

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

**Address** 56 SWAN ROAD WEST DRAYTON

**Development:** Single storey rear extension

**LBH Ref Nos:** 76289/APP/2021/1143

**Drawing Nos:** Photographs x 5  
ART/2021/RE56SR/ELPL Rev. B  
ART/2021/RE56SR/EE Rev. B  
ART/2021/RE56SR/SPLP Rev. B  
ART/2021/RE56SR/PE Rev. B

**Date Plans Received:** 22/03/2021

**Date(s) of Amendment(s):** 24/03/2021

**Date Application Valid:** 22/03/2021

### DEFERRED ON 13th July 2021 FOR SITE VISIT ON

This application was deferred at the committee of the 13th July for a site visit. This visit took place on the 19th July 2021.

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site is located on the west side of Swan Road. It is occupied by a semi-detached two storey dwellinghouse. The application property is setback from the adjacent highway with front garden laid in hardstanding and vehicular access off Swan Road. To the rear is an enclosed garden area.

The street scene is residential in character and appearance, with two storey semi-detached houses of varied sizes and design. The application lies outside conservation area and no listed buildings in the immediate surroundings.

### 1.2 Proposed Scheme

The application is seeking planning permission for a single storey rear extension.

### 1.3 Relevant Planning History

76289/APP/2021/1136 56 Swan Road West Drayton

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

**Decision Date:** 12-05-2021 Approved

**Appeal:**

### Comment on Planning History

As listed above

## 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 letters on 25-03-21 and expired on 17.04.2021. A signed petition with 35 signatures has been submitted against the application on the following grounds:

1. Over-development of the site as it relates to the 6m rear extension
2. Impact on residential amenity of neighbouring properties
3. Increase in parking pressure
4. No external material indicated
5. Change of use from C3 to HMO

Officer's comment: There is no evidence to suggest that the application property has been or would be changed to a HMO. The use of the property nonetheless has been conditioned to that of a family dwellinghouse (as per the application submission).

All other matters are considered in the report below.

1 letter of objection has been received in respect of the revised scheme raising concerns relating to:

1. Loss of light and outlook
2. sewers
3. existing unauthorised work
4. potential use of property as HMO
5. Access to Number 54
6. Potential use of non matching materials
7. Party wall concerns.
8. Construction disturbance concerns.
9. Over-shadowing/appearance (see detailed comments below)

Some of the specific planning related comments cited in the objection are in full below:

'Overshadowing of my property.

The proposed development, if approved, would have a serious negative effect on the adjoining semi-detached property at 54 Swan Road. The extension over 3 meters in height on the boundary with No.54 will result, given the aspect of the two properties, in a significant loss of daylight and nearly all direct sunlight (except for late evenings around the summer solstice), to the back reception room and kitchen area at 54 Swan Road. There would be a resulting loss to the outside adjacent amenity area at the rear of 54 Swan Road

Appearance

The extension would result in the loss of the original stepped shaped footprint of the property and involves infilling the existing space. A "flat roof" would be very much out of character with the existing pitched roof of the property as it sweeps down on the protruding part of the property.'

Construction noise/Party wall matters/whether building control approvals will satisfactory address sewer/drainage capacity are all not material planning considerations. Concerns

have been raised regarding whether any vehicle used for construction purposes might block access to the adjacent funeral directors and or/affect neighbours access to their properties. The Council cannot refuse a planning application due to any concerns related to construction disturbance. On very large construction sites the Council has conditioned construction logistics plans be agreed; but these are to ensure construction vehicles avoid peak traffic times/to regulate construction compounds on major construction sites etc...Officers think that such a condition is not appropriate in cases where small scale household extensions are involved, that to do so might raise expectations that the Local Planning Authority will manage individual site deliveries etc....It is considered that an appropriately worded informative is more appropriate given the small scale of the development proposal.

