

Professional Plans

Written Representations: Appeal Statement

(Appeal made against the refusal to grant planning permission)

**Under section 78 of the
Town and Country Planning Act 1990 (as amended)**

APPELLANT:	Mr Manjit Rai
LOCATION:	273 Balmoral Drive Hayes UB4 8DH
PROPOSAL:	Construction of a two-storey side extension, first-floor rear wraparound extension, and conversion of roof space to habitable use to include construction of a rear dormer and installation of roof lights to the front roof slope and one side-facing window.
LPA REFERENCE:	51060/APP/2024/2210
PLANNING REFUSAL DATE:	10th October 2024

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1.0 INTRODUCTION

1.1 This appeal statement has been prepared on behalf of Mr Mani Rai to support an appeal under Section 78 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) against the refusal to grant permission for the “Construction of a two-storey side extension, first-floor rear wraparound extension, and conversion of roof space to habitable use to include construction of a rear dormer and installation of roof lights to the front roof slope and one side-facing window” at 273 Balmoral Drive in Hayes.

1.2 The appeal planning application was dated 15th August 2024 and was subsequently refused on 10th October 2024 by the London Borough of Hillingdon, with the decision notice stating just one reason for refusal, as noted below:

The proposed two-storey side/rear extension, by reason of its size, scale, bulk, depth, width, height, proximity to the side boundary, and projection forward of the return building line along Hurstfield Crescent, in this open and prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would, therefore, represent an over-development of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is contrary to Policy BE 1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020).

1.3 The delegated report shows that 11 neighbouring properties were consulted regarding the application by letter dated 22nd August 2024. In addition, an advertisement and site notice detailing the application were placed. However, no local responses were received after the public consultation experienced on 13th September 2024. **It is emphasised that no objections were received from the surrounding neighbours.**

1.4 Considering the council’s sole reason for refusal, the following statement will demonstrate why the council’s decision is considered unsound on this occasion and how the scheme conforms to the aims of national and local planning policy.

2.0 APPEAL PROPERTY AND SITE LOCATION



273 Balmoral Drive, Hayes, UB4 8DH

- 2.1 The appeal property is a two-storey, semi-detached house located on the southern side of Balmoral Drive with Hurstfield Crescent at its junction. The property has rendered elevations and a tiled, hipped roof. It is set back from the adjacent highway to accommodate a front garden laid in hard standing, and it also benefits from a large, private garden to the rear and side. In addition, to the rear is a hardstanding accessed from Hurstfield Crescent that provides one-off street car space, which leads to a standalone outbuilding in the rear garden. The property has previously been enlarged by the erection of a single-storey rear extension. The house is shown in the image above.
- 2.2 The area is predominantly residential, comprising 2-storey semi-detached dwellings of similar styles. The houses on the street have been extended and altered in various ways, giving the street a diverse character and appearance. Almost every house on the street has a roof extension, a single-storey rear extension, and an outbuilding in the garden's rear part.
- 2.3 The appeal site is not listed or locally listed and is not within a designated Conservation Area or an Area of Special Local Character. No trees within the site are subject to a Tree Protection Order (TPO).

- 2.4 In regard to access, the Site has a PTAL score of 1b, although it is within easy walking distance (4 min (0.2 mile) to the nearest bus stop on Lansbury Drive. The Site is identified as falling within Flood Zone 1 (lowest probability of flooding) as identified by the Environment Agency flood map for planning.
- 2.5 Google Earth view shows the site and surroundings below:



Source: Google Earth Pro

3. PLANNING HISTORY

- 3.1. A full search of the London Borough of Hillingdon's website on the planning history for the appeal site has been carried out in preparation for the appeal statement. The search returned the following results:
- 3.2 **Construction of a two-storey side extension, first-floor rear wraparound extension, and conversion of roof space to habitable use to include construction of a rear dormer and installation of roof lights to the front roof slope and one side-facing window.** (subject to this appeal)
273 BALMORAL DRIVE HAYES
Ref. No: 51060/APP/2024/2210 | Received: 15-08-2024 | Status: Application Refusal
- 3.3 **Single storey detached outbuilding to rear for use as a games room and store (Retrospective).**
273 BALMORAL DRIVE HAYES
Ref. No: 51060/APP/2015/2061 | Received: 04-06-2015 | Status: Application Approval

Source: <https://planning.hillingdon.gov.uk/OcellaWeb/planningSearch>

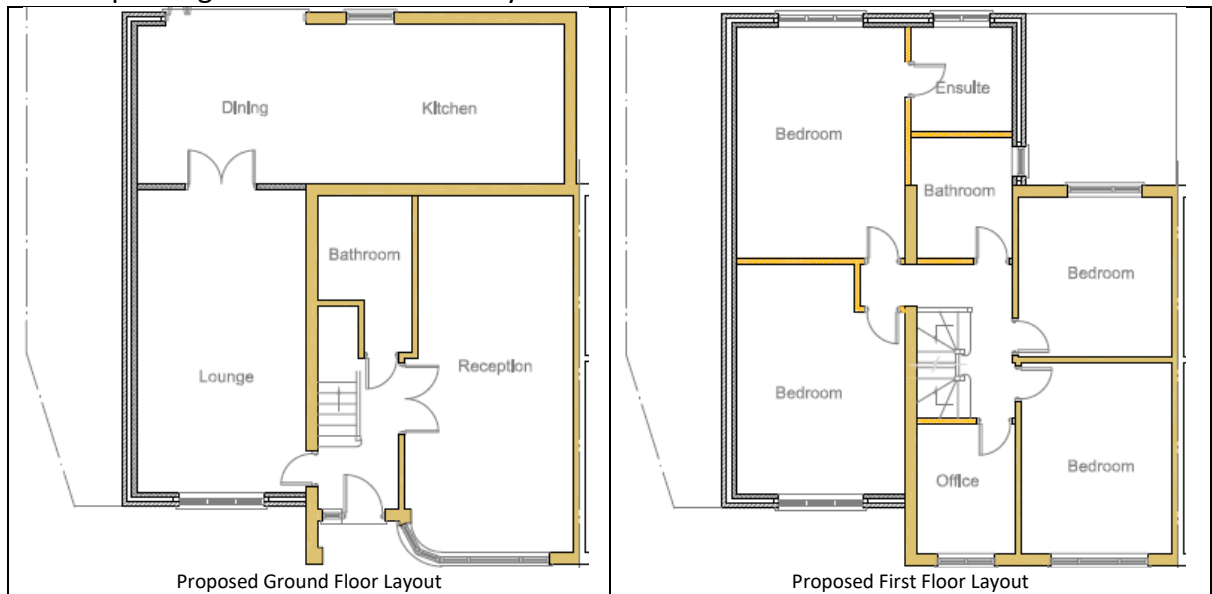
4.0 APPEAL PROPOSAL

- 4.1 The appeal proposal, which was the subject of the planning application reference 51060/APP/2024/2210, seeks permission to enlarge the living accommodation for the “Construction of a two-storey side extension, first-floor rear wraparound extension, and conversion of roof space to habitable use to include construction of a rear dormer and installation of roof lights to the front roof slope and one side-facing window” at 273 Balmoral Drive in Hayes.
- 4.2 The host property has historically been extended by adding a single-storey rear extension.
- 4.3 The proposed two-storey side extension is 3.85m wide and set back by 1.2m from the principal elevation of the existing house. It is set 1m off the side boundary at the front, which increases to 2m at the rear so that it does not appear cramped.
- 4.4 The proposed two-storey rear extension is 3.6m deep at ground and first-floor levels.
- 4.5 The proposed first-floor extension projects from the new side extension and is set well away from the boundary with the attached neighbour at number 275 by 3.2m.
- 4.6 As detailed in the supporting plans, great care and consideration has been given to the proposal's design to ensure the development positively contributes to the street scene, drawing on the architectural features of the existing property. All side windows are also proposed to be obscured to prevent any overlooking into any adjacent properties.
- 4.7 All work would be completed with high-quality materials, including brickwork and roof tiles, that complement the appearance of the existing dwelling and positively reflect the character of the surrounding area.
- 4.8 Overall, the proposed development is considered to be of high quality and positively reflects the character of the surrounding area. The proposal will allow the occupiers to benefit from an improved standard of living.

4.9 Proposed elevations:



4.10 Proposed ground and first floor layouts:



5.0 RELEVANT PLANNING POLICY

5.1 Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (2012), the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2021).

5.2 According to the decision notice, the development fails to comply with policy BE1 of the Strategies Policies, policies DMHB 11 and DMHD 1 of the Development Management Policies.

5.3 Although not referred to within the decision the National Planning Policy Framework is also considered relevant. The following paragraphs will provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

National Planning Policy Framework 2023 (NPPF)

5.4 The National Planning Policy Framework set out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Presumption in Favour of Sustainable Development

5.5 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

Decision-making

5.6 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Achieving well-designed places

5.7 Section 12 of the NPPF refers to design, with paragraph 131 describing how the Government attaches great importance to the design of the built environment, stating that "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

5.8 Paragraph 135 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Hillingdon Local Plan: Part One - Strategic Policies (2012)

- 5.9 This Strategic Policies document forms part of Hillingdon's Local Plan Part 1. Policy BE 1 was referred to within the given reason for refusal.

