

## Report of the Head of Planning & Enforcement

**Address** 1 THE GREENWAY ICKENHAM

**Development:** Part single storey, part two storey rear extension and first floor side extension with ground floor drive through.

**LBH Ref Nos:** **66229/APP/2010/460**

**Drawing Nos:** RP:01  
RP:04/4A  
RP:02 Received 18th May 2010  
Title Register and Title Plan for 1 The Greenway Received 25th May 2010 and 3rd June 2010  
RP:03/4A Received 18th May 2010

**Date Plans Received:** 01/03/2010                      **Date(s) of Amendment(s):** 01/03/2010  
**Date Application Valid:** 03/06/2010                      18/05/2010  
26/05/2010

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site consists of a two-storey semi-detached dwelling that lies to the south-west of The Greenway. To the south east of the site are properties located along High Road. The site lies within a residential area. There are three garages at the rear of the property, of which the applicant owns the middle garage. The applicant also owns the land providing access to these garages but is legally required to provide other owners of the garages right of way.

#### 1.2 Proposed Scheme

The application seeks planning permission for the erection of:

- i) A two-storey side extension, with a drive-thru at ground floor level, measuring 7.4m deep x 3.2m wide, set back 1.7m from the front of the property and with a hipped, pitched roof matching the original, set down approximately 500mm from the main ridge;
- ii) A single-storey rear extension measuring 3.6m deep x 7m wide, with a mono-pitch roof at a maximum height of 3.3m;
- iii) A part two-storey rear extension 1.5m deep x 4.1m wide with a hipped pitched roof set some 1.9m below the ridge of the main dwelling.

### 1.3 Relevant Planning History

66229/APP/2009/1687 1 The Greenway Ickenham

Two storey side extension with drive-thru and part two storey, part single storey rear extension

**Decision Date:** 16-11-2009      **Refused**      **Appeal:**

#### Comment on Planning History

Planning permission was refused under ref: 66229/APP/2009/1687 for a two-storey side extension with drive-thru and a part-single storey, part-two storey rear extension for the following reasons:

1. The proposed two storey rear extension, by reason of its siting, size and overall design incorporating a flat roof, would represent an incongruous addition to the original house, detrimental to its appearance and architectural composition. The extension would detract from the visual amenities of the street scene and surrounding area. The proposal is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed single storey extension, by reason of its size, scale, bulk and height in relation to the host dwelling, would result in an incongruous addition which would be detrimental to the character and appearance of the existing building and the amenity of neighbouring residents at 1A the Greenway. The proposal would therefore be contrary to policies BE13, BE15 BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Polices, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The side extension was greater in length and the first floor rear extension was much greater in size with regard to the 2009 application, when compared to the current application.

### 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

EXTERNAL:

16 adjoining residents and the Ickenham Residents Association x 2 consulted. 5 letters received, including two from the Ickenham Residents Association, objecting to the proposal on the following grounds:

- i) The proposal will interfere with the access to the garages;
- ii) The proposal does not conform with the requirement of HDAS: Residential Extensions that a two storey extension must be set in 1m from the side boundary;
- iii) Nos. 67-79 High Road probably constitute the largest group of pre-WW1 houses in Ickenham and the proposed extension will destroy the open aspect in which they were built;
- iv) Will result in an open suburban aspect being converted to an intensively developed urban environment;
- v) Loss of light to adjoining gardens;

- vi) Will cause damage to hedge and trees on boundary with No.77 High Road;
- vii) The proposal is an overdevelopment and out of scale with its surroundings;
- viii) The passageway is not large enough for vans and larger vehicles;
- ix) Gap from boundary not enough to prevent encroachment;
- x) Boundary window serves no purpose/could not be cleaned;
- xi) Legal issues will arise if this is allowed.

Ward Councillor - Has requested that the application is determined by the planning committee if recommended for approval.

INTERNAL:

Highway Engineer:

It is unclear to which properties the existing garages belong to. The access way leading to the garages has overgrown vegetation. The application site and other properties in close proximity to the site have off-street car parking. The proposed drive-thru would be adequate for a car to pass. As long as the applicant has followed the right procedures, the matter of ownership and/or right of access would not be a planning matter but would instead be a legal matter for the parties involved.

