

Report of the Head of Planning, Transportation and Regeneration

Address 40 MICAWBER AVENUE HILLINGDON

Development: Single storey front extension, single storey rear extension and raising and enlargement of roof space and existing 4 dormers to create additional habitable roofspace

LBH Ref Nos: 10947/APP/2019/885

Drawing Nos: 1844-pl-01 Rev. C
1844-os-01

Date Plans Received: 13/03/2019 **Date(s) of Amendment(s):**

Date Application Valid: 13/03/2019

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the eastern side of Micawber Avenue and comprises a detached bungalow set within an 18m wide plot. The property has been extended by way of dormers to the roof. Both of the neighbouring properties are also detached bungalows. The neighbouring property to the south of the site (No. 38A) has not been extended and the rear of the application property sits some distance beyond the rear of this property. The neighbouring property to the north (No. 42) has been extended by way of a single storey rear extension.

To the front of the site the garden has been covered in hard standing which provides for two off-street parking spaces. The property has a large rear garden which backs onto the rear garden of a residential property and contains two detached outbuildings. The prevailing character of the area is residential, comprising mainly detached houses and bungalows set within a large plot. There is no significant difference in site levels.

The site located within a Developed Area, as designated by the policies contained within the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

Single storey front extension, single storey rear extension and raising and enlargement of roof space and existing 4 dormers to create additional habitable roof space.

The proposed single storey front extension would extend a maximum of 1.6 m in width to measure level with the original flank wall. The single storey rear extension would project 3.6 m in depth, would extend the full width of the original dwelling and would be characterised by a pitch roof with crown section with a maximum height of 3.4 m. The enlargement of the roof would effectively increase the overall size of the existing 4 dormers and raise the ridge height by 1.2 m to include a hip to gable conversion to the rear. The proposed extensions would be finished in materials to match the existing.

1.3 Relevant Planning History

10947/APP/2013/3358 40 Micawber Avenue Hillingdon

Part two storey, part single storey rear extension involving installation of two side dormers

Decision Date: 07-01-2014 **Refused** **Appeal:**

10947/APP/2014/2759 40 Micawber Avenue Hillingdon

Single storey rear extension

Decision Date: 09-12-2014 **Refused** **Appeal:**

10947/APP/2014/932 40 Micawber Avenue Hillingdon

Two storey rear extension

Decision Date: 28-05-2014 **Refused** **Appeal:**

10947/APP/2019/17 40 Micawber Avenue Hillingdon

Single storey front extension, single storey rear extension and enlargement of roofspace to include 2 additional side dormers and raising of ridge height

Decision Date: 27-02-2019 **Refused** **Appeal:**

Comment on Planning History

10947/APP/2019/17: Single storey front extension, single storey rear extension and enlargement of roofspace to include 2 additional side dormers and raising of ridge height - Refused

1. The proposed dormer extensions, by reason of their siting, size, scale, bulk, and design, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposal, by reason of the siting of the ground floor and first floor flank habitable room windows given their proximity to the side boundary would result in the provision of habitable rooms with limited levels of natural lighting and outlook that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers, contrary to Policies 3.5 and 5.3 of the London Plan (March 2016), Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The current application does not include the addition of 2 new dormers and the proposed layout has been amended so that all habitable rooms benefit from either a front or rear outlook to ensure a reasonable level of outlook and light is achieved to these areas. The application is therefore considered to have overcome the previous reasons for refusal and is recommended for approval.

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 16 adjoining and nearby neighbouring properties were consulted via letter dated 27.03.19 including a site notice displayed adjacent to the premises on 03.04.19.

5 representations received from neighbouring properties which are summarised as follows:

- i. Increased dimensions would be out of proportion,
- ii. Result in overlooking and loss of privacy,
- iii. All windows to remain fixed glazing as per the enforcement orders,
- iv. Raising the roof and rear extension would result in overdominance, overshadowing, loss of outlook and light
- v. Encroached upon properties along St Margarets Avenue,
- vi. Over-development of the plot,
- vii. would decrease the value of neighbouring properties,

The representations received will be address below within the main body of the report.

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. |
| DMHD 1 | Alterations and Extensions to Residential Dwellings |
| 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, and the level of impact on the residential amenity and light levels of the adjoining neighbours.

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 3.0 of the Hillingdon Design and Accessibility Statement states extensions should always appear subordinate to the original house. In particular, the extension should not protrude too far from the rear wall of the original house, to protect the daylight and sunlight levels received by neighbouring properties. On detached houses on a plot more than 5 m wide, an extension up to 4.0 m deep is acceptable. If adjoining houses have deeper rear extensions, permission may be granted for an extension of a similar depth if it does not result in a loss of daylight, sunlight or outlook.