Policy BE1: Built Environment

- 5.10 Requires that all new development improve the quality of the built environment in order to create successful and sustainable neighbourhoods. Among other things, the policy states that development proposals should be sensitive to local identity, landscapes, townscapes and views, improve areas of poor environmental quality, improve the quality of the public realm, and not result in the inappropriate development of gardens and green spaces that erode the character of suburban areas.

Hillingdon Local Plan: Part Two – Development Management Policies (2020)

- 5.11 This Development Management Policies document forms part of Hillingdon's Local Plan Part 2. Policies DMHB 11 and DMHD 1 were referred to within the given reason for refusal.

Policy DMHB 11: Design of New Development

- 5.12 A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:
- i) harmonising with the local context by taking into account the surrounding:
 - scale of development, considering the height, mass and bulk of adjacent structures;
 - building plot sizes and widths, plot coverage and established street patterns;
 - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
 - architectural composition and quality of detailing;
 - local topography, views both from and to the site; and
 - impact on neighbouring open spaces and their environment.

- ii) ensuring the use of high quality building materials and finishes;
 - iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
 - iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
 - v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Policy DMHD 1: Alterations and Extensions to Residential Dwellings

5.13 Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;
- ii) a satisfactory relationship with adjacent dwellings is achieved;
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;
- iv) new extensions respect the design of the original house and be of matching materials;
- v) there is no unacceptable loss of outlook to neighbouring occupiers;
- vi) adequate garden space is retained;
- vii) adequate off-street parking is retained;
- viii) trees, hedges and other landscaping features are retained

6.0 CASE FOR THE APPELLANT

- 6.1 The council does not refer to the proposed roof extension in either the decision notice or the delegated report, so this element of the proposal is considered to be acceptable in principle. The appellant's case will, therefore address the concerns raised within the reason for refusal, notably:
- 6.2 Whether the proposed two-storey side/rear extension, by reason of its size, scale, bulk, depth, width, height, proximity to the side boundary, and projection forward of the return building line along Hurstfield Crescent, in this open and prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would, therefore, represent an over-development of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area.
- 6.3 The following planning considerations are deemed relevant in the determination of this appeal:
- Background
 - Character and Appearance

Background

- 6.4 The council assessed the development in terms of the design and impact on the character of the existing property, the impact upon the streetscene and locality, the impact upon the amenities of adjoining occupiers, and the reduction in the size of the rear garden and car parking provision.
- 6.5 The delegated report confirms that all matters, except Character and Appearance, are acceptable.
- 6.6 The following statement will, therefore, seek to demonstrate that the council's assessment of Character and Appearance is unwarranted.

Character and Appearance

- 6.7 The site is located in the built-up Ward of Charville, where the principle of development is acceptable.
- 6.8 The Officer's Report contends that the reason for refusal is that the proposal would cumulatively result in an extension that is neither subordinate nor proportionate to the host property. Furthermore, the resulting building would dominate the site and fail to integrate well within the context and the surrounding area and there are no examples of two-storey side/rear extensions of similar scale and size within the locality, statements which are strongly refuted.
- 6.9 The scale, bulk, and siting of buildings are key determinants in ensuring that the amenities and character of established residential areas are not compromised by new development. The site's main constraints and opportunities have been identified,

particularly its relationship to neighbouring residential properties. The appellant contends that the proposed development has been informed by the criteria set out in the Local Plan. The development recognises the scale, massing, and roof form of surrounding buildings, which is reflected in the design of the resultant building.

- 6.10 The basic principle is to ensure that the resultant building will blend in and complement the prevailing character of the area. The proposal has been carefully designed so that it does not appear overly bulky and does not impact other nearby dwellings in terms of overshadowing and outlook. Taking into account the design of the resultant dwelling, it would integrate acceptably with the variety of properties in the vicinity of the appeal site. Adequate front garden and parking areas have been retained. Generous, private amenity space is maintained for use by the current and future residents within the site.
- 6.11 The streetscene commonly features two-story dwellings with traditional facades, eaves, and pitched roofs. Therefore, the two-storey side/rear extension will align with these common architectural features.
- 6.12 In terms of appearance, the two-storey side/rear extension has been carefully designed so as not to appear overly bulky and visually intrusive to the existing built form. Importantly, the proposal would not appear as an overbearing and visually oppressive structure to the detriment of the amenities of surrounding occupiers.
- 6.13 The proposed two-storey side extension is 3.85m wide and set back by 1.2m from the principal elevation of the existing house. It is set 1m off the side boundary at the front, which increases to 2m at the rear so that it maintains an open space at this corner site and does not appear cramped. Whilst some visual gaps would be eroded, a visual gap ranging from one to two metres would still be retained, compliant with the Local Planning Policy.
- 6.14 The local planning authority's contention that the proposal would represent an overdevelopment of the site is also questionable. The appeal site is situated within a very generous plot and can easily accommodate the proposal while maintaining ample amenity space. While the proposal is not considered Permitted Development, PD dictates that extensions must not exceed 50% of the total area of and around the original house. Therefore, the proposal is not considered overdevelopment.
- 6.15 The extensions are designed as a continuation of the existing house. They are set well off the side boundary by an average of more than the 1m recommended by policy DMHD 1. Though the extensions are wider than the usual 50% limit, they sit neatly on the site and are proportionate to the existing house. They are not so wide that they appear incongruous. Overall, they make best use of the site without appearing cramped or out of place.
- 6.16 The appellant accepts that the extension will alter the visual appearance of the property. However, the additions will result in a visual improvement and bring the property in line with development in the local area. There are examples of two-storey

side extensions of similar scale and size just a few doors away at 289 Balmoral and within the locality, as shown below:

289 Balmoral Drive



14 & 12 Balmoral Drive



307 Balmoral Drive



72 Park Lane (off Balmoral Drive)



329 & 331 Kingshill Avenue, UB4 8BS



126 Raynton Drive, UB4 8BG



1 Raynton Close, UB4 8BJ



15 Raynton Drive, UB4 8BE



6.17 Similar developments with first-floor side extensions on corner plots have been approved in the surrounding area. These are included below; full details are attached as appendices to this appeal.

Reference	Location	Proposal	Received	Status	Appendix
78995/APP/2024/2632	55 HILLINGDON ROAD UXBRIDGE UB10 0AE	Erection of a front porch, a two-storey side extension and a single storey rear extension. Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights (amended description)	02/10/2024	Approval	1
44081/APP/2024/2479	24 LEAMINGTON PLACE HAYES	Construction of a single-storey rear extension and a two-storey side extension.	16/09/2024	Approval	2
8184/APP/2024/1005	15 RAYNTON DRIVE HAYES	Erection of first floor side and rear extension, and front porch.	18/04/2024	Approval	3
30660/APP/2022/2951	49 PINE GARDENS RUISLIP	Two-storey side extension (following demolition of ground side addition and removal of chimney) and removal of front porch.	26/09/2022	Approval	4
8499/APP/2022/2610	63 VICTORIA AVENUE HILLINGDON	Part single; part two-storey side/rear extension (following removal of rear extensions); hip to gable end extension; rear dormer roof extension; pitched roof to existing flat roof two-storey side extension and front rooflights to create two separate residential dwellings; removal of rear outbuildings; sub-division of the site; private amenity spaces; hard and soft landscaping; boundary treatment; retention of rear garage; car parking and cycle/refuse storages.	17/08/2022	Approval	5
25740/APP/2022/1772	179 BERWICK AVENUE HAYES	Part single; part two-storey side extension (following demolition of detached garage); front porch extension; first floor rear window and removal of ground floor rear windows with door.	31/05/2022	Approval	6
21644/APP/2012/2424	51 LANSBURY DRIVE HAYES	Part two storey, part single storey rear extension and first floor side extension	05/10/2012	Approval	7

7.0 CONCLUSIONS

- 7.1 The appeal site is not within a conservation area and does not comprise a locally listed building. Therefore, the dwelling, street scene, and wider area are not so sensitive that they could not accommodate the changes proposed, which the appellant considers would be easily assimilated within the locality without compromising its character.
- 7.2 The appeal site is situated within a generous plot. Accordingly, the proposal does not result in overdevelopment, as the site can easily accommodate it while leaving ample private amenity space.
- 7.3 The proposed two-storey side/rear extension would retain the rhythm of development in the street and replicate the existing materials, design features, and architectural style predominant in the area. As a result, when viewed from neighbouring properties, the development would preserve the visual amenities of the locality and respond positively to the local context.
- 7.4 The precedent has already been set in the streetscene and detailed in the attached appendices of other two-storey side/rear extensions. Accordingly, the development will not cause harm to the character and identity of the area.
- 7.5 The extension would create much-needed family living space to simultaneously address the needs of the owner's parents and their children.
- 7.6 Accordingly, the proposal, by virtue of its design and scale, would represent an acceptable and proportionate form of development that would harmonise with the architectural composition of the existing dwelling while also respecting local building forms and the scale, massing, and height of the surrounding physical context.
- 7.7 Thus, after reviewing the proposed development against national and local policy criteria, it is clear that the proposal represents an appropriate form of development.
- 7.9 The proposal would increase land use efficiency without any detrimental impact on the local built environment or neighbouring amenities. There is also a clear precedent for this type of development within the immediate vicinity of the proposed development.
- 7.10 Consequently, we respectfully request that this proposal be granted planning permission with any reasonable and appropriate planning conditions deemed necessary in the circumstances of this case.

