

## **Report of the Head of Planning, Transportation and Regeneration**

**Address** 42 MYDDLETON ROAD UXBRIDGE

**Development:** Part two storey, part single storey rear extension and 2 rear rooflights

**LBH Ref Nos:** 47145/APP/2018/1673

**Drawing Nos:** 113 Rev. P1  
112 Rev. P1  
111 Rev. P1  
103 Rev. P1  
102 Rev. P1  
101 Rev. P1

**Date Plans Received:** 03/05/2018

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

**Date Application Valid:** 03/05/2018

### **1. CONSIDERATIONS**

#### **1.1 Site and Locality**

The application relates to a two storey, detached dwelling house located on the South side of Myddleton Road. The brick and tile dwelling is set back from the road by an area of landscaping. To the side is an area of hardstanding which provides space to park one car within the curtilage of the dwelling house. To the rear lies a garden area which acts as private amenity space for the occupiers of the dwelling house.

The application property shares side boundaries with Nos.41 and 43 Myddleton Road to the East and West respectively. To the rear of the site lie the rear gardens of Nos. 6 and 7 Cotswold Close.

The area is residential in character and appearance and the site lies within the Developed Area as identified within 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 part two storey, part single storey rear extension with habitable roofspace. The rear extension would project to the rear of the dwelling house by 4 metres. At ground floor it would span the full width of the dwelling house and would be characterised by a flat roof with a maximum height of 3 metres. At first floor it would be set in by 2 metres and 1.5 metres from the East and West flank walls respectively and would span for a width of 6.1 metres. It would benefit from a hipped roof with a maximum height of 9.2 metres. The first floor roof would have two rooflights installed to allow additional habitable roofspace. The existing conservatory and garage would be demolished as part of the proposal.

#### **1.3 Relevant Planning History**

47145/APP/2005/3505      42 Myddleton Road Uxbridge

## ERECTION OF A REAR CONSERVATORY

**Decision Date:** 15-02-2006

Approved

**Appeal:**

### **Comment on Planning History**

## **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**

Six neighbouring properties were notified of the proposal on the 09/05/2018. A site notice was also displayed which expired on 06/06/2018.

Two objections were received:

- Plan does not take into account the basement room in our property and during evenings and later months when the sun is lower this would impede any light impeding the basement;
- Proposal would reduce light coming into the kitchen area;
- Proposal would have an impact on the plants growing;
- Proposal would cause over shadowing;
- Would impair the visual amenity of the building as it does not respect the local context and street pattern;
- The design is inappropriate;
- Proposed development does not comply with the Hillingdon Design and Accessibility Supplementary Planning Document;
- States that it is two storey but it is three storey;
- Proposal would block natural light into a habitable room as the kitchen windows would face the extension and so it would completely block natural light to our kitchen;
- Block sunlight to a habitual room and would obliterate the sunlight that is received in the morning and early afternoon;
- Lose existing view of skyline from our habitable room;
- Overbearing on the physical external space;
- The rear elevation shows additional rear facing windows which would face onto our garden and invade our privacy.

Officer comment. Clarification was sought about the basement, and its use (presently a study/bedroom), and this led to discussion between the objector and applicant and the removal of the objection.

Following the original objections the neighbour with the basement window provided a photograph of their window, however, they also stated that they wish to withdraw their original objection.

Officer Comments: The impact of the proposal on the residential amenities of the neighbouring properties and the impact on the existing dwelling house and surrounding area will be determined in the report below.

Ward Councillor: Requests that this proposal be decided at Planning Committee.

#### **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.

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 to be determined are the effect of the development on the character and appearance of the original building, the street scene and surrounding area, the level of impact on the residential amenity of the adjoining properties, the availability of amenity space and the provision of parking.

Sections 3 and 6 of the Hillingdon Design and Accessibility Statement: Residential Extensions (HDAS) states that two storey rear extensions on detached houses should not exceed 4 metres in depth. Two storey elements should be set down from the ridge of the main dwelling by a minimum of 0.5 metres and single storey elements should not exceed 3 metres in height if a flat roof is proposed. Paragraph 7.16 states that any rooflights should have regard for the size and position of the windows in the main house.

The proposed rear extension would have a maximum depth of 4 metres and the two storey element would be set down from the ridge by 0.644 metres. The single storey element would have a flat roof with a maximum height of 3 metres. The new rooflights would be of a suitable size and layout within the new roof. As such the proposal would comply with HDAS recommendations and as such it is considered it would appear subordinate to the existing dwelling house. Extensions are not uncommon within the area and it would not be visible from the street scene. Subsequently, it is considered that the proposal would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP

Policies (November 2012).

The ground floor element of the extension would be built up to the boundary line with No.41 Myddleton Road and the first floor element would be set in by 2 metres. The extension complies with HDAS recommendations and the plans demonstrate that the extension would not intersect the 45 degree horizontal line. Although the extension would involve habitable roofspace it would still be considered as a two storey extension and not a three storey as the extension would be set lower than the main two storey dwelling. The neighbour has highlighted that their kitchen window would face the extension, however, the extension would have a depth less than the existing conservatory and so the single storey element would not have a greater impact than that which already exists. The first floor element is set back from the boundary line by 2 metres and so it is considered that this set back reduces the impact of any overdominance of the extension. This neighbouring property benefits from a basement room with a rear facing window. However, a photograph was provided by the neighbour which demonstrates that this room already has limited light and outlook as it only benefits from a light well. In addition, both properties benefit from South facing gardens and although the extension would have some impact on the sunlight to the neighbouring property this would be limited to late evening only. As such, it is considered that the proposal would not have an unacceptable level of impact on this neighbouring property.

The ground floor element of the extension would be located 2.2 metres from the shared boundary line with No.43 Myddleton Road and the first floor element would be set in by 3.7 metres. No.43 is a L shaped property and the proposed extension would not project to the rear of the rearmost element of the outrigger. It would project to the rear of the non-outrigger element by 5.8 metres. However, the first floor element would not intersect the 45 degree horizontal line and the single storey element would not project as far rearwards as the existing garage which is currently built on the building line and would be demolished as part of the proposal. It is considered that the distance between the proposal and the neighbouring boundary line reduces the impact of any overdominance of the extension. The neighbouring property also benefits from a South facing garden and so any reduction of sunlight would be limited to early morning only. As such, it is considered that the proposal would not have an unacceptable level of impact on this neighbouring property.

No additional side windows would be installed as part of the proposal and the additional rear windows would not result in any additional loss of privacy than what already exists.

Subsequently, it is considered that the proposal would not have a detrimental impact on the residential amenities of the neighbouring properties by reason of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, it is considered to comply with Policies BE20, BE21 and 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 would 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 (2016).

Over 200 square metres of garden space would be retained following development. As such, it is considered that sufficient amenity space would be retained for the occupiers of the development and therefore would comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposal would involve the loss of a garage, however, this is not of a sufficient size for the storage of a modern vehicle. Therefore, the proposal would not involve the loss of parking space. There is space to park one car within the curtilage of the dwelling house and it is considered the proposal would not have an impact on the parking. Therefore, the proposal would comply with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2016).

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 numbers 111 Rev. P1, 112 Rev. P1 and 113 Rev. P1.

#### **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) (England) 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 41 or 43 Myddleton Road.

#### **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**

- 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**        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).

- 3**        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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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 (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

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:

**42 Myddleton Road  
Uxbridge**

Planning Application Ref:

**47145/APP/2018/1673**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**August 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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



**HILLINGDON**  
LONDON