Trees and Landscape Officer:

This site is not covered by a Tree Preservation Order nor inside a Conservation Area, however there are several trees on site that are features of merit and relevant to Saved Policy BE38 of the UDP. In the front garden of 1 The Greenway, there is a mature Box Elder and Hawthorn. The trees are prominent features in the landscape and, because construction-related activity and storage of machinery/materials is likely to cause soil compaction, warrant protection and retention during development. In this case protective fencing should be erected around the front lawn. In the rear garden of 1 The Greenway there is a Silver Birch, a Eucalyptus and a group of trees consisting of Cherry, Ash and Mountain Ash. The closest tree, the Silver Birch, is within 9m of the house, however it is a low value tree and not a constraint to development. All other trees are far enough away from the proposed extension to not be a constraint. In the rear garden of 77 High Road Ickenham (to the south-east of 1 The Greenway) there are several mature shrubs and a young blue atlas cedar (8 m from the house - 1 The Greenway). These trees are not a constraint to development. The plans should be amended to show all trees on site and should show the Box Elder and Hawthorn in the front garden as retained. The plans should also show the position of protective fencing, in the front garden, as described above.

Subject to these amendments and conditions TL1, TL2 and TL3, this scheme is considered acceptable in terms on Saved Policy BE38 of the UDP.

#### **4. UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS	Residential Extensions - sections 3.0, 5.0 and 6.0.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

## 5. MAIN PLANNING ISSUES

The main issues for consideration with this application are the design of the proposed development and impact on residential amenity.

### Design

The proposed two storey side extension would not retain a minimum gap of 1.0m to the side boundary as required by policy BE22 of the UDP saved policies September 2007. However, paragraph 5.3 of the Council's Supplementary Planning Document HDAS: Residential Extensions states that a relaxation of the 1m set in may be considered where the openness of the corner plot would be maintained. Whilst not strictly a corner plot, No.1 The Greenway adjoins the rear gardens of properties in the High Road and, as such, the lack of a set in from the boundary would not compromise the existing visual opening between the application property and the adjoining properties. The extension would not, therefore, appear unduly cramped in the street scene and a departure from policy BE22 of the UDP saved policies September 2007 would be acceptable in this instance.

The two storey side extension would be set back from the front wall and below the roof ridge of the existing house, in compliance with paragraph 5.6 of the HDAS: Residential Extensions. The two storey side extension would not be more than 2/3rds of the width of the application property, in compliance with paragraph 5.10 of the HDAS: Residential Extensions. The extension would be finished with a hipped roof, subordinate to the main roof, in compliance with paragraph 5.9 of the HDAS: Residential Extensions. The two storey side extension, by reason of its proportions, scale and form is considered to harmonise with the character and appearance of the original house and would not detract from the character and appearance of the street scene and/or the visual amenities of the surrounding area. This design element of the application proposal would be in compliance with the objectives of section 5.0 of the HDAS: Residential Extension and policies BE13, BE15 and BE19 of the UDP saved policies September 2007.

The depth dimension of the ground floor rear extension would be consistent with that as set out in paragraph 3.3 of the HDAS: Residential Extensions and the finished height of the roof would also be consistent with that as set out in paragraph 3.7 of the above HDAS.

Therefore, the extension would not appear disproportionate to the scale and form of the original house and would not appear over-dominant within its rear elevation. The ground floor rear extension, by reason of its scale, form and design would harmonise satisfactorily with the character and appearance of the original house and would not detract from the visual amenities of the surrounding area. This design element of the application proposal would be in compliance with section 3.0 of the HDAS: Residential Extension and policies BE13, BE15 and BE19 of the UDP saved policies September 2007.

The depth dimension of the part two storey rear extension would be consistent with those as set out in paragraph 6.4 of the HDAS: Residential Extensions. The extension would set well below the roof ridge of the main house, in compliance with paragraph 6.6 of the HDAS: Residential Extensions. The extension, in terms of its size would not appear disproportionate to the scale and form of the existing house and would harmonise with its character and appearance satisfactorily. The two storey part rear extension is not considered to detract from the visual amenities of the surrounding area. This design element of the application proposal would be in compliance with the objectives of section 6.0 of the HDAS: Residential Extension and policies BE13, BE15 and BE19 of the UDP saved policies September 2007.

