therefore the development would comply with Policy 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 development still maintain an adequate outlook and source of natural light. Therefore it would comply with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (March 2015).

Following development approximately 33 square metres of private garden space would be provided for the 3-bed dwelling. Therefore, this would not meet the recommended 60 square metres of private amenity space required for this size dwelling. However, a

precedent has been set in the area following the approval of applications 10189/APP/2010/736 and 10189/APP/2010/737 allowing for the same size rear conservatories at other properties within the development. Within these applications it was argued that the remaining gardens would still be approximately 9 metres deep which is considered to be a reasonable space for outdoor family activities and the dwellings are in close proximity to public open spaces. As such, the proposals in these applications were considered sufficient to meet the needs of the occupiers. Following development the remaining garden of the application property would be 9 metres and it backs onto open space. As such, it is considered that sufficient private amenity space would be retained to meet the needs to the current and future occupiers of the property. Therefore, the proposal complies with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the HDAS Residential Extensions.

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 78 L 110; 78 L 111; 78 L 112; 78 L 113.

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).

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 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.
- 3 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:

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

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.
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LPP 3.5	(2016) 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.

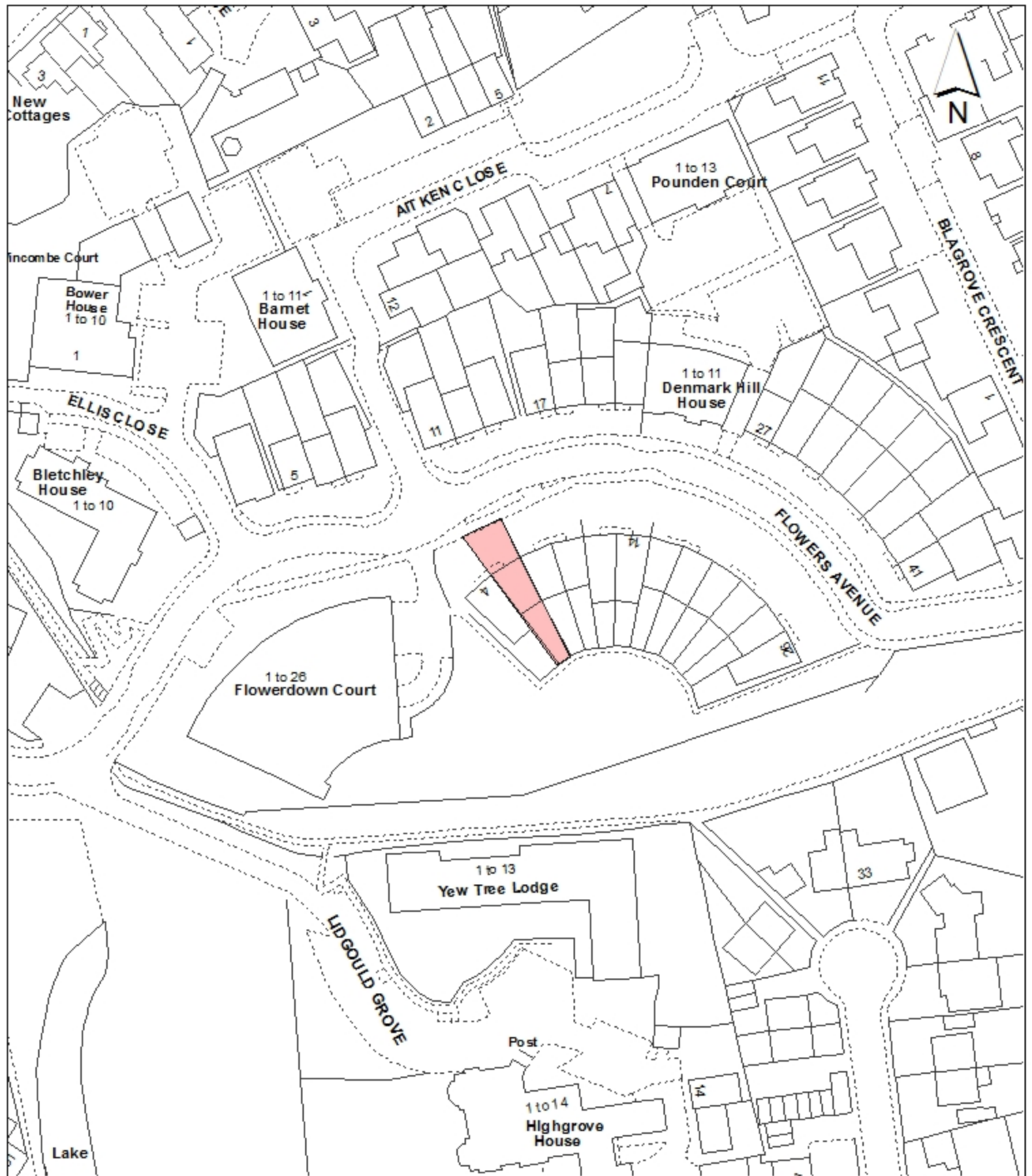
D) No bonfires that create dark smoke or nuisance to local residents.

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: Charlotte Spencer

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

6 Flowers Avenue

Planning Application Ref:

72269/APP/2016/4278

Planning Committee:

North

Scale:

1:1,000

Date:

February 2017

LONDON BOROUGH OF HILLINGDON

**Residents Services
Planning Section**

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



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