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

- | | | |
|----|---|--------------------------|
| 1. | No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. | Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. | There is no Committee resolution for the enforcement action | ☐ |
| 4. | There is no effect on listed buildings or their settings | ☐ |
| 5. | The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | | |
|----|---|--------------------------|
| 6. | Application is contrary to relevant planning policies/standards | ☐ |
| 7. | No petition of 20 or more signatures has been received | ☐ |
| 8. | Application has not been supported independently by a person/s | ☐ |
| 9. | The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | | |
|-----|--|--------------------------|
| 10. | Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. | Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | | |
|-----|---|--------------------------|
| 12. | Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses | ☐ |
| 13. | Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. | Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | | |
|-----|---|--------------------------|
| 15. | Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. | Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. | Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | | |
|-----|---|--------------------------|
| 18. | ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. | PRIOR APPROVAL APPLICATION | ☐ |
| 20. | OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. | CIRCULAR 18/84 APPLICATION | ☐ |
| 22. | CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. | APPROVAL OF DETAILS | ☐ |
| 24. | ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval | ☐ |
| 25. | WORKS TO TREES | ☐ |
| 26. | OTHER (please specify) | ☐ |

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No.	Report of the Head of Development Management and Building Control		
Address:	55 HILLINGDON ROAD UXBRIDGE		
Development:	Erection of a front porch, a two-storey side extension and a single storey rear extension. Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights (amended description)		
LBH Ref Nos:	78995/APP/2024/2632		
Drawing Nos:	2024/128 -09HH 2024/128 -01 2024/128 -02 2024/128 -03 2024/128 -04HH Rev A 2024/128 -05HH Rev A 2024/128 -06HH Rev A 2024/128 -07HH Rev A 2024/128 -08HH Rev A		
Date Plans received:	02-10-24	Date(s) of Amendments(s):	15-11-24
Date Application valid	02-10-24		15-11-24
			15-11-24
			15-11-24
			15-11-24

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey end of terraced dwelling located on the western side of Hillingdon Road, Uxbridge. To the front of the site is an area of hardstanding and to the rear is an enclosed garden which acts as private amenity space.

The surrounding area is residential in character mainly comprising two storey semi-detached and terraced properties.

1.2 Proposed Scheme

Planning permission is sought for the erection of a two storey side extension and a single storey rear extension. Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights.

1.3 Relevant Planning History

78995/APP/2024/2265

55 HILLINGDON ROAD UXBRIDGE

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height would be 3.40 metres, and for which the height of the eaves would be 3.00 metres

Decision: 30-09-2024

Prior Approval N/Req

Comment on Planning History

The planning history for the site is listed above.

The site has an extant permission under application 78995/APP/2024/2265 dated 30-09-24 for the 'Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.00 metres, for which the maximum height would be 3.40 metres, and for which the height of the eaves would be 3.00 metres'

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

35 neighbouring properties and The Mall Pavilions have been consulted on the application by letter dated 14-10-24. During the process of the application revised drawings were sought, as such the neighbouring properties were re-consulted. The consultation period expired 27-11-24. No representations have been received.

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

DMHB 18 Private Outdoor Amenity Space

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

NPPF11 -23 NPPF11 23 - Making effective use of land

NPPF12 -23 NPPF12 23 - Achieving well-designed and beautiful places

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers and the reduction in size of the rear garden and car parking provision.

Character and Appearance:

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to front extensions, Policy DMHD 1 states:

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii) notwithstanding the above, at least 25% of the front garden must be retained.

With regards to rear extensions, Policy DMHD 1 states that:

- i) 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;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;

With regard to side extensions, Policy DMHD 1 states that:

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
- iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- vii) in Conservation Areas, single storey side extensions may be required to be set back.

With regard to roof extensions, policy DMHD 1 states that:

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

The proposed development involves the erection of a front porch, double storey side extension, single storey rear extension and a rear facing dormer with front facing rooflights.

The proposed front porch would measure 1.1m in depth, 2m in width and 3.4m in height characterised with a pitched roof. It would not project past the existing front gable feature and would read as a subordinate addition to the dwelling. It would not cause harm to the character and appearance of the street scene.

The proposed rear extension would measure 4m in depth, 9m in width and 3m in height characterised with a flat roof and roof lantern. It would connect to the proposed side extension forming a wrap around of the building. Although over the prescribed depth within Policy DMHD 1 it is important to note there is an extant prior approval permission for a 4m deep extension approved under reference 78995/APP/2024/2265 and as such the depth is considered acceptable.

The proposed double storey side extension has been revised in design during the process of the application. It would now measure 1.9m in width, 10.3m in depth at ground floor level, 6.3m in depth at first floor level, be set in from the side boundary by 1m and set down from the main ridge characterised with a pitched roof. It would include a lower eaves height than the existing property. Given its set down and set in from the side boundary and modest width it would appear subordinate to the main dwelling and would not harm the character and appearance of the street scene or existing row of terraced properties.

The proposed dormer extension would be sited on the rear roof slope and would measure 3.2m in width, 2.4m in height characterised with a flat roof and 2.5m in depth. It would be set down from the main ridge, set up from the eaves and set in from the side margins. It would not measure more than two thirds of the original roof and given its siting to the rear it would not be visible from the street scene. The proposed rooflights would be positioned on the front roofslope, they would not protrude more than 150mm and would appear subordinate to the property. Overall the proposed roof works would not cause harm to the character and appearance of the street scene or existing property.

Overall, the proposed development as a whole complies with the overarching aims and objectives of Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Impact on Neighbouring Amenity:

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to dwelling alterations and extensions will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers. It further states that two-storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first-floor habitable room window of adjacent properties and should not contain windows or other openings that overlook other houses at a distance of fewer than 21 metres.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Given the location of the front porch away from neighbouring properties there would be no harmful impact. The proposed rooflights would provide upwards views and would not create any harmful overlooking or loss of privacy.

Number 56 Hillingdon Road is located north of the application site and forms part of the row of terraced properties. The proposed side extension would not be visible to this neighbour and therefore would have no impact. It is considered that the proposed 4m deep rear extension would cause some loss of light and overshadowing, however this has been approved under the prior approval application reference 78995/APP/2024/2265 and as such is considered acceptable on balance.

Number 54 Hillingdon Road is located south of the application site and is separated from the host. Given the orientation and separation distance of the two properties the proposed double storey side extension would be positioned approx. 4.9m away from this neighbour. There would be one ground floor window which would face this neighbour, however, this would serve a shower room and as such can be conditioned to be obscurely glazed and non-opening to prevent overlooking. The proposed extension would not project into the 45 degree line of sight from the closest neighbouring habitable room window and as such there would be no harmful loss of light or overshadowing. The proposed rear extension would be sited along the shared boundary with this neighbour given the angle of the plot, however at a modest height of 3m it is not considered this would be overbearing to this neighbour.

The rear dormer would not create any harmful overlooking or loss of privacy to neighbouring properties. It would include a rear facing window which would provide a similar outlook as the existing rear facing windows.

The proposal complies with Policies DMHD 1 and DMHB 11 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020).

Outdoor Amenity Space:

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that, vi) adequate garden space is retained, while Policy DMHB 18 states that developers should provide amenity space per Table 5.3 of the local plan. Table 5.3 requires developments to include between 20 and 100 sq. m. of private outdoor amenity space, depending on the number of bedrooms within the property and whether it is a house or a flat. It should be well-located, well-designed, and usable for the private enjoyment of the occupier.

Approx. 141sqm of private outdoor amenity space would be retained within the rear garden of the property. As such, the proposed development would comply with Policy DMHB 18 of the Hillingdon Council's Local Plan Part Two Development Management Policies (2020).

Car Parking and Highways:

Policies DMT 1 and DMT 2 of Hillingdon Council's Local Plan: Part 2 - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows, and conditions of general highway or pedestrian safety. Policy DMT 6 requires that proposals comply with the Council's parking standards to facilitate sustainable development and address issues relating to congestion and amenity.

The car parking provision would remain unaffected by the proposal in compliance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Council's Local Plan: Part 2 - Development Management Policies (2020).

Conclusion:

The application is recommended for approval, subject to conditions.

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:

2024/128 -04HH Rev A
2024/128 -05HH Rev A
2024/128 -06HH Rev A
2024/128 -07HH Rev A
2024/128 -08HH Rev A
2024/128 -09HH

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 or roof slopes of the development hereby approved facing numbers 54 and 56 Hillingdon Road.

REASON

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

5. HO6 Obscure Glazing

The window facing number 54 Hillingdon Road 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 DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

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 policy DMHB 11 of the

INFORMATIVES

1. 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 for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.
2. 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

3. 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.

4. 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 Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

5. 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).

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 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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 18	Private Outdoor Amenity Space
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
NPPF11 -23	NPPF11 23 - Making effective use of land

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. 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 - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
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.
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:

Rhian Thomas

Telephone No:

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: 24 LEAMINGTON PLACE HAYES

Development: Construction of a single-storey rear extension and a two-storey side extension.