Further communication was received from the petitioner regarding the use of the property as an HMO. It is stated that this matter was reported to the HMO Licensing Team in April 2020. The response from the Licensing Team states that the matter would be investigated.

Officer Comment:

The property does not appear on the list of properties licensed as HMO's. Thus, the matter would still appear to be under investigation or the property is not in use as an HMO. Members will note that a condition preventing the sub-division of the property or its use as a HMO is recommended.

The concerns relating to planning issues are addressed in the sections below.

#### **4. Local Plan Designation and London Plan**

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

#### **5. MAIN PLANNING ISSUES**

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on the residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and the availability of parking.

Impact on Street Scene

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.

Policy DMHD 1 states that alterations and extensions of dwellings will be required to ensure that there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;

Policy DMHD1 section (B)(i) states that single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more; ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;

The current proposal will involve a single storey rear extension to the host property following the removal of the existing dilapidated canopy. The proposed extension will be merged with the existing single storey rear outrigger to create a large kitchen area. The proposed extension as amended would have a maximum depth of 3.6m beyond the original rear elevation with a flat roof design measuring 2.975m high. The proposed rearward extension would not be visible from the street scene.

The proposed extension would appear subservient and would not be a disproportionate addition to the host dwelling, being fully compliant with the prescribed design depth for semi-detached houses. The proposed rearward single storey rear extension would harmonise with the character and appearance of the original house. The proposal, therefore, would not significantly harm the character and appearance of the host property and the local area.

#### Impact on residential amenity

Policy DMHD 1 section B states that a satisfactory relationship with adjacent dwellings is achieved; v) there is no unacceptable loss of outlook to neighbouring occupiers;

The application property sit alongside and is attached to the property at No.54 Swan Road, to the north side of the application site. The adjacent property at No.54 has not been extended to the rear on the ground floor.

The proposed single storey rearward extension would protrude beyond the rear of No.54 by 3.6m along the common boundary with a 2.975m high flat roof design. No.54 has a window serving habitable room within the ground floor rear elevation close to the common boundary. It is considered that the proposed extension would not be detrimental to the residential amenity of the adjoining property, in terms of over-dominance, overshadowing, loss of light and outlook.

There are no flank windows proposed within the single storey rear extension.

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.

Policy DMHD 1 section A (vi) states that sufficient garden space to be retained as a consequence of an extension. The property benefits from a good sized rear garden and sufficient private amenity space will be retained in accordance with the above policy.

The existing parking would not be affected by the proposed development, As such, it would comply with Policy DMT 6 of the Adopted Local Plan.

The application, as amended, 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 ART/2021/RE56SR/SPLP Rev. B, ART/2021/RE56SR/ELPL Rev. B and ART/2021/RE56SR/PE Rev. B.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

#### **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 DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

#### **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 54 or 58 Swan Road.

#### **REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

#### **5 HO7 No roof gardens**

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace,

balcony, patio or similar amenity area.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**6 NONSC Non Standard Condition**

The property to which the development hereby approved relates shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

**REASON**

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policies DMH 4, DMH 5 and DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**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** The applicant is strongly encouraged to manage site deliveries/construction works to avoid undue disturbance to the operations of the nearby funeral directors, in particular through inconsiderate vehicle parking or materials storage.

**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:

DMHB 11 Design of New Development  
DMHD 1 Alterations and Extensions to Residential Dwellings  
DMT 6 Vehicle Parking  
LPP D4 (2021) Delivering good design  
LPP D6 (2021) Housing quality and standards

- 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 may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control that is considered to cause harm to local amenity.
- 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.

