

## Report of the Head of Planning, Sport and Green Spaces

**Address** 7 ABBOTT'S CLOSE COWLEY

**Development:** Single storey rear extension

**LBH Ref Nos:** 73074/APP/2017/2843

**Drawing Nos:** PD 699 Rev. C  
Location Plan (1:1250)

**Date Plans Received:** 01/08/2017

**Date(s) of Amendment(s):** 01/08/2017

**Date Application Valid:** 09/08/2017

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site comprises of a two storey semi-detached dwelling situated at the end of Abbotts Close, Cowley which comprises of a cul-de-sac made up of a similar group of dwellings. The property is constructed from brick, is characterised with a gable ended roof and is set well back from the frontage to accommodate a stretched gravel drive with off street parking for up to 6 cars.

The surrounding area is residential in character and is made of mainly two storey semi-detached dwellings that are of a similar size, scale, form and appearance.

The application site has a lawful use as a HMO, the HMO has been in operation since 2011 which pre-dates the Councils Article 4 direction in this area.

#### 1.2 Proposed Scheme

Householder consent is sought for the construction of a single storey rear extension. The proposed extension would measure 3.6 m in depth, 6.6 m in width and would be characterised with a flat roof with a maximum height of 3.0 m. The proposed extension would be finished in materials to match the existing dwelling. The two rooms to be provided are described as letting rooms on the plans.

#### 1.3 Relevant Planning History Comment on Planning History

No relevant planning history.

### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 12th September 2017

### 3. Comments on Public Consultations

A total of 3 adjoining and nearby neighbouring properties were consulted via letter dated 11.08.17 including a site notice displayed outside the premises on 14.08.17.

One letter of representation received from the occupier of 8 Abbots Close summarised as:

- i. The property is already an unregistered HMO, with 4 students and 2 others.
- ii. Works had started approximately 4 years ago, with removal of windows and doors, and is noted the extension would be only 31 inches away from our dividing fence.
- iii. Out of the 14 homes in Abbots Close, 3 are HMO's.
- iv. Cannot take this anymore and urgently request somebody to visit the site and reject the application.

A petition was submitted on the 30th August containing 21 signatures from adjoining and nearby neighbouring properties on the grounds of the extension resulting in more occupants to an already unregistered HMO.

#### **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.   |
| OE1      | Protection of the character and amenities of surrounding properties and the local area                               |
| AM7      | Consideration of traffic generated by proposed developments.   |
| AM14     | New development and car parking standards.   |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 |
| LPP 3.5  | (2016) Quality and design of housing developments  |

#### **5. MAIN PLANNING ISSUES**

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenity of the adjoining neighbours.

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations

and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of extensions.

Section 3.0 Single Storey Rear Extensions states extensions should always appear subordinate to the original house, and therefore should not protrude out too far from the rear wall. This is to prevent extensions from blocking the daylight and sunlight enjoyed by neighbouring properties. Extensions up to 3.6 m deep to semi-detached properties are acceptable, however if adjoining houses benefit from deep extensions, then in such instances permission may be given for a new extension of a similar depth if it does not result in loss of daylight, sunlight and outlook.

The proposed single storey rear extension would measure 3.6 m deep, 6.6 m in width and would be characterised by a flat roof measuring a maximum of 3.0 m high. The extension would accord with the guidance as set out within the Hillingdon SPD, and by reason of its size and scale would be a sympathetic design and appearance to satisfactorily integrate with the appearance of the host dwelling. The extension would project beyond the rear elevation of the host dwelling, and as such would fail to detract from the visual amenities of the street scene and surrounding area.

The development would therefore accord with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the HDAS SPD: Residential Extensions (December 2008).

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity to not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

The HDAS SPD: Residential Extensions (December 2008) states a range of pitched roof types will be acceptable, however roof designs must not significantly obstruct sunlight and daylight to any adjoining neighbours property and therefore to help prevent this the roof pitch should be as shallow as possible and should not exceed 3.4 m at its highest point in the form of a pitched roof and 3.0 m for a flat roof.

No. 5 to the North East which forms the other half of the semi-detached pair does not benefit from any form of rear addition, however as the proposed extension would extend a maximum of 3.6 m beyond the rear wall to comply with the limitations set out within the Hillingdon SPD and additionally would be set back approximately 1.6 m from the shared boundary and combined with the proposed low level flat roof, it is not considered to have a detrimental impact upon the residential amenities of the adjoining occupiers.

No. 8 Abbots Close, situated to the South-West also do not benefit from any form of rear extension. A coal shed sits equally across the shared boundary, however the proposed extension, given it would measure 3.6 m to comply with the Hillingdon SPD, would be characterised by a low level flat roof and would be set back from the shared boundary, is

considered not to appear overbearing and visually intrusive when seen from the rear aspects of the neighbouring property.

The potential impacts of the additional number of residents at 7 Abbots Close upon the adjoining neighbours in terms of the additional noise, greater comings and goings to the property, vehicle movements that would be the case with six persons in shared occupation rather than a single family dwelling relate primarily to social and behavioural issues, which for private dwellings cannot be controlled under planning legislation and are not necessarily any more likely to occur in a shared household than in a single family dwelling house. The application site, which would benefit from 6 bedrooms would be unlikely to give rise to such a significant increase in the likelihood of disturbance than if the property were to be used as a single dwelling, such that a refusal only on this basis could not be justified.

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 Policy 3.5 of the London Plan (2016).

The proposed development is therefore considered to accord with Policy BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the HDAS SPD: Residential Extensions (December 2008).

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

A bedroom measuring a maximum of 7.5 square metres would be classified as a single bedroom for one person, and a double bedroom (2 people) should measure a minimum of 11.5 square metres.