Section 8.0 Front Extensions, Porches and Bay Windows states Front extensions that extend across the entire frontage will normally be refused. Front extensions are eye catching and change the face of the building. They do not only affect the character and appearance of the building itself but also the street scene.

Paragraph 7.0 of the HDAS Loft Conversions states roof extensions should relate well to the proportions, roof forms and massing of the existing house and neighbours elsewhere. As a general rule the more visible a roof is from public areas of public open space, public roads and car parks and on corner plots, the more important it is that it be well designed. The extension must appear secondary within the roof in which it is to be set, as extensions that are as wide as the house can effectively create the appearance of a third storey. Dormer extensions to semi-detached dwellings must be set at least 300 mm below the main ridgeline, 500 mm above the eaves and set in from the flanks by at least 500 mm. On larger detached and semi-detached houses these set-ins should be increased to at least 1 m.

The proposal would result in an increase in the overall height of the property by 1.2 m and an overall increase in bulk of the property resulting from the increased width of the front elevation of the bungalow together with the raised roof, including dormers to either side. Whilst the extended bungalow would have a higher ridge height than both adjacent properties, it is considered that the dwelling as extended would not be out of keeping with the development within the street scene. The bungalows and chalet bungalows along Micawber Avenue have differing ridge heights and a number have had side dormers added. The existing dormers are set toward the rear half of the side roof slopes and by reason of their proposed size and design relative to the increased ridge height would appear proportionate along the roof slope. The proposal includes the conversion of the hipped roof to a gable roof to the rear. Given the detached nature of the dwelling and its position relative to the adjacent neighbours on either side it would not be visible when viewed from the public domain, and subsequently would not detract from the appearance of the original

dwelling and the visual amenities of the street scene and surrounding area.

The single storey rear extension by reason of its size, scale and siting would constitute a subordinate addition which would satisfactorily integrate with the appearance of the main dwelling.

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 to 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.

The application site projects rearwards of the adjoining neighbours to either side, more so of No. 38a to the South, nevertheless it is considered the overall increase in the height would not result in an unacceptable loss of light and outlook for the adjacent property given it would maintain the existing separation gap from the shared side boundary and would not infringe a 45 degree angle from their nearest rear habitable aspects. The siting of 38A means that a 3.6 m deep single storey rear extension would appear as a 8 m extension, however given the separation gap between the two properties and the existing boundary treatment in the form of a dense hedgerow, it is considered that the proposal would not, on balance, unacceptably reduce the amount of daylight and outlook for these properties including 5 St Margarets Avenue and would not result in over-dominance. A single storey rear extension 5m deep under planning Ref: 10947/APP/2014/2759 was previously considered acceptable with regards to the impact upon the amenities of the adjoining neighbours, a smaller extension in this instance is considered acceptable. Similarly with regards to No. 42 adjacent to the North, given the proposed extension would be set back 4 m from the shared boundary, combined with its single storey composition and relatively low level height is considered to have an acceptable level of impact upon their amenities and light levels.

With regards to the adjoining row of properties positioned at a 90 degree angle to the South along St Margarets Avenue and 150 and 152 Harlington Road which abut the common boundary to the south, Paragraph 4.9 of the Hillingdon SPD: Residential Layouts states 'Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination. The distance provided will be dependant on the bulk and size of the building but generally, 15 m will be the minimum acceptable distance. It should be noted that the minimum 21 m overlooking distance will still need to be complied with.'

The application dwelling would continue to maintain a separation distance of approximately 20m with the row of the properties to the South fronting St Margarets Avenue, and a back to back distance in excess of 80 metres with 150 and 152 Harlington Road and as such would avoid possible over-domination and loss of privacy and overlooking. Furthermore all first floor flank windows including rooflights would continue to remain obscure glazed and fixed shut.

The proposed development would therefore accord with Policies BE13, BE15, BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the HDAS: SPD 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).

After the construction of the rear extension over 100 square metres of garden space would be retained for the occupiers of the property. Therefore, sufficient private outdoor amenity space would be provided in accordance with Policy BE23 of the Hillingdon Local Plan:(November 2012) and HDAS Residential Extensions.

The proposed development would retain the existing parking arrangements in front of the principal elevation which meet the requirements of the Council's Adopted Parking Standards. Therefore, the scheme is deemed to be in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Taking the above into consideration, 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 1844-pl-01 Rev. C.