LBH Ref Nos: 44081/APP/2024/2479

Drawing Nos: UK24017-TD-A-001
 UK24017-TD-A-101
 UK24017-TD-A-201
 UK24017-TD-A-202
 UK24017-TD-A-103
 UK24017-TD-A-102
 UK24017-TD-A-203
 UK24017-TD-A-204

Date Plans received: 16-09-24 **Date(s) of Amendments(s):**

Date Application valid 25-09-24

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises a two-storey semi-detached house located on a prominent corner plot at the corner of Leamington Place with Fairholme Crescent in Hayes. The property has a detached garage on the side. The rear garden tapers towards the rear boundary, given its corner plot siting. The property is attached to 71 Fairholme Crescent, which is not extended to the side or rear.

1.2 Proposed Scheme

The application seeks planning permission to construct a single-storey rear extension and a two-storey side extension.

1.3 Relevant Planning History

44081/APP/2024/724 24 LEAMINGTON PLACE HAYES
 Erection of a two storey rear and side extension.
Decision: 18-04-2024 Withdrawn

Comment on Planning History

A recent application for larger extensions to this property was recently withdrawn following concerns raised in terms of scale and roof design.

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

3 neighbouring properties were consulted by letter dated 07.10.24.

Consultation expired on 28-10-24.

1 letter of objection has been received raising concerns about the single-storey rear extension which claims the development would block out evening sunlight. The letter confirms no objection to the proposed side extension.

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

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality, the impact upon the amenities of adjoining occupiers, and the reduction in the size of the rear garden and car parking provision.

Character and Appearance:

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions Policy DMHD1 requires:

- i) 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;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

With regard to side extensions Policy DMHD1 requires:

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards; iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;

vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
vii) in Conservation Areas, single storey side extensions may be required to be set back.

The proposed extension to the side would measure 2.628m in width and would be set back from the front elevation of the host dwelling, maintaining a minimum gap of 1m from the side boundary in compliance with the requirements of Policy DMHD 1. Given the corner plot siting, to achieve the 1m separation to the boundary, the side extension would orientate towards 71 Fairholme Crescent but would not project beyond the rear wall of the host dwelling at first-floor level. The ground floor extension would project 3m to the rear, wrapping around the rear elevation. The rear extension would be finished with a flat roof measuring 2.85m in height.

Officers consider that the proposed extensions would appear subordinate in scale and would respect the architectural integrity of the semi-detached property. Given its corner plot siting, the loss of the space to the side of the property would, on balance, not appear out of keeping with the area's development pattern. The property opposite, at 23 Leamington Place, shares a similar relationship with the street and has a two-storey side extension. The proposed extension will appear similar to this property.

The proposed extensions would comply with the overarching aims of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHD1 and DMHB 11 of the Hillingdon Local Plan Part Two (2020).

Neighbouring Amenity:

Policy D3 of The London Plan (2021) states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to dwelling alterations and extensions will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers. Policy DMHB 11 seeks to ensure that development proposals do not adversely impact the amenity, daylight, and sunlight of adjacent properties and open space.

Concerns have been raised by an objector that the proposed rear extension would result in an unacceptable loss of light to neighbouring property.

Given the limited projection of 3m and height of 2.85m, the proposed extension would not result in an unacceptable loss of light to or outlook from neighbouring habitable room windows of 71 Fairholme Crescent. Officers also note that this element, if built to the rear of the property without the side extension, could be built as permitted development.

22 Leamington Place does not have windows serving habitable rooms within the flank elevation. Given the degree of separation and the first-floor element not projecting beyond the rear elevation of 22 Leamington Place, the proposal would not result in an undue loss of light, outlook or privacy to the occupants of this property.

The proposal would not cause undue harm to the living conditions of neighbouring occupiers.

The proposal would, therefore, accord with the objectives of Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) in this respect.

Outdoor Amenity Space:

Policy D6 of The London Plan (2021) requires a minimum of five sq. m. of private outdoor space for one- to two-person dwellings and an extra one sq. m. for each additional occupant.

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that, vi) adequate garden space is retained, while Policy DMHB 18 states that developers should provide amenity space in accordance with Table 5.3 of the local plan. Table 5.3 requires developments to provide between 40 and 100 sq. m. of private outdoor amenity space, dependent on the number of bedrooms within the property. It should be well-located, well-designed, and usable for the private enjoyment of the occupier.

The rear garden would retain 52 sq. m. of private amenity space following the redevelopment, which on balance, is considered acceptable.

Highways and Parking:

The parking provision would remain unaffected by the proposal.

Conclusion:

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: UK24017-TD-A-102; UK24017-TD-A-103; UK24017-TD-A-203 and UK24017-TD-A-204.

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. 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 policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

INFORMATIVES

1. 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

2. On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

3. 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.

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 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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design

LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm

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. 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 - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
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.
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
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DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

- | | | |
|----|---|--------------------------|
| 1. | No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. | Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. | There is no Committee resolution for the enforcement action | ☐ |
| 4. | There is no effect on listed buildings or their settings | ☐ |
| 5. | The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | | |
|----|---|--------------------------|
| 6. | Application is contrary to relevant planning policies/standards | ☐ |
| 7. | No petition of 20 or more signatures has been received | ☐ |
| 8. | Application has not been supported independently by a person/s | ☐ |
| 9. | The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | | |
|-----|--|--------------------------|
| 10. | Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. | Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | | |
|-----|---|--------------------------|
| 12. | Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses | ☐ |
| 13. | Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. | Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | | |
|-----|---|--------------------------|
| 15. | Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. | Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. | Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | | |
|-----|---|--------------------------|
| 18. | ADVERTISMENT CONSENT (excluding Hoardings) | ☐ |
| 19. | PRIOR APPROVAL APPLICATION | ☐ |
| 20. | OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. | CIRCULAR 18/84 APPLICATION | ☐ |
| 22. | CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. | APPROVAL OF DETAILS | ☐ |
| 24. | ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval | ☐ |
| 25. | WORKS TO TREES | ☐ |
| 26. | OTHER (please specify) | ☐ |

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: 15 RAYNTON DRIVE HAYES

Development: Erection of first floor side and rear extension, and front porch.

LBH Ref Nos: 8184/APP/2024/1005

Drawing Nos: 15rayntondrive/2024/01
 15rayntondrive/2024/02
 15rayntondrive/2024/03
 15rayntondrive/2024/04
 15rayntondrive/2024/05
 15rayntondrive/2024/06
 15rayntondrive/2024/07
 15rayntondrive/2024/08
 15rayntondrive/2024/09

Date Plans received: 18-04-24

Date(s) of Amendments(s):

Date Application valid 18-04-24

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises a two-storey semi-detached house located on the corner of Raynton Drive and Frogmore Avenue in Hayes. It has been extended to the side and rear by way of single-storey extensions. The front garden is laid to hardstanding. The property benefits from two crossovers, one from Raynton Drive and one from Frogmore Avenue.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a first floor side and rear extension, and front porch.

1.3 Relevant Planning History

8184/APP/2016/591

15 RAYNTON DRIVE HAYES

Single storey rear infill extension, 1 front ramp and 1 rear ramp and alterations to front elevation

Decision: 12-04-2016

Approved

8184/E/78/1545	15 RAYNTON DRIVE HAYES
Householder development - residential extension(P)	
Decision: 24-11-1978	Approved
8184/D/75/0843	15 RAYNTON DRIVE HAYES
Householder development - residential extension(P)	
Decision: 21-10-1975	Approved
8184/C/75/0451	15 RAYNTON DRIVE HAYES
Householder development - residential extension(P)	
Decision: 05-05-1975	Approved

Comment on Planning History

The relevant planning history is 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

7 neighbouring properties were consulted by letter dated 30.4.24.

There was no local response.

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 Polices:

LPP D6	(2021) Housing quality and standards
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHD 1	Alterations and Extensions to Residential Dwellings
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

5. MAIN PLANNING ISSUES

The main considerations are the design and its impact on the character of the existing property, the impact on the streetscene and locality, the impact upon the amenities of adjoining occupiers, the reduction in the size of the rear garden, and the provision of car parking.

Character and Appearance:

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

With regard to rear extensions, Policy DMHD1 requires:

- i) 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;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

With regard to side extensions, Policy DMHD1 requires:

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
- iv) two

storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;

- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- vii) in Conservation Areas, single storey side extensions may be required to be set back.

With regard to front extensions, Policy DMHD1 requires:

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii) notwithstanding the above, at least 25% of the front garden must be retained.

The property occupies a prominent corner plot. The return building line has already been breached by the single-storey side/rear extension. The proposed first-floor extension would be set in 1.6m from the side elevation of the single-storey side extension and 1m from the home's front elevation. It would measure 2.8m wide at the front and be no greater than half the width of the original dwelling. The extension's roof would be set down approximately 0.32m from the main roof's ridge. Officers acknowledge that the first-floor extension would result in a loss of space at the first-floor level on this prominent corner plot. However, given the set in from the site's boundary, sufficient space would be retained to preserve the character of the site and its openness. The proposed first-floor extension would be constructed with materials to match the existing dwelling. Using matching bricks would ensure it respects the local character. The proposed extension would not unacceptably detract from the area's development pattern.

Given its modest scale and considered design, the proposed front porch is also acceptable in terms of character and appearance.

The proposal would comply with the overarching aims of Policy BE1 of Hillingdon Council's Local Plan Part 1 Strategic Policies (2012) and Policies DMHB 11 and DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020).

