

Report of the Head of Planning & Enforcement Services

Address 39 WENTWORTH DRIVE EASTCOTE PINNER

Development: Single storey rear extension.

LBH Ref Nos: 7038/APP/2011/946

Drawing Nos: 1912/3
1912/2
MB/1912/1

Date Plans Received: 18/04/2011

Date(s) of Amendment(s):

Date Application Valid: 18/04/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south eastern side of Wentworth Drive, a residential area of bungalows and houses. The site, No. 39, is a semi-detached bungalow that is attached to No.37 to the east and a detached bungalow, No. 41, is situated to the west. These bungalows are on slightly raised ground. Nos. 37 and 39 were built as a pair with rear outshoots creating a short 'L' shape, each projecting 1.75m from No. 39 and 0.68m from No.37. Both properties have also extended their properties to fill in the 'L' shape and extend further outwards. The remainder of properties on this side of the road are two storey houses, downhill as the road slopes away to the north, north east. All three bungalows have single storey rear additions of which only limited glimpses are obtained from the front. Limited rear views are gained from a gated private access road serving garages to the rear of this side of Wentworth Drive.

1.2 Proposed Scheme

The proposal is to erect a flat-roofed single storey extension to the rear. The extension would be stepped so that its smaller projection abuts the adjoining bungalow.

The extension would span the entire width of the property, meeting the edges of the existing extensions and projecting out into the garden to a depth of 3.0m before stepping in by 3.21m on the boundary of No. 37 and projecting out again to a further 1.11m for a final width of 4.79m towards the boundary to No. 41. The stepping permits a 45 degree angle of sight from the middle of the patio doors to No. 37. The proposed extension would project out a distance of 2.178m from the back wall of the extension to No. 37.

The new extension would replace an earlier extension and add to the floor area, making a total depth from the original bungalow of 6.4m where abutting the side of No. 37 and 7.1m on the side of No. 41. Both the existing and proposed side extensions will project

approximately 0.7m above the existing fences.

The proposed extension, at its longest, meets the rear building line of the extension to No. 41.

1.3 Relevant Planning History

18193/APP/2007/3785 41 Wentworth Drive Eastcote Pinner
ERECTION OF A SINGLE STOREY SIDE AND REAR EXTENSION.

Decision Date: 20-03-2008 **Approved** **Appeal:**

Comment on Planning History

No. 37 has an extension built under permitted development that projects approximately 0.6m out from No. 39. The extension to No. 41 projects 3m from the rear and was permitted in 2007.

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

8 adjoining occupiers and the Eastcote Residents Association consulted. Representations have been received from both neighbours. Both raise concerns over potential loss of light and conflict with the HDAS policy requirements. No. 41 raises additional concerns over access to drains.

Ward Councillor: Requests that the application is reported to committee.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

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.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

HDAS Residential Extensions

5. MAIN PLANNING ISSUES

The main planning issues are effects of the application proposal on the character and appearance of the original house, visual amenities of the surrounding area and residential amenities of the adjacent dwellings, particularly through loss of light.

The single storey extension, by reason of its scale, form and design would harmonise satisfactorily with the character and appearance of the original bungalow and appear subordinate. By not projecting further than the extension at No. 41 and stepping back from No. 37 the extension would fit acceptably within its surroundings when viewed from the back gardens of properties on this side of Wentworth Drive. The proposed extension would retain sufficient garden remaining at No. 39. Therefore the single storey extension is not considered to detract from the visual amenities of the surrounding area and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

HDAS provides guidelines on depths of first time extensions concerning impacts upon amenity of neighbouring properties. It acknowledges that second extensions may exceed these guidelines and advises demolition of the first extensions as part of proposals to maintain character, which this application proposes. Having established the principle of acceptable impact upon the character of the building and area, the remaining concern protected by HDAS is impact upon amenities of neighbouring properties. In response to concerns from No. 37, the impact of the proposed extension upon the extension to No. 37 has been investigated through an over-shadowing study and the position regarding the 45 degree rule that informs potential impact from over-shadowing.

The over-shadowing study shows the potential impact of the proposed extension on the original back wall and room of No. 37, prior to their extension. Whilst there will be some effect, the impact is considered to be within the acceptable tolerances supported by the HDAS, meeting both the 45 degree rule and what officers consider to be an acceptable impact from over-shadowing. The amount of projection from No. 37's extension, at 2.178m, is significantly within the 4m guideline suggested by the HDAS as trigger to concerns over adverse impact on neighbouring properties. This aspect of the proposal is therefore considered acceptable.

In assessing the impact of the proposal on the rear room at No. 41, it is noted that the boundary wall between Nos. 39 and 41 at this point is nearly 2m in height, already reducing light to this room. The proposed extension would be of a similar height to the existing extension, but project out further thus having some effect on light penetration. The kitchen to No. 41 is almost landlocked as a result of its new extension permitted in 2007, leaving natural light only through the side kitchen door, facing No. 39. Some additional reduction in light will occur to this subsidiary room from the proposed extension however this is not considered to be unacceptable given the overall site context.

Whilst the agent has been made aware of No. 41's concerns over means of access and care for shared drains during construction, this is not a planning issue.

In order to ensure appropriate levels of privacy for the adjacent properties, permitted development rights are removed by condition for any further openings or apertures on these boundaries.

The single storey rear extension is considered to be in compliance with Policies BE13, BE15, BE19, BE20, BE21, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon

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 Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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).

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 37 and 41 Wentworth Drive.

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
HDAS	Residential Extensions

- 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: Clare Wright

Telephone No: 01895 250230



Notes



Site boundary

For identification purposes only.

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Site Address

**39 Wentworth Drive
Eastcote**

Planning Application Ref:

7038/APP/2011/946

Planning Committee

North

Scale

1:1,250

Date

July 2011

**LONDON BOROUGH
OF HILLINGDON**

**Planning,
Environment, Education
& Community Services**

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



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