

Report of the Head of Planning & Enforcement

Address 9 BURWOOD AVENUE EASTCOTE

Development: Elevational alterations to side and rear elevations, involving the installation of 2 side windows, and increase in width of the rear element of the single storey part side extension by 700mm and replacement of its mono-pitch roof with a dummy-pitch roof, of planning permission ref. 41436/APP/2004/936 dated 07/10/2004: Erection of a part two storey, part single storey side extension and installation of a new vehicular crossover.

LBH Ref Nos: 41436/APP/2008/49

Drawing Nos: 103/01 Rev. A
108/01
Site Location Plan at Scale 1:1250

Date Plans Received: 08/01/2008

Date(s) of Amendment(s):

Date Application Valid: 08/01/2008

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the northwestern side of Burwood Avenue and comprises a two storey semi-detached house with a part two storey side and part single storey side extensions. Two window openings and a door opening have been installed on the northern flank elevation wall of the single storey part side extension. A door opening has also been installed on the rear elevation of the single storey part side extension. The application property adjoins No.7 Burwood Avenue to the southwest. To the north of the site is No.11 Burwood Avenue with its side garage sited along the common side boundary with the application property. The side boundary with that property is marked by a 1.8m high close boarded fence. To the northeast of the site is No.26 Burwood Avenue. The street scene is residential in character and appearance comprising two storey semi-detached houses and the application site lies within the Eastcote Park Estate Conservation Area, as identified in the Hillingdon Unitary Development Plan Saved Policies September 2007.

1.2 Proposed Scheme

This is a retrospective planning application which seeks to retain the two window openings and a door opening installed on the northern (side) and northwestern (rear) elevations of the single storey side extension. The two side windows have been installed in breach of condition 4 of the previously approved application (2004/936). The side door to the single storey side extension was shown on the originally approved plans. The originally approved plans showed an additional ground floor rear kitchen window on the rear elevation of the original house. The minor alterations to the rear elevation would entail the deletion of that

window and instead an installation of a rear door to the single storey side extension. The originally approved plans also showed a side kitchen door to the northern elevation of the single storey part side extension. One of the two windows installed on this elevation replaces that side door and the second window installed serves the garage. The originally approved plans for the single storey side element of the extension sited to the rear of the garage showed it to have a mono-pitch roof that matched the finished height of the dummy-pitch roof to the front section of the side extension. The width of that extension was shown to be 1.15m. The plan submitted with the current application shows that mono-pitched roof to be replaced with a dummy pitch roof measuring 2.8m high at eaves level and 3.7m to its maximum height, matching the finished height of the dummy-pitched roof of the front section of the side extension. The current application plan also shows the original width of the rear segment of the single storey side extension (behind the side garage) to be increased from 1.15m to 1.85m (by some 700mm).

1.3 Relevant Planning History

Comment on Planning History

41436/APP/2004/936 - Erection of a part two storey, part single storey side extension and installation of a new vehicular crossover - Approved on 07/10/2004. Condition nos. 4 and 5 of that consent stated:

Condition (4):

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 or doors shall be constructed in the walls or roof slopes of the development hereby approved facing 11 Burwood Avenue.

Reason: To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan.

Condition (5):

The windows facing 11 Burwood Avenue shall be glazed with obscure glass and non-opening except at top vent level for so long as the development remains in existence.

Reason: To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 5th March 2008

2.2 Site Notice Expiry Date:- 5th March 2008

3. Comments on Public Consultations

EXTERNAL:

25 neighbouring properties consulted and three letters of objections received which state the following:

1. The minor alterations referred to have already been carried out;

2. No. 26 Burwood Avenue is being overlooked by the two side windows installed;
3. Concern is expressed that the house would be let to tenants rather than home owners and that the garage and house could be divided to house more tenants;
4. The minor alterations conflict with the conservation area;
5. Opposed to the alterations as they would denigrate the character of the house, do not respect, preserve or enhance the property's original design and the original planning application;
6. The alterations would maximize the potential for multi-occupancy use of the property. The garage space could be used for additional living accommodation;
7. Concern is expressed over the use of UPVC doors to the garage;
8. Should the windows be installed at first floor level then the owners of No. 15 Burwood Avenue would be objecting to them. Velux rooflights have been installed on the roof which do not appear on the plans.

Two additional letters of objections have been received on the amended description of the application proposal raising the following concerns over and above the concerns previously received:

9. The increase in width of the extension would add more volume to the house and take away the sense of more daylight, space and greenery. It would result in a loss of privacy to No. 26 Burwood Avenue and cause parking problems;
10. Impact of the application proposal upon the Conservation Area and Nos. 9 and 11;
11. Concern is expressed over the non-compliance with the original planning permission.

Officer Comments: Point (1) is noted and the application is intended to regularise this situation; Points (2), (4), (5), (9) and (10) have been addressed in the main body of the report; Points (3) and (6) there is no evidence to suggest that the alterations would lead to multiple occupancy use of the property; Point (7) condition number 2 of the previous consent (2004/936) required the use of matching materials on the extensions; (8) the windows would be installed at ground floor level and the three rear rooflights on the original roof of the house can be installed without the benefit of planning permission.

