

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

**Address** 5 FIELD CLOSE HARLINGTON

**Development:** First floor rear extension

**LBH Ref Nos:** 33279/APP/2017/3120

**Drawing Nos:** 5FC PA 01 Rev. A  
5FC PA 02 Rev. A

**Date Plans Received:** 25/08/2017

**Date(s) of Amendment(s):**

**Date Application Valid:** 25/08/2017

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The site and locality is predominantly residential in nature and is situated immediately south of a large area of green space. The property itself is a semi-detached dwellinghouse and is situated among a number of other semi-detached properties.

The site is not located in a Conservation Area but is subject to potentially contaminated land and forms part of the Harlington Village Residents Association.

Under the Council Constitution, all planning applications which have a recommendation for approval on a site which has enforcement history must be presented to planning committee as is the case in this application. It should be noted that the enforcement notice has been complied with and is not relevant to this application.

#### 1.2 Proposed Scheme

This Householder Planning Consent application is for a first floor rear extension. This measures 3 metres in depth, 3.5 metres in width and is set down from the main roof ridge. All proposed materials, including the new tiles and brickwork, will match the existing.

#### 1.3 Relevant Planning History

33279/APP/2013/2256 5 Field Close Harlington

Installation of dormer to rear and 2 rooflights to front (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision Date:** 30-09-2013 Approved

**Appeal:**

#### Comment on Planning History

A Certificate of Lawful Development application for the installation of a rear dormer and 2 rooflights to front was granted in 2013 but has not, as of yet, been implemented. In conjunction with this, an application for internal alterations to the existing outbuilding was submitted in 2017 (33279/APP/2017/3121). This includes a new bathroom, boiler room and the implementation of a new window to the rear elevation. This application is being considered at planning committee.

## 2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- Not applicable
- 2.2 Site Notice Expiry Date:- 24th October 2017

## 3. Comments on Public Consultations

### EXTERNAL CONSULTATION

Letters were sent to adjoining neighbours. A site notice was erected at the site and all consultations expire on the 24/10/2017. No comments have been received to date. As the consultation period expires on the 24/10/2017, the addendum report will provide an update of any further responses received.

Planning Enforcement Officer Comments:

The site has been subject to 5 enforcement investigations.

Of relevance is the large outbuilding, which in 2007 was alleged to be in use as a separate residential unit. As a result of the enforcement investigation the owner submitted CLD (33279/APP/2010/1215) which was granted on 20 September 2010 for use of the outbuilding as a games room. Following granting of CLEUD for outbuilding, the owner submitted a new householder seeking use as an annexe, 33279/APP/2010/2702 dated 23 November 2011. Although originally refused by the LPA, it was granted on appeal. In July 2016, the outbuilding was subject to another investigation, this time it was established the outbuilding had not been completed as per the plans approved under application reference 33279/APP/2010/2702. Accordingly a Breach of Condition Notice achieved compliance in May 2017.

Furthermore, the property has been investigated for use as a sui generis HMO however a breach of planning control was not identified and the matter was closed.

## 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.
- BE22 Residential extensions/buildings of two or more storeys.
- 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	(2016) Quality and design of housing developments

## 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the proposals compliance with design guidelines and its associated effect on residential amenity.

### LAND USE

The works proposed relate to a householder development only and are acceptable in principle subject to meeting the requirements of all other planning policies.

### DESIGN

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) 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.

Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

The adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions at paragraph 6.4, states that a first floor rear extension should only extend up to 3.6 metres in depth on a plot more than 5 metres wide.

The proposal is for a 3 metre deep extension and thereby complies with the SPD. The proposed development is also designed to use materials which match the existing. The form of the proposed development is therefore judged to accord with policies BE13 and BE15 as it harmonises with the original dwellinghouse and the surrounding area.

### AMENITY

Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded.

The set back of the property by 2 metres from the boundary adjoining with 4 Field Close ensures that adequate light can penetrate into and between these neighbouring properties. The 2 metre set in of the first floor extension from the adjacent property at 6 Field Close does not affect the amenities of this property. The first floor element therefore would not compromise the 45 degree angle of sight from the nearest habitable room windows on either adjoining property and the proposal accords with policy BE20.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) 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.

The proposed first floor rear extension is not significant in size, is sited appropriately and thereby accords with policies BE19 and BE21.

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. The proposed development maintains the existing level of external amenity space and accords with policy BE23.

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the design of new buildings should protect the privacy of the occupiers and their neighbours. The submitted plans indicate that no windows are proposed within the side elevations. Further, the implementation of the new rear first floor window will not infringe upon the privacy of neighbours.

