

Report of the Head of Planning, Transportation and Regeneration

Address 78 CENTRAL AVENUE HAYES

Development: First floor rear extension

LBH Ref Nos: 73859/APP/2018/4019

Drawing Nos: 2018/051DS-01
2018/051DS-04
2018/051DS-02
2018/051DS-03

Date Plans Received: 14/11/2018

Date(s) of Amendment(s):

Date Application Valid: 14/11/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a two storey end of terrace dwellinghouse situated on the south-east side of Central Avenue, Hayes. The property is constructed from brick, is characterised with a hip-end roof and is set back from the adjacent highway to accommodate a front garden laid in soft landscaping. The rear garden is of ample size, and the property benefits from a single storey rear extension measuring 4 m in depth which is substantially complete.

The surrounding area is residential in character and is characterized by large two storey terrace blocks which are set back from the frontage which contributes to the open and spacious character of the street scene and surrounding area. The site forms part of the Central Avenue, Hayes, Area of Special Local Character.

1.2 Proposed Scheme

Householder consent is sought for a first floor rear extension.

The extension would be constructed partly above an existing single storey rear extension to measure 3 m in depth, 3.2 m in width and would be characterised with a hipped roof with a maximum height of 6.3 m. It would be finished in materials to match the existing.

1.3 Relevant Planning History

73859/APP/2018/2006 78 Central Avenue 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 3 metres

Decision Date: 16-07-2018

PRN

Appeal:

73859/APP/2018/2369

78 Central Avenue Hayes

Porch to front, single storey detached outbuilding to rear for use as a gym/games room and

conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 20-08-2018 **Approved** **Appeal:**

Comment on Planning History

73859/APP/2018/2369: Porch to front, single storey detached outbuilding to rear for use as a gym/games room and conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development) - Approved

73859/APP/2018/2006: 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 3 metres - Prior Approval not Required.

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

A total of 8 adjoining and nearby neighbouring properties were consulted via letter dated 20.11.18 including a site notice displayed adjacent to the premises on 05.12.18.

No representations received.

The Hayes Conservation Area Advisory Panel:

No change is proposed to the front elevation and so the street scene will not be affected. The proposed first floor rear extension is half the width of the property and is only 3.00 m deep. This means that it respects the 45 degree angle to windows in the neighbouring properties. There will be therefore little increase in the overlooking or overshadowing of its neighbours. In order to preserve present levels of privacy the obscured glass should be kept in what is at present a first floor bathroom and that is to become a bedroom. The design of this rear extension is appropriate and harmonises with the existing rear elevation but if allowed it may be used a precedent for applications for less appropriate first floor rear extensions from its neighbours. Overall we do not object to this proposal.

Ward Councillor: Requests that the application is reported to 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

PT1.HE1 (2012) Heritage

Part 2 Policies:

BE5	New development within areas of special local character
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 are the effect of the development on the character and appearance of the original building, the street scene, including the Area of Special Local Character and the level of impact on the residential amenity of the adjoining neighbours.

Policy BE5 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires development in areas of special local character to harmonise with the materials, design features, architectural style and building heights predominant in the area. Policy BE15 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 which should appear subordinate in scale to the original building.

Section 6.0 Rear and First Floor Rear Extensions should not abut or come close to the shared boundary with the adjoining house(s). Full width extensions will only be considered on detached properties subject to meeting the 45 degree line of sight criteria. Extensions should appear subordinate and therefore must not protrude too far out beyond the rear wall of the original house. The height of the extension should not normally exceed the height of the building, and roof lines of the extension should normally be parallel to those of the

existing building and the eaves line. Flat roof extensions will not generally be accepted.

The proposed first floor rear extension would be erected directly above an existing single storey rear extension, would be of an appropriate size, scale and set down to appear as a sympathetic and subservient addition and would be characterised with a hipped roof which would reflect the original roof form and pitch to satisfactorily integrate with the character and appearance of the host dwelling. The proposed extension would not be visible from the street scene and surrounding area, and by reason of its proportions would not appear over-dominant when viewed from the neighbouring rear gardens and Area of Special Local Character.

The proposed development would therefore comply with Policies BE5, BE13, BE15, BE19 and BE22 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 would 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.

Paragraph 6.2 of the HDAS SPD states two storey extensions will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight. Any extension at first floor level must not extend beyond a 45 degree line of sight taken from the nearest of the first floor window of any habitable room of the adjoining property.

The application site benefits from adjoining neighbours to either side and to the rear.

No. 76 the neighbouring property to the south benefits from a lightweight canopy resting on the side boundary fence and the nearest first floor rear and side window serving a bathroom and WC. It is considered given these two windows do not serve habitable rooms and the sufficient separation gap between the two properties in the form of a shared drive the proposed extension would have an acceptable level of impact upon their residential amenities and light levels.

With regards to no. 80 who form the other half of the semi-detached pair, the proposed extension given its modest depth and set back of approximately 3.2 m from the shared side boundary would not breach a 45 degree angle from their nearest first floor rear habitable aspect. Furthermore given its use of a hipped roof set below the main ridge, would reduce the bulk and mass of the roof void.

With regards to the adjoining properties to the rear which front Eighth Avenue, the proposal would continue to maintain a separation gap of approximately 35 metres between the facing rear habitable windows, and therefore would not result in a loss of privacy and overlooking.