Eastcote Residents Association - No comments received

Eastcote Village Conservation Panel - No comments received

Ward Councillor - has requested that the application be reported to Committee.

INTERNAL:

Conservation Officer:

This is a semi-detached 1920s house within the Eastcote Park Estate Conservation Area which has quality in terms of individual buildings as well as layout, streetscape and landscape. The property was designed to be mock-Tudor in style replicating features and details with other properties within the street. This property has been substantially altered.

The proposal involves the insertion of two new windows at ground floor level to the side elevation. The proposed windows are in proportion with the building and in the location proposed will not be visible, as they will be partially obscured by the adjoining garage. A new door to the rear is proposed but as this alteration is minor in nature it will not adversely harm the integrity of the building.

It is also proposed to create a hardstanding. There are not many precedents for this type of alteration within the street, however, the adjoining property has a similar arrangement and a good proportion of the soft landscaping will be retained. Furthermore, the hardstanding follows the advice in the Supplementary Planning Document and will retain the existing garden wall and is therefore acceptable.

The works proposed will not adversely harm the integrity of the property or the appearance of the conservation area.

Conclusion: Acceptable

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

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.
BE4	New development within or on the fringes of conservation areas
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions: 4.0 Side Extensions: Single Storey 5.0 Side and First Floor Side Extension: Two Storey.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

5. MAIN PLANNING ISSUES

The previous application proposal was considered to harmonise with the appearance of the existing house. The extensions were not considered to detract from the appearance of the street scene and the visual amenities of the then Eastcote Park Estate Area of Special Local Character. The previously approved application was not considered to harm the residential amenities of the existing occupiers and those of the adjoining houses Nos. 7 and 11 Burwood Avenue, from visual intrusion, over-dominance, loss of sunlight and privacy. The application proposal was considered to be in compliance with policies BE13, BE15, BE19, BE20, BE21, BE22, BE23, BE24 and AM14 of the adopted Hillingdon Unitary

Development Plan Saved Policies September 2007 and the SPD HDAS: Residential Extensions. The current application proposes minor amendments to the originally approved application. The minor additions/alterations relate to the side and rear elevations of the single storey part side extension, a new roof design to the rear segment of the single storey part extension and the marginal increase in its width. Hence, it is only the above elements of the current application (which depart from the originally approved plans) that need to be assessed.

The changes to the rear elevation of the property and its single storey side extension are considered to harmonise with the character and appearance of the original house. The new side windows in terms of their size and style are not considered to detract from the character and architectural composition of the original house. The new dummy-pitch roof to the rear segment of the single storey part side extension and its marginal increase in width, in terms of scale, height and design would be in keeping with the front segment of the side extension. A condition on the use of matching materials has been attached. The new additions and alterations to the rear part of the single storey side extension would be partly obscured from view by the existing side garage at No.11 Burwood Avenue. As such, the proposal would not be detrimental to the character and appearance of the original house or the visual amenities of the street scene and would preserve the character and appearance of the Eastcote Park Estate Conservation Area, in accordance with policies BE4, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and section 4.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

The new door to the side garage extension would overlook only the side wall of the garage at No.11 Burwood Avenue and be removed by over 25m from the front and side elevations of No.26 Burwood Avenue, to the northeast. Given this, the side door to the garage is not considered to result in a loss of residential amenity to those properties from overlooking. The new side door to the kitchen would partially exceed the 1.8m high close boarded fence along the side boundary with No.11 Burwood Avenue. Given that the finished internal floor level of the kitchen in the application property would be marginally higher than that of the private rear patio area at No.11 Burwood Avenue, the new side door to that kitchen could give rise to actual and perceived overlooking of that property. Hence, it is conditioned that obscure glass should be fitted to the kitchen door. The side garage at No.11 Burwood Avenue would prevent the new roof and extension to the rear segment of the side extension from having a visually intrusive, over-dominant impact upon the residential amenities of that property. It would also prevent a significant increase in overshadowing or loss of sunlight to that property. As such, the proposal would comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007. The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan policy 4A.3 and policy BE20 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

Private amenity space and off-street parking would not be affected by the proposed development, in accordance with policies BE23 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

6. RECOMMENDATION

APPROVAL subject to the following:

1 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 RPD1 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 11 Burwood Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 RPD2 Obscured Glazing and Non-Opening Windows (a)

The kitchen door facing 11 Burwood Avenue shall be glazed with permanently obscured glass for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

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.
BE4	New development within or on the fringes of conservation areas
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions: 4.0 Side Extensions: Single Storey 5.0 Side and First Floor Side Extension: Two Storey.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

- 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 & 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 & Community Services Reception Desk, Level 3, 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: Sonia Bowen

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. All rights reserved. London Borough of Hillingdon 100019283 2009

Site Address

**9 Burwood Avenue
Eastcote**

Planning Application Ref:

41436/APP/2008/49

Planning Committee

North

Scale

1:1,250

Date

May 2010

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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



HILLINGDON
LONDON