Impact on Neighbouring Amenity:

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to dwelling alterations and extensions will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers. It further states that two-storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first-floor habitable room window of adjacent properties and should not contain windows or other openings that overlook other houses at a distance of fewer than 21 metres.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The submitted plans confirm that the 45-degree line would not be breached, ensuring a satisfactory

relationship with adjacent dwellings. The proposed extensions would not cause an undue loss of light or harm the outlook or privacy of adjacent dwelling occupants.

The proposal complies with Policies DMHD 1 and DMHB 11 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020).

Outdoor Amenity Space:

Where there are no higher local standards in the borough Development Plan Documents, Policy D6 of The London Plan (2021) requires a minimum of five sq. m. of private outdoor space for one- to two-person dwellings and an extra one sq. m. for each additional occupant. It must achieve a minimum depth and width of 1.5m.

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that, vi) adequate garden space is retained, while Policy DMHB 18 states that developers should provide amenity space per Table 5.3 of the local plan. Table 5.3 requires developments to include between 20 and 100 sq. m. of private outdoor amenity space, depending on the number of bedrooms within the property and whether it is a house or a flat. It should be well-located, well-designed, and usable for the private enjoyment of the occupier.

Following the completion of the proposed development, the garden would retain approximately 130 sq. m. of outdoor amenity space. This provision is acceptable and in accordance with Policies DMHD 1 and DMHB 18 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020).

Car Parking and Highways:

Policies DMT 1 and DMT 2 of Hillingdon Council's Local Plan: Part 2 - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows, and conditions of general highway or pedestrian safety. Policy DMT 6 requires that proposals comply with the Council's parking standards to facilitate sustainable development and address issues relating to congestion and amenity.

The car parking provision would remain unaffected by the proposal.

Conclusion:

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 15rayntondrive/2024/05; 15rayntondrive/2024/06; 15rayntondrive/2024/07 and 15rayntondrive/2024/08.

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 or roof slopes of the development hereby approved facing 17 Raynton Drive.

REASON

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

INFORMATIVES

1. 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

2. 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 for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.
3. 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.

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 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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

LPP D6	(2021) Housing quality and standards
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHD 1	Alterations and Extensions to Residential Dwellings
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

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. 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 - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
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.

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

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Interim Director of Planning, Regeneration & Public Realm can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No.	Report of the Interim Director of Planning, Regeneration & Public Realm		
Address	49 PINE GARDENS RUISLIP		
Development:	Two-storey side extension (following demolition of ground side addition and removal of chimney) and removal of front porch.		
LBH Ref Nos:	30660/APP/2022/2951		
Drawing Nos:	Planning, Design and Access Statement A.05.2 2 A.03.2 1 A.02.1 A.03.2 1 A.01 2		
Date Plans Received:	26/09/2022	Date(s) of Amendment(s):	25/11/2022
Date Application Valid:	26/09/2022		

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey, semi-detached dwelling located on the eastern side of Pine Gardens and junction with Langley Avenue. The dwelling is set back from the road by an area of hard and soft landscaping. The rear of the dwelling is a garden area which acts as the private amenity space for the occupiers of the dwelling. The site features a detached garage fronting Langley Avenue.

The application property is a prominent triangular corner plot and is subsequently angled 45 degrees from Pine Gardens and Langley Avenue. It is attached to No.51 to the west.

The surrounding area is predominantly residential and comprises mainly of two storey semi-detached dwellings. The subject 6 pairs located on the corner (no.21 and 23, 29 and 31, 33 and 35, 45 and 47, 49 and 51 and 73 and 75) are the prominent unit cornered pairs.

The land levels appear to rise from the front (west) to the rear (east) with the Langley Avenue properties sited higher up.

The site is within a critical drainage area. There are no other heritage or policy constraints on site.

1.2 Proposed Scheme

The application seeks householder planning permission for:

- Two-storey side extension (following demolition of ground side addition and removal of chimney)
- Removal of front porch.

Amendments were sought and received on 25/11/2022 to reduce the width of the side extension alongside setting it back from the established front building line by approx. 1.5m. This also resulted in the addition being set down from the main roof. Given the

reduction to the massing and design, public re-consultation was not required.

1.3 Relevant Planning History

13510/APP/2022/2349 45 Pine Gardens Ruislip

Erection of a single storey front and side extension and alteration to existing first floor window opening

Decision Date: 26-10-2022 Approved

30660/A/94/0769 49 Pine Gardens Ruislip

Erection of a replacement garage (Application for a Certificate of Lawfulness for a proposed use or development)

Decision Date: 23-06-1994 GPD

7305/APP/2015/2446 33 Pine Gardens Ruislip

Single storey rear/side infill extension

Decision Date: 25-08-2015 Approved

Comment on Planning History

See below. The history of the subject 6 cornered pairs are listed below.

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

5 neighbouring properties and the Eastcote Residents Association (ERA) were consulted by letter dated 12/10/2022. By the end of the consultation period 02/11/2022 and at the time of the report write up, no comments were received.

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:

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 16 Housing Standards

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 3 Road Safeguarding

LPP D5 (2021) Inclusive design

DMT 5 Pedestrians and Cyclists

LPP T4	(2021) Assessing and mitigating transport impacts
LPP D8	(2021) Public realm
LPP T5	(2021) Cycling
NPPF12	NPPF 2021 - Achieving well-designed places
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
DMHB 18	Private Outdoor Amenity Space
DMEI 9	Management of Flood Risk
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP T6	(2021) Car parking
DMT 6	Vehicle Parking
LPP D6	(2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden, trees and landscaping, flood risk impact and car parking provision.

Character and Appearance:

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regards to front extensions, Policy DMHD 1 states that:

- 1) Alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- 2) Porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and

3) Notwithstanding the above, at least 25% of the front garden must be retained

The removal of the front porch would be acceptable.

With regard to side extensions, Policy DMHD 1 requires:

- 1) side extensions should not exceed half the width of the original property;
- 2) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- 3) garages should reflect the size guidelines set out in Appendix C Parking standards;
- 4) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;
- 5) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- 6) where hip to gable roof extensions exist, a two storey side extension will not be supported; and vii) in Conservation Areas, single storey side extensions may be required to be set back.

The application relates to a two storey, semi-detached dwelling located on the eastern side of Pine Gardens and junction with Langley Avenue. The dwelling is set back from the road by an area of hard and soft landscaping. The rear of the dwelling is a garden area which acts as the private amenity space for the occupiers of the dwelling. The site features a detached garage fronting Langley Avenue.

The application property is a prominent triangular corner plot and is subsequently angled 45 degrees from Pine Gardens and Langley Avenue. It is attached to No.51 to the west.

The proposal would demolish the side utility ground floor extension and construct a two-storey side extension. This would now be approx. 3.8m wide (following amendments on 25/11/2022) which would be more than half the width of the dwelling by approx. 0.3m.

The host plot is prominent and the 'cornered' properties as mentioned above do not negatively step forward of the return building lines of the surrounding properties, in this case Langley Avenue. This is at two-storey level. Following amendments, the extension would now be approx. 1.5m set back from the established front building (more than Policy DMHD1 stipulates) alongside a step down from the ridge of the main roof. At its closest, the side addition would be approx. 3.6m from the 'angled' common boundary with more separation towards the rear. In terms of compliance with Policy DMHD 1 of the Local Plan, on balance, the massing would be proportionate and would fit the criteria of the policy. However, the plot is prominent and the addition would slightly step beyond the return building line of Langley Avenue. This has the potential to disrupt the built form and result in the staggering of the established building line. However, given the various set backs and width the openness of the corner has been successfully preserved, on balance. The addition would be wider than half the width of the dwelling but the plot provides this opportunity especially given the retained separation to the common boundary.

The proposed addition would not appear overly dominant, bulky, visually intrusive or incongruous.

The surrounding area is predominantly residential and comprises mainly of two storey semi-detached dwellings. The subject 6 pairs located on the corner (no.21 and 23, 29 and 31, 33 and 35, 45 and 47, 49 and 51 and 73 and 75) are the prominent cornered pairs.

None of these prominent dwellings have been expanded in this manner. The characteristic open nature on balance would be retained and the proportionate and well designed extension would not impact the appearance of the area and subject uniform properties.

The materials and fenestration would reflect the existing dwelling which is positive. This is important and a compliance condition will be attached. The side ground floor opening would to some degree be large and intrusive. However, given Langley Avenue highway rises and separation to the common boundary alongside existing soft landscaping, the impact would not be detrimental.

Removal of the chimney would be acceptable.

As such, it is considered that the design and massing of the proposal, would on balance, comply with the requirements of Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Neighbouring Amenity Impact:

The host dwelling adjoins no.51 (south) Pine Gardens which is the attached semi-detached two-storey neighbour. Adjacent to the dwelling (east) is no. 3 Langley Avenue which is a semi-detached two-storey dwelling - the two properties are separated by a service passage which provides secondary access points to the surrounding properties.

The two-storey side extension would not wrap around to the rear and therefore the host dwelling would not become any deeper. As such, the proposed extension would not be of detriment to the amenities of no.51 as it would not be directly visible/harmful to these occupiers given the side nature.