In these respects, the proposed development would accord with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Documents HDAS Residential Extensions (December 2008).

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).

Policy BE23 seeks to ensure all new residential development and extensions provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed building in terms of its shape and siting. This will be assessed in accordance with the HDAS SPD: Residential Extensions. The HDAS: SPD states a 3 bedroom dwelling must retain a minimum of 60 sq m of rear usable amenity to be considered sufficient to protect the residential amenities of the occupants of the host dwelling.

The proposal would not result in the creation of any additional bedrooms, nor a reduction of the existing amenity space, and therefore would continue to accord with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Documents HDAS Residential Extensions (December 2008).

The application site would retain two off road parking spaces to the front of the property to accord 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 plan numbers 2018/051DS-02 and 2018/051DS-03.

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 or roof slopes of the development hereby approved facing 76 or 80 Central Avenue.

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.

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
PT1.HE1	(2012) Heritage

Part 2 Policies:

BE5	New development within areas of special local character
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.
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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.

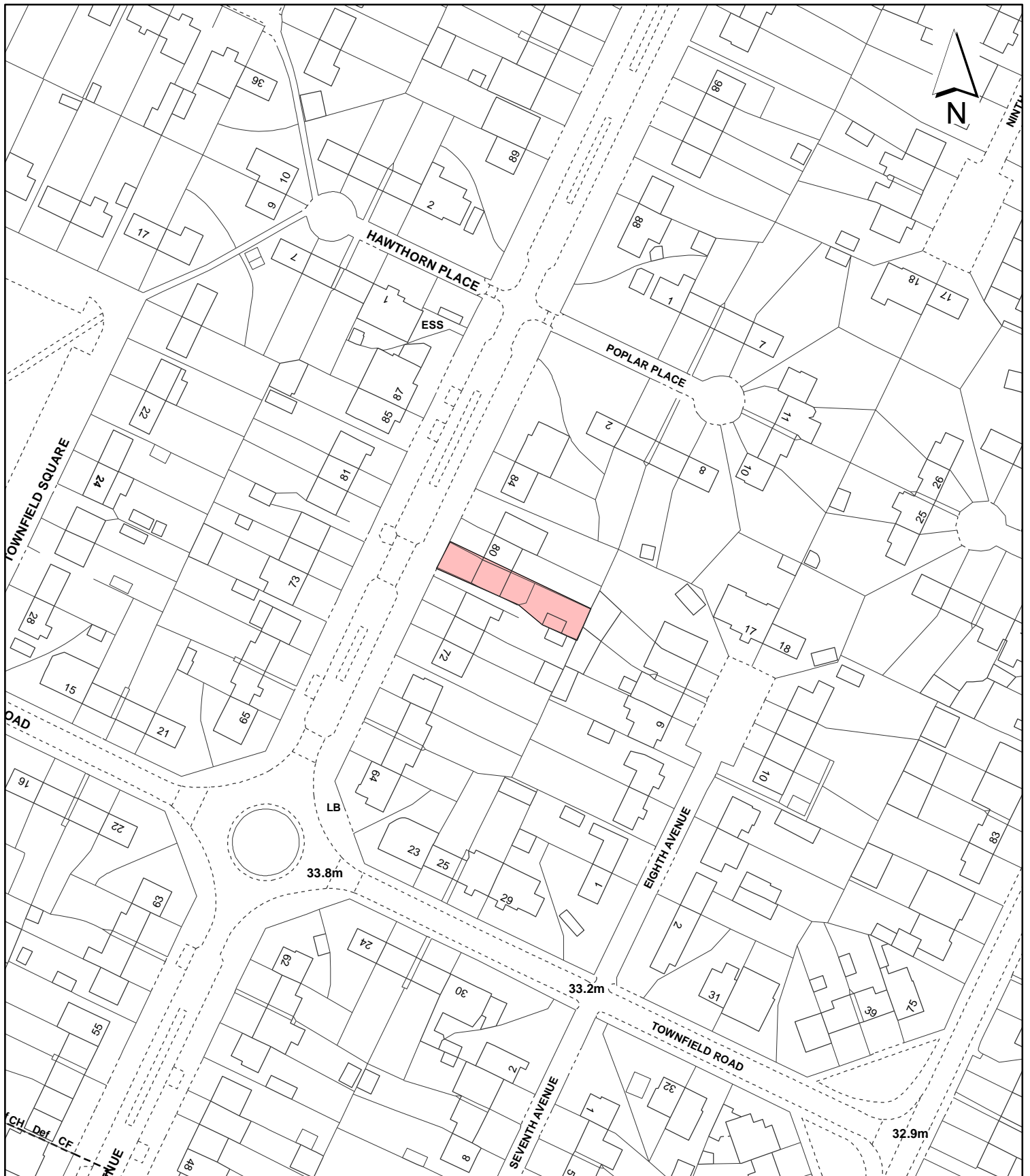
D) No bonfires that create dark smoke or nuisance to local residents.

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: Naim Poptani

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**78 Central Avenue
 Hayes**

Planning Application Ref:

73859/APP/2018/4019

Planning Committee:

Central & South

Scale:

1:1,250

Date:

February 2019

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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



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