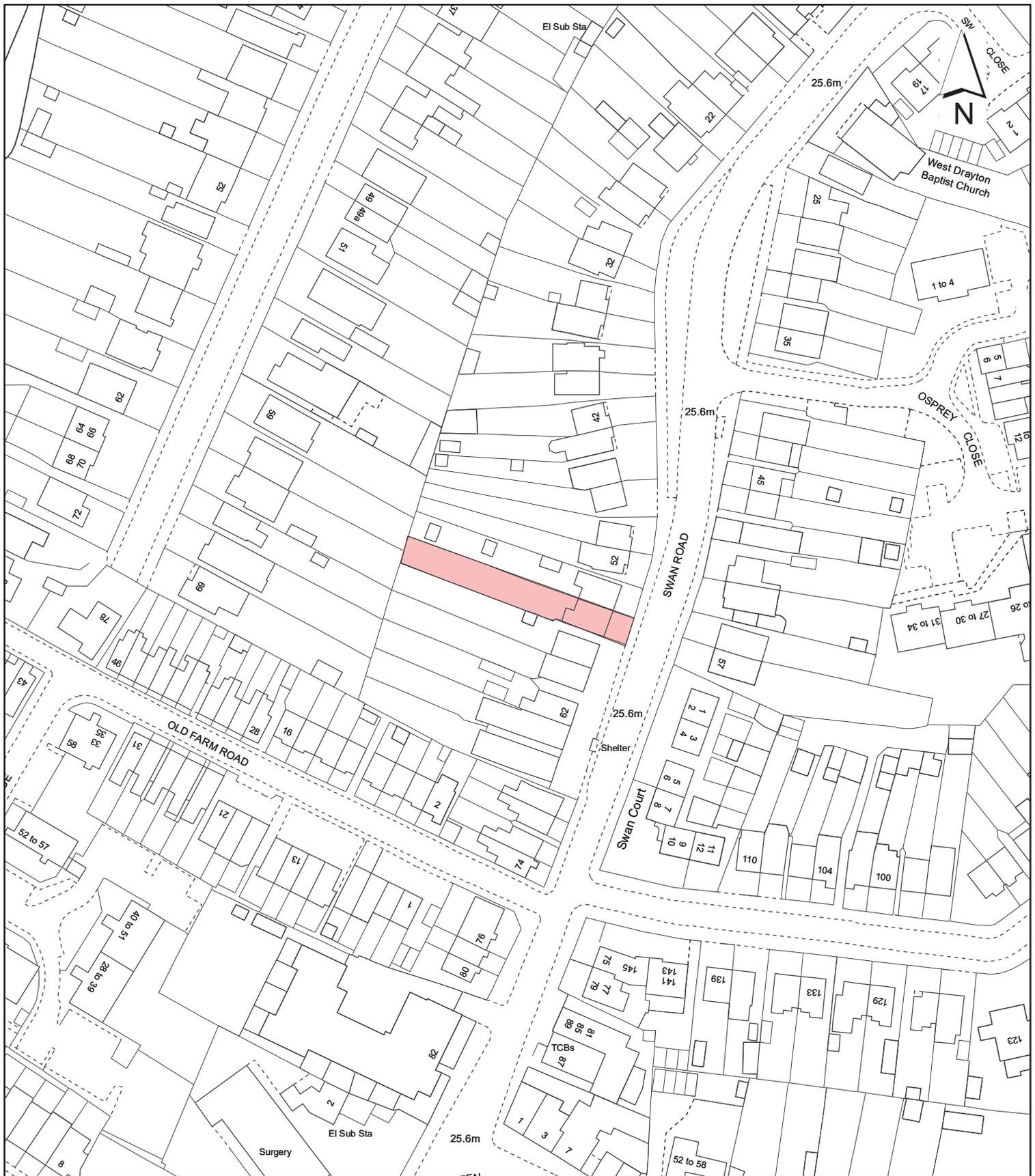
D) No bonfires that create dark smoke or nuisance to local residents.

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:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**56 Swan Road  
 West Drayton**

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

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**76289/APP/2021/1143**

Scale:

**1:1,250**

Planning Committee:

**Minor**

Date:

**August 2021**



**HILLINGDON**  
 LONDON