With regards to no.3, the property is angled away at approx. 45 degrees as it forms part of Langley Avenue. The proposed extension would run in line with the existing dwelling and would be sited in excess of 10m (building to building) from no.3 (noting the service passage in between). There appears to be some side facing windows at first floor level to no.3 although they appear secondary/non-habitable. Regardless, the orientation of the two dwelling and separation distance will ensure the impact to these occupiers is not detrimental.

The rear facing window at first floor level is to be used for an en-suite. A compliance condition will be attached to ensure the obscuring of the window to prevent overlooking.

A ground floor side bathroom window is proposed right on the boundary. Had the scheme been considered acceptable, this would have been requested to be removed.

The material changes and removal of front porch would raise no concerns.

As such, the proposal, would not be of detriment to the nearby occupiers in terms of overdominance, visual impact, overbearing impact, outlook and loss of daylight/sunlight. Therefore, the proposal would comply with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Standards of Accommodation:

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.

Sufficient private amenity space would be retained as the side area can be considered private with the high boundary treatment and landscaping.

Highways and Parking:

No concerns would be raised.

Flood Risk Impact:

The site is within a critical drainage area. A compliance water butt informative will be attached to ensure flood risk management.

Trees, Ecology and Landscaping:

No concerns would be raised.

Conclusion:

The proposal would on balance be acceptable subject to conditions.

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 Drawing Nos.

A.01 2 and A.03.2 1 received 25/11/2022.

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 or roof slopes of the development hereby approved.

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).

INFORMATIVES

1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

2 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.

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 - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHD 1	Alterations and Extensions to Residential Dwellings
DMHB 16	Housing Standards
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
LPP D5	(2021) Inclusive design
DMT 5	Pedestrians and Cyclists
LPP T4	(2021) Assessing and mitigating transport impacts
LPP D8	(2021) Public realm
LPP T5	(2021) Cycling
NPPF12	NPPF 2021 - Achieving well-designed places
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
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LPP T6	(2021) Car parking
DMT 6	Vehicle Parking
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 - Residents Services, Building Control
3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 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 Services
Reception Desk, 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: -
- of
- 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 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.
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- 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: Jimill Patel

Telephone No: 01895 250230

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Interim Director of Planning, Regeneration & Public Realm can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Interim Director of Planning, Regeneration & Public Realm**

Address 63 VICTORIA AVENUE HILLINGDON

Development: Part single; part two-storey side/rear extension (following removal of rear extensions); hip to gable end extension; rear dormer roof extension; pitched roof to existing flat roof two-storey side extension and front rooflights to create two separate residential dwellings; removal of rear outbuildings; sub-division of the site; private amenity spaces; hard and soft landscaping; boundary treatment; retention of rear garage; car parking and cycle/refuse storages.

LBH Ref Nos: **8499/APP/2022/2610**

Drawing Nos: 22/039_S0
 22/039_S1
 22/039_S2
 22/039_S3
 22/039_S4
 22/039_P3 - Proposed Roof Plan
 22/039_P0
 22/039_P1
 22/039_P2
 22/039_P3 - Proposed Loft Floor Plan
 Design and Access Statement by EA Architecture Revision A
 22/039_P4

Date Plans received : 17/08/2022

Date(s) of Amendment(s):

Date Application Valid: 17/08/2022

1. SUMMARY

The application site comprises an end of terrace of two-storey dwelling at the intersection of Victoria Avenue and Ryefield Avenue. The dwelling benefits from a historic flat roof two-storey side extension and has a rear garage addition. The main area of parking is to the front - hardsurfaced frontage along Victoria Avenue but there is secondary vehicular access to the rear along Ryefield Avenue.

The subject corner plots of no.63 and 65 Victoria Avenue and 4 and 9 Ryefield Avenue have larger plots. The four properties are different in style with no.65 also having a large two-storey flat roof side extension. The properties tend to be uniform in their form, proportion and appearance in rows and clusters.

The proposal seeks extensions and sub-division to form two dwellings within the plot.

Whilst the site would be larger, the proposed works would be an improvement to the site whilst providing two separate residential units. No concerns would be raised in regards to highways impact or neighbouring amenity impact.

The previous refusal reasons (8499/APP/2020/2967), which were upheld at appeal, on standards of accommodations grounds are considered to be addressed. The current proposal is materially different in terms of external works and type of units provided.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

22/039_P4 received 17/08/2022.

22/039_P0, 22/039_P1, 22/039_P2, 22/039_P3 - Proposed Loft Floor Plan, 22/039_P3 - Proposed Roof Plan received 13/10/2022.

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), 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 RES9 Landscaping (car parking & refuse/cycle storage)

Prior to above ground works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 1.d Outbuildings to be removed from the rear garden.

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments across the site including noise protection screening/fencing to the side fencing
- 2.d Hard Surfacing Materials
- 2.e External Lighting (if any)
- 2.f Electrical Vehicle Charging Points (1 active and 1 passive) including location and

specification

2.g Visibility Splays within the site at the egress point

2.h Manoeuvring plans from each bay using a 4.8m x 2.4m sized vehicle

2.i Removal of hardstanding and existing outbuildings.

3. Schedule for Implementation

3.a Landscape Maintenance Schedule for a minimum period of 5 years

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON: To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policy D6 of the London Plan and Policies DMHB 11, DMHB 12, DMHB 14, DMHB 18 DMEI 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

5 NONSC Non Standard Condition

The dwelling hereby approved must be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure high quality and accessible housing in accordance with Policy DMHB 16 of the Hillingdon Local Plan Part 2 (2020).

6 NONSC Non Standard Condition

No development shall commence until a Construction Management/Logistics Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall detail:

(1) The phasing of development works

(2) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).

(3) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.

(4) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

(5) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(6) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(7) The storage of demolition/construction materials on site.

This must demonstrate compliance with the Mayor of London's 'The Control of Dust and Emissions from Construction and Demolition' Supplementary Planning Guidance (or any successor document).

The approved details shall be implemented and maintained throughout the duration of the construction process.

REASON: To protect the amenities of local residents, in compliance with Policies DMHB 11, DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7 NONSC Non Standard Condition

The existing rear outbuildings, shown to be removed on the approved plans, shall be removed in their entirety prior to first occupation of the development approved. All resultant debris shall be removed from the site and the development shall accord with the approved landscaping scheme secured by Condition 4.

REASON

To accord with the terms of this planning permission, prevent overdevelopment of the site and to safeguard the amenities of future occupiers in accordance with Policy D6 of the London Plan and DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

8 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).

INFORMATIVES

1 I52 Compulsory Informative (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 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16th January 2020.

3 I5 Party Walls

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 ODP, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

4 I6 Property Rights/Rights of Light

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.

5 I15 Control of Environmental Nuisance from Construction Work

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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

6 I47 Damage to Verge - For Council Roads:

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 or 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.

7

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

8 I73 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure

Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingsdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an end of terrace of two-store dwelling at the intersection of Victoria Avenue and Ryefield Avenue. The dwelling benefits from a historic flat roof two-storey side extension and has a rear garage addition. The main area of parking is to the front - hardsurfaced frontage along Victoria Avenue but there is secondary vehicular access to the rear along Ryefield Avenue.

The subject corner plots of no.63 and 65 Victoria Avenue and 4 and 9 Ryefield Avenue have larger plots. The four properties are different in style with no.65 also having a large two-storey flat roof side extension. The properties tend to be uniform in their form, proportion and appearance in rows and clusters.

The land levels appear relatively flat.

The site is within a critical drainage area. There are no policy or heritage constraints on site.

3.2 Proposed Scheme

The application seeks full planning permission for:

- Removal of rear conservatory towards the side of no.61 alongside single storey part rear extension and first floor rear balcony;
- Removal of rear outbuildings;
- Part single; part two-storey rear extension;
- Hip to gable end extension to host dwelling with new pitched roof over existing flat roof two-storey side extension;
- Rear dormer roof extension to the main dwelling;
- Two front rooflights;
- Part regularisation and use of the site as two dwellings (1x3 bed and 1x2 bed);
- Replacement and new (re-located) ground floor side windows facing the highway

- Sub-division of the site;
- Hard and soft landscaping;
- Boundary treatment;
- Refuse storages and cycle storage;
- Use of the existing crosser for parking of 2 spaces on site.

Amendments were sought and received on 13/10/2020 to demolish the rear outbuilding and remove the rear parking space. This has amended the rear layout which now provides a less congested garden space including more amenity space.

3.3 Relevant Planning History

8499/APP/2012/2037 63 Victoria Avenue Hillingdon

Conversion of roof space to habitable use to include a pitched roof to side extension, a rear dormer and 2 front rooflights

Decision: 11-10-2012 Refused

8499/APP/2012/2593 63 Victoria Avenue Hillingdon

Conversion of roof space to habitable use to include a pitched roof to side extension, a rear dormer and 2 front rooflights

Decision: 20-12-2012 Refused

8499/APP/2013/660 63 Victoria Avenue Hillingdon

Conversion of roof space to habitable use to include a pitched roof to side extension, a rear dormer and 2 front rooflights

Decision: 07-05-2013 Approved

8499/APP/2020/2967 63 Victoria Avenue Hillingdon

Conversion of single dwelling to 1 x 3-bed dwelling and 1 x 1-bed dwelling involving internal alterations.