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 38a

or 42 Micawber Avenue.

REASON

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

5 HO6 Obscure Glazing

The window(s) facing 38a and 42 Micawber Avenue shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor 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 Local Plan: Part Two Saved UDP Policies (2012)

6 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** 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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

- 2** 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.

- 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.
DMHD 1	Alterations and Extensions to Residential Dwellings
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.

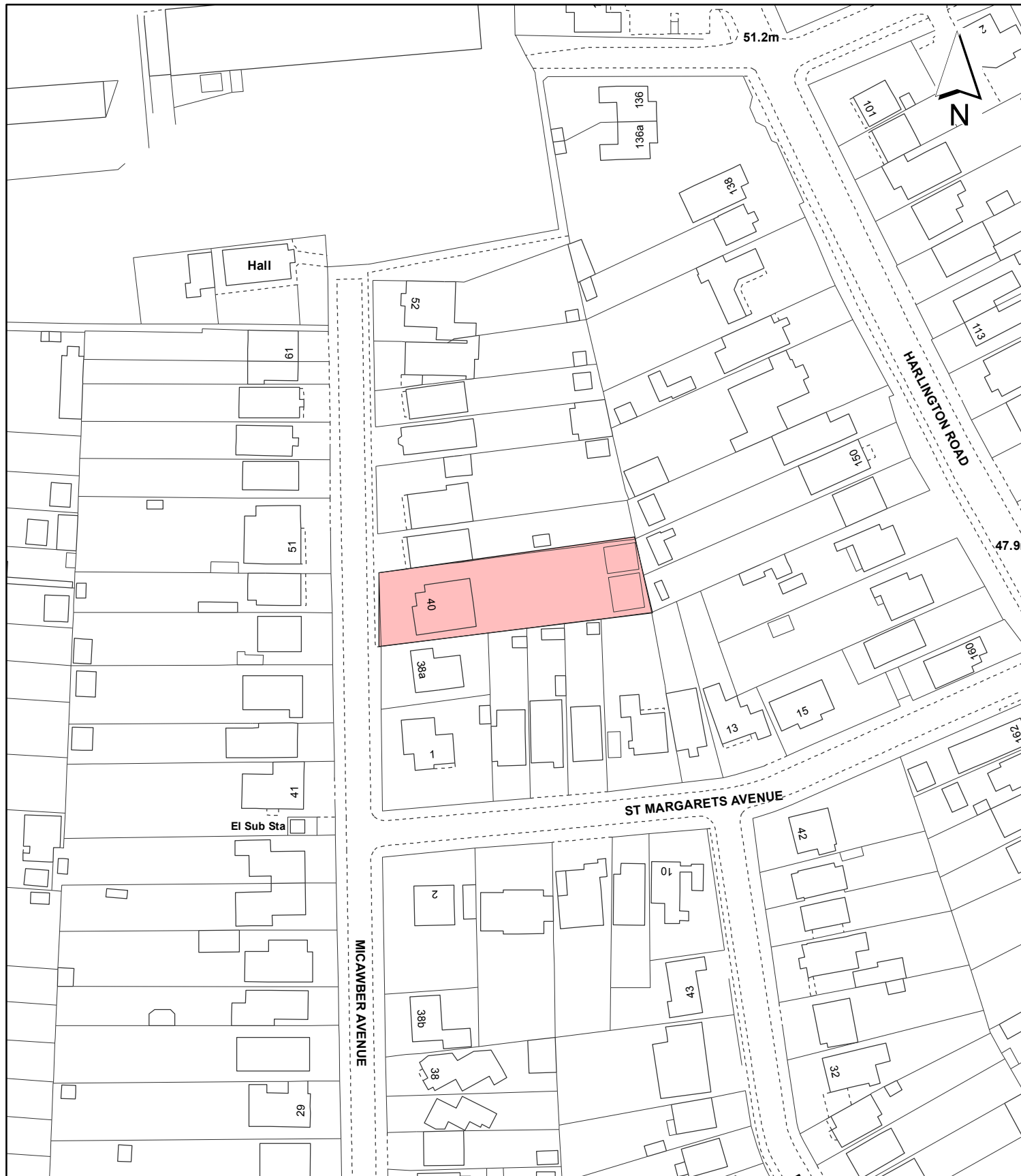
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information 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: Naim Poptani

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:

40 Micawber Avenue

Planning Application Ref:

10947/APP/2019/885

Scale:

1:1,250

Planning Committee:

Central & South

Date:

June 2019

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



HILLINGDON
LONDON