#### Amenity

No.1a The Greenway would not be affected by the two storey side extension as it lies on the other side. The Council's Supplementary Planning Document HDAS: Residential Layouts states that where a two or more storey building abuts a property or its boundary, adequate distance should be maintained to avoid possible over-domination, and 15m is normally the required distance. In this case the proposed two storey side extension would be approximately 14 metres from the rear elevation of No.77 High Road, which would not comply with the Council's normal standards, however, there is considerable vegetation within the adjoining properties and on the boundary with the application property and the application property is sited on a slightly lower level, thus reducing the impact. Taking these factors into account, the distance of 14m is considered to be sufficient in this case.

The ground floor rear extension would project marginally (500mm) beyond the depth of the rear extension at 1a The Greenway and it is not considered that it would harm the residential amenities of this property from increased over-shadowing, visual intrusion and/or over-dominance. The first floor rear extension would maintain a separation gap of some 2.9m to the side boundary with 1a The Greenway and some 17.3m from the rear elevation of 77 High Road, and would be clear of the 45 degree line of sight taken from the centre of the nearest first floor rear habitable room window on No.1a. The separation gaps are also considered to be adequate in order to prevent the first floor rear extension from harming the residential amenities of these properties from increased over-shadowing, visual intrusion and/or over-dominance. The first floor side window, facing 77 High Road, is a secondary window and has been conditioned to be fitted with obscure glass. The ground and first floor front windows on the two storey side extension would overlook the road and the residential properties to the rear of the site are well in excess of the required distance of 21m and would thus not result in overlooking from the first floor rear bedroom windows on the extension. The windows and doors on the extensions would provide an adequate outlook and natural light to the rooms they would serve.

As such, the application proposal would not represent an unneighbourly form of development and would be in compliance with policies BE20, BE21, and BE24 of the UDP

saved policies September 2007 and sections 3.0, 4.0, 5.0 and 6.0 of the HDAS: Residential Extensions as well as Policy 4A.3 of the London Plan (2008).

Over 100sqm of private amenity space would be retained, in accordance with paragraphs 3.13, 5.13 and 6.18 of the HDAS: Residential Extensions and policy BE23 of the UDP saved policies September 2007.

With regard to parking, the applicant has confirmed that they own the right of way leading to the garages at the rear of their garden and documentation has been provided to support this. The applicant also owns the middle garage, and is required to provide access to the other owners of the garages, thus the reason for the design of the two storey side extension, with a drive-thru at ground floor level. The council's highways officer considers the access in the side extension to be of a sufficient width (it should be noted that the passageway is larger in size than the garage doors to the garages at the rear of No.1 The Greenway) to allow passage to the garages and does not object to the proposal on either highway safety or parking grounds.

The site is not covered by a Tree Preservation Order and is not located within a Conservation Area, but there are several trees on site that are features of merit and require protection during construction. A number of conditions are recommended to ensure that the trees are identified and protected prior to and during development.

## **6. RECOMMENDATION**

### **APPROVAL subject to the following:**

**1**            HH-T8            Time Limit - full planning application 3 years

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**            HH-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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

The first-floor window facing 77 and 79 High Road, Ickenham, shall be glazed with permanently obscured glass and 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 Unitary Development Plan Saved Policies (September 2007).

**4** HH-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 77/79 High Road and 1a The Greenway.

**REASON**

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

**5** HH-M2 External surfaces to match existing building

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.

**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 Unitary Development Plan Saved Policies (September 2007).

**6** TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) A clear indication of trees, hedges and shrubs to be retained and removed.
- (ii) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

**REASON**

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7** TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery

Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **8 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 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.**

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS	Residential Extensions - sections 3.0, 5.0 and 6.0.
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).