The proposed floor plan shows 1 double bedroom at first floor measuring approximately 12.4 square metres and 4 single bedrooms split over two floors with a minimum floor area of 7.6 square metres each and all with front or rear facing outlooks. The proposed internal layout is therefore deemed sufficient to provide a satisfactory living environment for its current and future occupiers.

It is considered that the main living areas would have an adequate outlook and source of natural light. Therefore it is considered that the proposal complies with the SPD: Residential Layouts: Section 4.9 and 4.12.

With regard to private amenity space, the Council require a minimum of 15 m<sup>2</sup> of private usable amenity space per habitable room (excluding those used for communal living purposes). Given that the rear garden measures approximately 200 square metres it is considered that sufficient amenity space would be available to meet these requirements and would comply with Policy BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The Council require the provision of up to 1 off-street parking space for every 2 habitable rooms, (excluding those used for communal living purposes). Where there is insufficient space within the curtilage to meet this parking standard, 1 space may be waived depending on the local on-street parking capacity and accessibility to public transport and local facilities. Cycle parking should be provided at a ratio of 1 space per two habitable rooms and this parking should be conveniently located in an enclosed area within the curtilage of

the property.

The application site benefits from a large frontage laid entirely in gravel, and is capable of accommodating up to 6 off street car parking spaces within the curtilage of the boundary. The application site would retain a side access, with cycles able to be kept safely in the rear garden, as such the proposed development is considered to comply with Policy AM14 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, number PD 699 Rev. C.

#### **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 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 6 or 8 Abbott's Close.

#### **REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5**            **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**

**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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
OE1	Protection of the character and amenities of surrounding properties and the local area
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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.

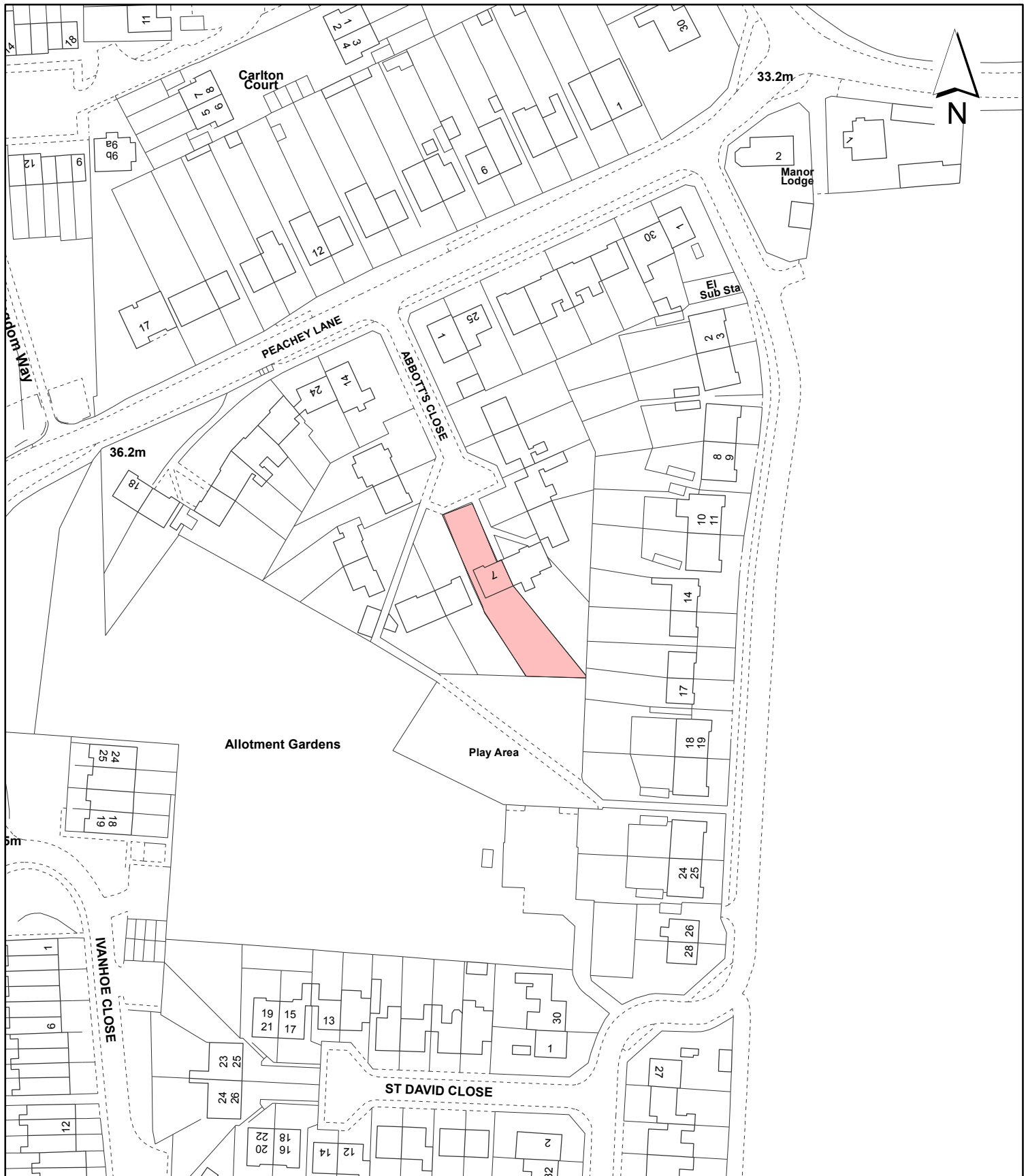
11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality 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:** Naim Poptani

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**7 Abbots Close**

**LONDON BOROUGH OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**73074/APP/2017/2843**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**October 2017**



**HILLINGDON**  
 LONDON