

Report of the Head of Planning, Transportation and Regeneration

Address 60 CARFAX ROAD HAYES

Development: Single storey rear extension involving demolition of existing rear extension

LBH Ref Nos: 51061/APP/2018/2973

Drawing Nos: 2018-83-02 Rev. A
2018-83-03 Rev. A
2018-83-01 Rev. A
2018-83-04 Rev. A
2018-83-05 Rev. A

Date Plans Received: 19/08/2018

Date(s) of Amendment(s):

Date Application Valid: 22/08/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is located on the Western side of Carfax Road and comprises of a mid-terrace dwelling set within an 6.0 m wide plot. The property has a large rear garden with an outbuilding to the end of the plot. To the front of the site there is a small front garden which is mainly hardstanding. The property has been extended to the rear.

The site is bordered to the North by 58 Carfax Road and to the South by 62 Carfax Road, whilst garages and Cranford Park Academy are located to the rear of the site.

1.2 Proposed Scheme

The application proposes a single storey rear extension involving the demolition of an existing rear extension.

1.3 Relevant Planning History

51061/APP/2017/2728 60 Carfax Road Hayes
Outbuilding

Decision Date: 06-10-2017 NFA **Appeal:**

51061/APP/2017/4328 60 Carfax Road Hayes
Single storey detached outbuilding to rear for use as a hair salon (Retrospective)

Decision Date: 22-05-2018 Refused **Appeal:**

51061/APP/2018/2204 60 Carfax Road Hayes
Single storey rear extension

Decision Date: 26-07-2018 Refused **Appeal:**

51061/APP/2018/375 60 Carfax Road Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.95 metres (including demolition of existing rear extension)

Decision Date: 14-03-2018 **Refused** **Appeal:**

51061/APP/2018/92 60 Carfax Road Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.95 metres

Decision Date: 08-03-2018 **Refused** **Appeal:**

Comment on Planning History

There have been two previous enforcement cases related to the outbuilding, with issues that the building is being used as a beauty salon.

Three subsequent prior approval applications have been refused (References: 51061/APP/2018/92, 51061/APP/2018/375 and 51061/APP/2018/2204). The applications were refused on the basis that the site is the subject of an extant enforcement notice and therefore does not benefit from permitted development rights as well as constituting an un-neighbourly form of development negatively impacting upon the residential amenities enjoyed by No. 58 Carfax Road.

A householder application was also refused (REF: 51061/APP/2017/4328) for the existing outbuilding to rear, to be used as a hair salon.

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

4 neighbouring properties were consulted via letter dated 24.08.18 and a further site notice was displayed which expired on 26.09.2018.

By the end of the 21 day consultation period one letter of objection was received, with comments regarding the following issues:

1. Loss of natural light.
2. Boundary concerns.
3. Damage to kitchen from leaking.

Planning officer: Material planning issues will be addressed and taken into consideration in the main body of this report.

4. UDP / LDF Designation and London Plan

Standard Informatives

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

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.
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 considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden 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 3.3 of the HDAS states that single storey rear extensions proposed on semi-detached houses with a plot measuring more than 5 m in width should be no more than 3.6 m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3 m in height with a flat roof. However if a pitched roof is to be erected, the highest part of the extension must not exceed 3.4 m. This is to ensure that the extension appears subordinate to the main house.

Furthermore, Paragraph 3.15 states that where adjoining neighbours have been extended to the rear previously a further extension is acceptable where "it does not result in a loss of daylight, sunlight or outlook to neighbouring properties and where the extension does not extend beyond a 45-degree line of sight taken from the middle of the nearest window of a kitchen or habitable room".

The proposed single storey rear extension would measure 3.6 m in depth and have a total height of 3.4 m with a pitched roof. As such the proposed extension would be in full compliance with the HDAS Residential Extensions. Therefore the development is

considered to appear subordinate to the main property.

The adjoining property, No. 58, has not been previously extended to the rear. To the other side, No. 62 has been previously extended by way of a rear extension measuring a depth of approximately 3 m. The neighbouring objection has concerns regarding a loss of natural light and hence a loss of residential amenities. However the impact of the proposed development is not considered detrimental. Given that the proposed extension meets the criteria stipulated by HDAS, the extension would not unacceptably harm the amenity of nearby residents through loss of daylight or overbearing outlook. The proposed development would not have any windows on the side elevations which would prevent overlooking and loss of privacy to adjoining occupiers. With regards to concerns raised about party wall and encroachment onto No.24's land, plans do not show any encroachment, however neither of these matters are planning issues and are covered by other legislation.

Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development and it is not considered that it would have a negative impact upon the visual amenity of the site or the surrounding area. Hence the proposal is in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13, BE15, BE19, 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 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).

At least 60 square metres of amenity space must be retained to provide adequate private amenity space for a 3 bedroomed dwelling. After development the property is capable of retaining 76 square metres. The resultant amenity space would be in excess of the paragraph 3.13 HDAS requirement and therefore the proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan Part 2.

The parking provision would remain unaffected by the proposal.

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 2018-83-01 Rev. A, 2018-83-02 Rev. A and 2018-83-03 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 2015 (as amended) (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 of the development hereby approved facing towards 58 or 62 Carfax Road.

REASON

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

- 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:

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.
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 (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: Nurgul Kinli

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**60 Carfax Road
Hayes**

Planning Application Ref:

51061/APP/2018/2973

Planning Committee:

Central & South

Scale:

1:1,250

Date:

October 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



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