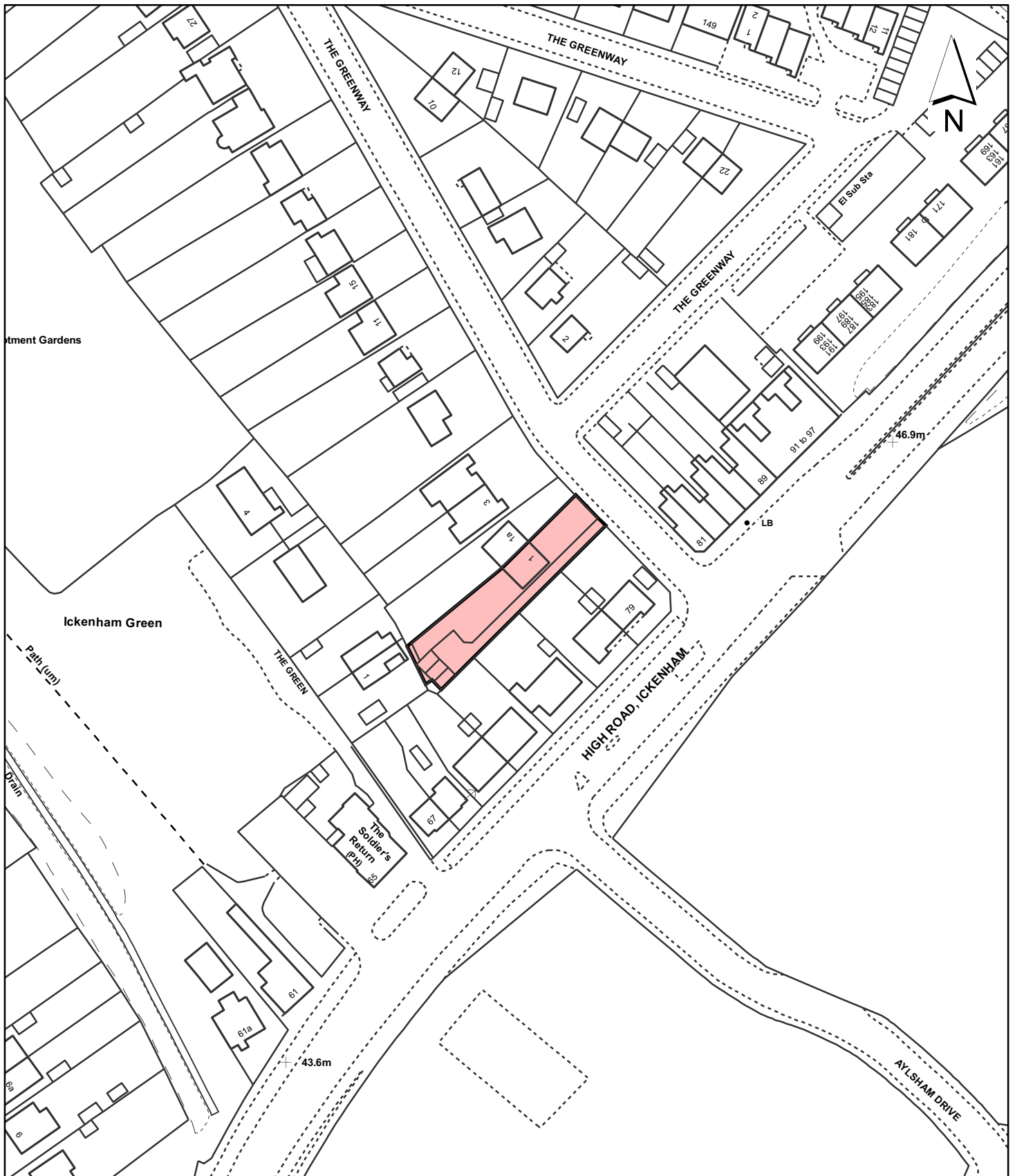
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure 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 (CO<sub>2</sub>) 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:** James Stone

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p><b>1 The Greenway Ickenham</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Planning &amp; Community Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>66229/APP/2010/460</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>July 2010</b></p>	
		 <p><b>HILLINGDON</b> LONDON</p>	