Decision: 23-11-2020 Refused

Appeal: 10-11-2021 Dismissed

Comment on Planning History

8499/APP/2020/2967 - Conversion of single dwelling to 1 x 3-bed dwelling and 1 x 1-bed dwelling involving internal alterations - Refused 23/11/2020 for the following reasons:

1. The proposed development would provide an indoor living area of an unsatisfactory quality for the future occupiers of the proposed residential unit contained within the existing two storey side extension and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal therefore conflicts with paragraph 127 of the National Planning Policy Framework (2019), Policy 3.5 and Table 3.3 of the London Plan (2016) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

2. The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality for the occupants of the development would result in an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal therefore conflicts with paragraph 127 of the National Planning Policy Framework (2019), Policy 3.5 of the London Plan (2016) and Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Appeal dismissed 10/11/2021. The Inspector agreed with both reasons although considered that on site there were more rear outbuildings than shown on the submitted

plans. It was concluded to be difficult to fully assess although the Inspector agreed to conclude with dismissing the appeal on both the above reasons.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

5 neighbouring properties and the Oak Farm Residents Association (OFRA) were consulted by letter dated 24/08/2022. By the end of the consultation period of 15/09/2022 and at the time of the report write up, no comments were received.

Planning Specialist/Access Officer - No Objection

Highways Officer - No Objection

6. 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:

DMH 2 Housing Mix

DMEI 14 Air Quality

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

LPP D5 (2021) Inclusive design

DMT 3 Road Safeguarding

DMT 1 Managing Transport Impacts

DMT 5 Pedestrians and Cyclists

DMT 2 Highways Impacts

LPP T4 (2021) Assessing and mitigating transport impacts

DMT 6 Vehicle Parking

DMEI 9 Management of Flood Risk

LPP T6.1 (2021) Residential parking

LPP D1 (2021) London's form, character and capacity for growth

LPP T7 (2021) Deliveries, servicing and construction

LPP D12 (2021) Fire safety

DMH 4 Residential Conversions and Redevelopment

DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 19	Play Space
DMT 4	Public Transport
LPP H10	(2021) Housing size mix
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF9	NPPF 2021 - Promoting sustainable transport
LPP G5	(2021) Urban greening
LPP G7	(2021) Trees and woodlands
LPP H2	(2021) Small sites
NPPF11	NPPF 2021 - Making effective use of land
LLP D1	(2021) London's form character and capacity for growth
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF2	NPPF 2021 - Achieving sustainable development
LPP D3	(2021) Optimising site capacity through the design-led approach
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP H1	(2021) Increasing housing supply
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking

In addition: Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 of the Hillingdon Local Plan: Part Two states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded. Furthermore the policy stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The host dwelling adjoins no.61 Victoria Avenue (north) which is a mid terrace two-storey dwelling. To the rear is no.11 Ryefield Avenue (east) which is an end of terrace two-storey dwelling. The surrounding properties on the corner comprise of no.65 Victoria Avenue (south) which is an end of terrace two-storey dwelling and no.4 and 9 Ryefield Avenue (west) of which are end of terrace two-storey dwellings.

With regards to no.61, the proposed ground floor rear extension would be approx. 3m deeper than the rear additions at no.61 to which the proposed rear conservatory is actually situated deeper. The first floor rear extension element would be approx. 5.9m from the common boundary. The extensions would not be detrimental to this neighbouring occupiers.

In terms of no.11, it is noted that there are no side facing habitable windows. The ground floor rear extension would be approx. 10m from the common 'side' boundary with the first floor rear element approx. 12m away, although sited more in the direction of the forecourt of no.11. Given the separation distances, the proposed extensions would not be of detriment.

In terms of the proposed rear dormer, whilst a new view would be create in the view of the immediate neighbouring gardens, this would reflect a mutual level of overlooking and as such not worthy of refusal.

The rear patio area would be less than 0.3m in height with the sub-division not considered to cause undue noise and disturbance.

No concerns would be raised to other nearby occupiers.

A condition will be attached to ensure the rear outbuilding is demolished.

As such, the proposed works to form two dwellings on site would not be detrimental to nearby occupiers. Therefore, the proposal would comply with Policies D1, D3, D4 and H2 of the London Plan (2021), Policies BE1 and H1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMH 6, DMBH 11, DMHB 12, DMHB 14, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Section 12 of the National Planning Policy Framework (2021).

7.2 Impact on Street Scene

The NPPF (2021) notes the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Policy D1 of the London Plan states that design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and

accessibility of the neighbourhood.

Policy D4 of the London Plan states developments should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

The starting point is realising and understanding the site constraints and then appropriately arranging the site layout. It is important when arranging the site layout that the buildings and associated arrangements are proportionately integrated and well considered. In this case, the starting point is realising whether an additional dwelling can be accommodated following the proposed rear extensions and sub-divisions and ensuring, importantly, that the quality of accommodation is satisfactory in order to assess the previous refusal reasons (8499/APP/2020/2967) and those points raised by the Planning Inspector). Officers previously confirmed that a sub-division would be acceptable despite the previous scheme being submitted with basic information.

The submitted application drawings propose rear extensions including roof expansion to the host dwelling to allow the site to be used as two separate residential units.

Breaking the proposal down, the hip to gable end transformation, whilst large would be an overall visual improvement as it would then allow the existing dominating flat roof two-storey side extension to have a pitched roof added on which would improve the overall appearance of the site and context of the prominent siting. Flat roof two-storey extension do often (as evident) give off bulky, incongruous and boxy viewpoints to which the proposal would improve on.

A relatively large rear dormer would be added to the rear of the host dwelling and whilst large, it would be sufficiently set in from the side common boundaries alongside ridge and eaves of the existing roof. It would be classed as a proportionate addition of which would integrate within the terrace row. Other properties, whilst largely constructed under permitted development benefit from rear dormers of similar sizes (some larger). The front two rooflights would be acceptable.

The dwelling has a disjointed rear elevation in that there is a part conservatory, part solid extension of differing size and materiality. There is also a first floor rear balcony/terrace with railing. Combined with the flat roof side extension, the visual set up and massing of the current dwelling is confused, disjointed and cluttered. Whilst the dwelling would be come larger, notably to the rear, a part single; part two-storey rear extension is proposed

of which would replace this disjointed image with a more uniform and cohesive addition. This would be an improvement with the overall rearward projection being less than existing, although being wider. The proposed extensions would be proportionate to the main dwelling and would respect the terrace row and improve the visual image from the streetscene, despite the site becoming larger.

The ground floor side windows would be altered (replacement and re-location) which would be acceptable.

In terms of site layout, the frontage along Victoria Avenue is hardsurfaced with a wide crossover. This arrangement would be retained and so would the access from Ryefield Avenue. Cycle and refuse storages would be within the gardens and close to the Ryefield Avenue highway which is appropriate.

The rear of the site, following amendments on 13/10/2022, would demolish the rear garage and 'evenly' sub-divide the rear parcel to form private amenity and cycle/refuse storage which would be acceptable.

A compliance hard/soft landscaping condition will be attached seeking details.

As such, the proposal, would be an improvement to the overall site and the intensification would on balance be acceptable on design terms. Therefore, the proposal would comply with Policies D1, D3, D4 and H2 of the London Plan (2021), Policies BE1 and H1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMH 6, DMBH 11, DMHB 12, DMHB 14, DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Section 12 of the National Planning Policy Framework (2021).

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2 (Highways Impacts) states development proposals must ensure that:

- 1) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- 2) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- 3) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- 4) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- 5) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6 (Vehicle Parking) states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

- 1) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- 2) a transport appraisal and travel plan has been approved and parking provision is in

accordance with its recommendations.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

Parking along Fairdale Gardens is controlled by parking management scheme HY1 which restricts the parking to permit holders only between 09:00 and 17:00. The proposal site has a PTAL rating of 4 indicating that its access to public transport is good suggesting that some trips can be made to and from the site by other modes other than a private car.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Car Parking -

The published London Plan 2021 Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards. For a two-bedroom dwelling in an area ranked PTAL 2, the London Plan standard is a maximum of 1-1.5 spaces for 2-3 bed dwellings.

Each of the units would have one parking space within the frontage following amendments to remove the rear parking space to allow sufficient private amenity. This would be acceptable.

Vehicular Crossover -

Officers note the existing crossover would be used which is acceptable.

Electric Vehicle Charging Point (EVCP) Provision -

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions.

In this case, each dwelling should incorporate 1 'active' space in order to future proof for anticipated demand. Details of EVCP will be sought through the pre-commencement hard/soft landscaping condition.

Vehicular Trip Generation -

Concerns are not raised.

Operational Refuse Requirements -

The storages would be within the rear gardens. Full details will be requested through the pre-commencement hard/soft landscaping condition.

Cycle Parking Provision

The storages would be within the rear gardens. Full details will be requested through the pre-commencement hard/soft landscaping condition.

Sub-conclusion:

As such, the proposal would not result in highway and pedestrian/occupier safety concerns. Therefore, the proposal would to comply with Policies D3, D4, T3, T4, T5, T6 and T7 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMH 6, DMHB 11, DMHB 12, DMT 1, DMT 2, DMT 3, DMT 4, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

Quality of accommodation and amenity space, given the recent appeal, are the key issues in this case.

Policy DMHB 1 (Housing Standards) states all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should meet or exceed the most up to date internal space standards, as set out in Table 5.1.

