

Report of the Head of Planning, Sport and Green Spaces

Address 12 GROVE WAY UXBRIDGE

Development: Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear and 2 side rooflights and porch to front (Retrospective)

LBH Ref Nos: 71844/APP/2017/4606

Drawing Nos: E102
E201
E103
E202
P301
P302
P303
E101

Date Plans Received: 20/12/2017

Date(s) of Amendment(s):

Date Application Valid: 02/01/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of a two storey detached dwelling located in the North Western corner of Grove Way, a residential cul-de-sac, located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has been recently extended to the side and rear which is not in accordance with the previously approved plans.

Grove Way comprises of predominantly two storey semi-detached houses of a similar age/design as the application property. It is understood that the existing non-protected trees within the site have been recently felled. The site to the West has recently been cleared in readiness for the residential development approved under application reference 67544/APP/2011/736 (19-22 Chippendale Way and car park area to rear of 23-28 Chippendale Way).

1.2 Proposed Scheme

The application seeks retrospective planning permission for a two storey side extension, single storey rear extension and conversion of roof space to habitable use to include 3 rear and 2 side rooflights and porch to front.

1.3 Relevant Planning History

71844/APP/2016/1589 12 Grove Way Uxbridge

Two storey side/rear extension, single storey rear infill extension and single storey front infill extension

Decision Date: 01-11-2016 **Approved** **Appeal:**

71844/APP/2017/329 12 Grove Way Uxbridge

Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front

Decision Date: 16-05-2017 **Approved** **Appeal:**

71844/APP/2018/56 12 Grove Way Uxbridge

Details pursuant to condition 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front)

Decision Date: **Appeal:**

Comment on Planning History

71844/APP/2017/329 - Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front.

Officer note: The rear extension at first floor level was approved at 2m in width. The first floor that has been constructed extends to the flank wall of the side extension at the rear, supported on a column. The width as constructed is 2.9m. An additional rooflight has also been inserted in the side roofslope.

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

The North Uxbridge Residents Association and neighbouring properties were consulted by letter dated 4.1.18 and a site notice was displayed which expired on 5.2.18.

A letter and petition of objection signed by 29 signatories has been received. The objections relate to the following:

1. Development has not been carried out in accordance with the approved plans;
2. Despite a condition being imposed, an additional rooflight has been inserted in side roofslope;
3. The front landscaping is not carried out in accordance with the condition requiring 25% soft landscaping;
4. construction vehicles have caused nuisance;
5. Damage to footpaths during construction due to storage of materials.

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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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	(2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing dwelling and the visual amenities of the street scene and surrounding area, the impact upon the amenities of adjoining occupiers, the provision of adequate amenity for the host occupiers and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Furthermore, policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

Paragraph 5.10 of the Council's adopted HDAS SPD: Residential Extensions (December 2008) specifies that the width and height of a two storey side extension in relation to an original house should be considerably less than that of the original house and be between half and two-thirds of the main house width depending on the plot size and character of the area. The width and height of the proposed two storey side extension would comply with the HDAS SPD guidance.

Paragraph 5.9 of the HDAS SPD specifies that the design of the roof should follow that of the existing roof. The existing dwelling is detached, and as such, there is no requirement for the roof of the side extension to be set lower than the main roof. There is also no

requirement for a set back of a side extension from the front wall of a detached dwelling in line with guidance in the HDAS SPD.

The application seeks to regularise the rear extension at first floor level which includes an additional 0.9m in width supported by a column. Whilst this suspended extension is not a traditional form of extension, it is considered that the extension is not harmful to the appearance of this extended dwelling. Furthermore, the additional rooflight is considered to sit comfortably within the side roofslope. As a result it is considered that the revised extensions do not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 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 extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Concerns have been raised in respect of the landscaping at the site. A separate application is submitted under application reference 71844/APP/2018/56 for the approval of details pursuant to discharge conditions 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front), which is also under consideration by members on this agenda.

Concerns have also been raised in terms of the nuisance caused by materials and builders vans within the cul-de-sac. At the time of the site visit, it appeared that construction was complete with no obvious signs of nuisance present.

In terms of the garden area at least 100 m² of rear private garden should be retained to provide adequate amenity space for a five bedroom dwelling. The amenity space remaining would be approximately 96 sq.m. A refusal based on this small shortfall is unlikely to be sustained at appeal and thus the provision of amenity space is considered, on balance, to be acceptable.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

The application is recommended, on balance, for approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 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 P301, P302 and P303.

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).

2 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)

3 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.

REASON

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

4 HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2016).

5 NONSC Non Standard Condition

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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	(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: Nicola Taplin

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

12 Grove Way

Planning Application Ref:

71844/APP/2017/4606

Planning Committee:

Central & South

Scale:

1:1,250

Date:

February 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



HILLINGDON
LONDON