#### HIGHWAYS

The works proposed relate to a householder development only and are acceptable in principle as there are no changes to the highway layout or parking provision on site.

RECOMMENDATION: 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 5FC PA 01 Rev. A and 5FC PA 02 Rev. A.

#### 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 1995 (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 4 or 6 Field 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)

### INFORMATIVES

- 1 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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 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.
BE22	Residential extensions/buildings of two or more storeys.
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	(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

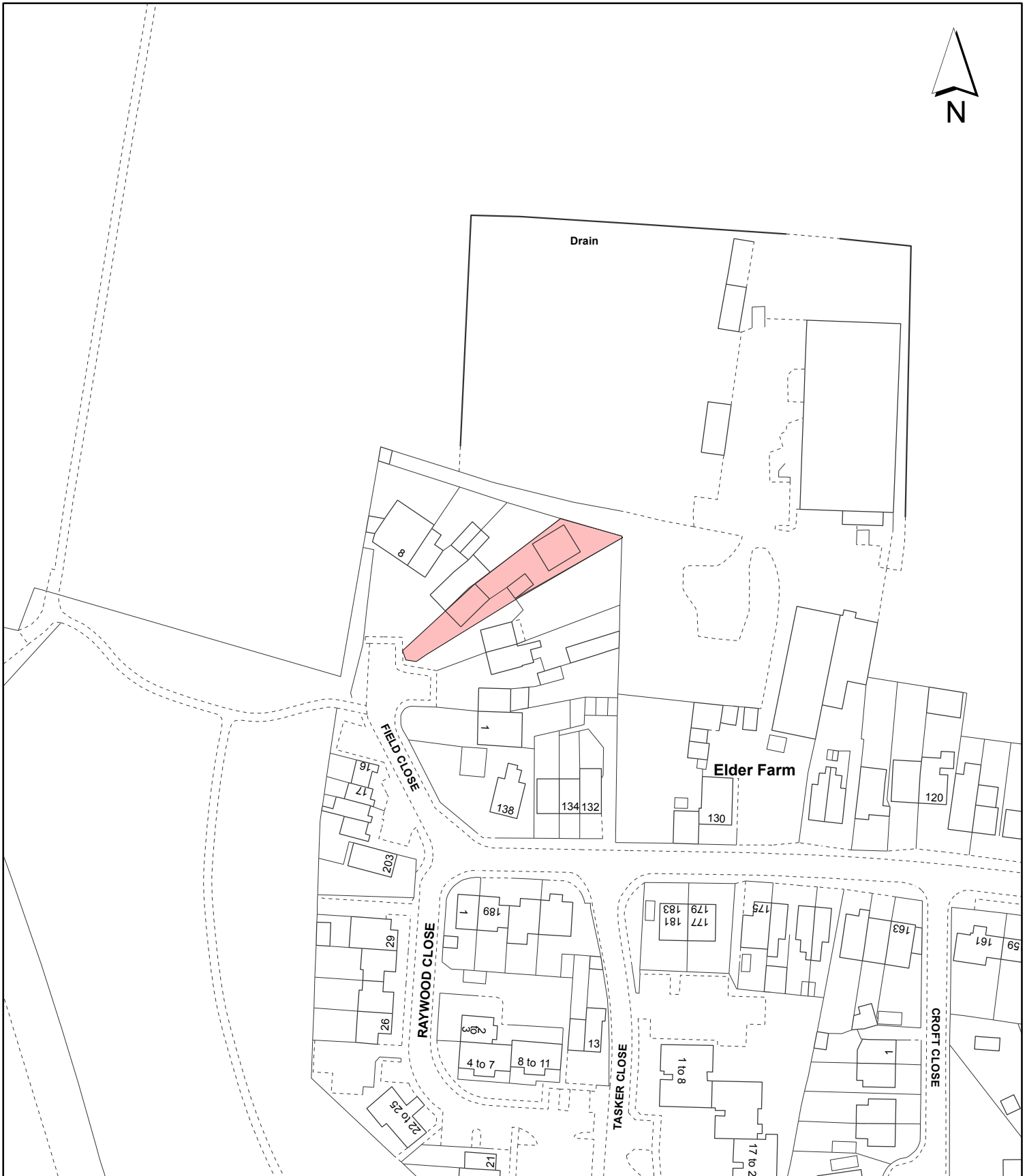
any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 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:** Michael Briginshaw

**Telephone No:** 01895 250230





**Notes:**

 Site boundary

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Site Address:

**5 Field Close**

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

Planning Application Ref:

**33279/APP/2017/3120**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**October 2017**



**HILLINGDON**  
 LONDON