A 3b 6p person dwelling over three-storey requires to be a minimum of 108sqm to which the host dwelling of 130sqm would meet. Whilst the second floor would be partial as to the rear, it will on this basis be treated as three-storeys given a large bedroom proposed within.

The new dwelling within the existing side extension and proposed rearward extensions would be 2b 3p of which requires to be 61sqm. The floor area would be approx. 70sqm which the dwelling would exceed.

The units would be dual/triple aspect which is positive.

The vertical stacking relation would be acceptable.

The refuse/recycle storages and cycle provision would be adequately placed.

On balance, in particular for the new dwelling, access to and from the site would be acceptable.

The outlook, ventilation and access to light would be acceptable.

Policy DMHB 18 (Private Outdoor Amenity Space) states all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3: Private Outdoor Amenity Space Standards.

The host site would have approx. 60sqm of useable private amenity space. The new dwelling would have approx. 94sqm which would be acceptable.

In terms of accessibility, following consultation with the Councils Planning Specialist Officer, no objections were raised subject to pre-commencement conditions requiring details of step free access. Furthermore, a pre-commencement condition will be attached to ensure the dwelling is occupied until certification of compliance with the technical specifications for an M4(2) dwelling.

It is considered that all the proposed habitable rooms, and those altered by the development, 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.

The host and proposed occupiers would not be directly impacted by the parking.

The proposal has addressed the previous reasons for refusal and those points raised by the Inspector.

As such, the proposal on balance, would provide a sufficient level of living accommodation. The proposal would comply with Policies D4, D5, D6, D7 and T5 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMH 6, DMHB 11, DMHB 12, DMHB 16, DMT 1, DMT 2, DMT 3, DMT 4 and DMT 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.6 Other Issues

Policy DMH 6 of the Local Plan (2020) states that there is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria:

- 1) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- 2) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;
- 3) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and
- 4) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

The principle of development, with the provision of an additional housing unit, purely in land use terms, given the residential context would be acceptable. However, this has to be reviewed in isolation with the appropriateness of the development in the context of the plot and area, relationship with neighbouring occupiers, quality of accommodation and associated highways and pedestrian/occupier considerations (as per the following sections).

Flood Risk Impact:

It is considered that a water butt condition can be attached for the purposes of this proposal to manage flood risk impact.

Trees and Landscaping:

No concerns would be raised.

Conclusion:

The application is recommended for approval subject to conditions.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Contact Officer: Jimill Patel

Telephone No: 01895 250230

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Interim Director of Planning, Regeneration & Public Realm can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. Report of the Interim Director of Planning, Regeneration & Public Realm**Address** 179 BERWICK AVENUE HAYES**Development:** Part single; part two-storey side extension (following demolition of detached garage); front porch extension; first floor rear window and removal of ground floor rear windows with door.**LBH Ref Nos:** **25740/APP/2022/1772****Drawing Nos:** A101
A102
Flood Risk Assessment by STM Environmental
Existing Block Plan
Site Location Plan**Date Plans Received:** 31/05/2022**Date(s) of Amendment(s):****Date Application Valid:** 12/08/2022**1. CONSIDERATIONS****1.1 Site and Locality**

The application site comprises a two-storey semi-detached located on a 'triangular' shaped plot along the eastern side of Berwick Avenue which is predominantly residential in character. The dwelling has a large side detached garage with an overgrown and untidy area of soft landscaping/tree cover adjacent (east).

The properties tend to be similar in their form, proportion and appearance, notably in rows. The host plot is irregular to the context given its 'end' siting (noting no.81 forms the end) and close relation with Ashford Avenue.

Land levels appear relatively flat on site.

The site lies within Floodzone 2. There are no other heritage or policy constraints on site.

1.2 Proposed Scheme

The application seeks householder planning permission for:

- Two-storey side extension (following demolition of detached garage);
- Front porch extension;
- First floor rear window
- Removal of ground floor rear windows and replacement with rear door.

1.3 Relevant Planning History

25740/78/1605 179 Berwick Avenue Hayes
Erection of a two-storey detached house.

Decision Date: 27-06-1979 WD

25740/PRC/2022/62 179 Berwick Avenue Hayes
Erection of a detached, part two storey part single storey dwelling on land adjacent to 179 Berwick Avenue

Decision Date: 29-06-2022 OBJ

Comment on Planning History

25740/PRC/2022/62 - Erection of a detached, part two storey part single storey dwelling on land adjacent to 179 Berwick Avenue - Objection 29/06/2022

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

11 neighbouring properties were consulted by letter dated 17/08/2022. By the end of the consultation period 27/10/2022 and at the time of the report write up, no comments were received.

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 16 Housing Standards

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMT 6 Vehicle Parking

DMT 1 Managing Transport Impacts

LPP D4 (2021) Delivering good design

DMEI 9 Management of Flood Risk

DMT 2 Highways Impacts

LPP D6 (2021) Housing quality and standards

DMT 3 Road Safeguarding

LPP SI12 (2021) Flood risk management

DMT 5 Pedestrians and Cyclists

LPP SI13 (2021) Sustainable drainage

LPP T4 (2021) Assessing and mitigating transport impacts

LPP G7 (2021) Trees and woodlands

LPP D1 (2021) London's form, character and capacity for growth

LPP T5 (2021) Cycling

LPP D5 (2021) Inclusive design

LPP T6.1 (2021) Residential parking

LPP D8 (2021) Public realm

LPP T7	(2021) Deliveries, servicing and construction
DMHB 18	Private Outdoor Amenity Space
NPPF12	NPPF 2021 - Achieving well-designed places
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP T6	(2021) Car parking

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden, trees and landscaping, flood risk impact and car parking provision.

Character and Appearance:

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regards to front extensions, Policy DMHD 1 states that:

- 1) Alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- 2) Porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- 3) Notwithstanding the above, at least 25% of the front garden must be retained

The proposed front porch would be proportionate to the dwelling. Other additions of this type are noted in the context of the road.

With regard to side extensions, Policy DMHD 1 requires:

- 1) side extensions should not exceed half the width of the original property;
- 2) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- 3) garages should reflect the size guidelines set out in Appendix C Parking standards;
- 4) two storey side extensions should be set in a minimum of 1 metre from the side

boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;

5) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;

6) where hip to gable roof extensions exist, a two storey side extension will not be supported; and vii) in Conservation Areas, single storey side extensions may be required to be set back.

The detached side garage would be demolished and replaced with a part single; part two-storey. Policy DMHD 1 requires a set back of 1m from the side and established front building line at both levels. In this case, the first floor would only be set back. However, the site is triangular shaped meaning the set in from the side boundary (at the tip) would be substantial. The dwelling, noting no.81, is to some degree at the 'end' of the road which would allow the proposed extension to be proportionate, as submitted.

The fenestration alterations to the rear would be acceptable.

As such, it is considered that the design of the proposal, on balance, would comply with the requirements of Policies DMHD 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Neighbouring Amenity Impact:

The application site adjoins no.77 (west) Berwick Avenue which is a semi-detached two-storey dwelling. The host dwelling is adjacent to no.81 (east) Berwick Avenue although is sited away from the host site as it is attached to no.162 Ashford Avenue. To the rear (north) are no.150-158 Berwick Avenue which consist of two-storey terraced properties.

The front porch would not be detrimental. The side extension would not be of detriment to the occupiers of no.77 and 81 Berwick Avenue.

With regards to the Ashford Avenue properties, the properties angle as they go to the east meaning a closer separation of the proposed side extension to these gardens of Ashford Avenue. However, there would be an approx. 20m building to building separation to the closest neighbour. There is also a rear service passage that separates the common boundaries. On balance, the level of impact would not be detrimental. Overlooking from the new rear bedroom window would have a commensurate impact with the existing rear bedroom window.

Concerns of overlooking would to some degree be mutual.

New fenestration to the rear would be acceptable.

As such, the proposal, on balance, would not be of detriment to the adjacent and nearby occupiers in terms of overdominance, overlooking/loss of privacy, visual impact, overbearing impact, sense of enclosure, outlook and loss of daylight/sunlight. Therefore, the proposal would comply with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Standards of Accommodation:

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.

Policy DMHB 18 and DMHD 1 require sufficient private amenity space to be retained. There would be sufficient private amenity space retained.

Highways and Parking:

No concerns would be raised.

Flood Risk Impact:

The site is within Floodzone 2. A Flood Risk Assessment (FRA) by STM Environmental has been submitted in support of the application. This sets out the following measures:

1. Finished floor levels at same level
2. Flood resistant materials used

The proposed works are householder extensions and therefore the measures set out within the FRA are acceptable. A compliance condition will be attached.

Trees, Ecology and Landscaping:

Mature trees are located within the side garden none of which are protected. No concerns would be raised.

Conclusion:

The proposal, on balance, would be acceptable subject to conditions.

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 Drawing Nos.

A102 and Flood Risk Assessment by STM Environmental.

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 or roof slopes of the development hereby approved.

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 **HO6** **Obscure Glazing**

The new first floor rear elevation window serving the bathroom 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 DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

7 **HO9** **Tree Protection**

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 the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11 and

INFORMATIVES

- 1** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

- 2** 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.

- 3** The site lies in a Surface Water Floodzone as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission. A water butt should be incorporated.

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 - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 16	Housing Standards
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMT 6	Vehicle Parking
DMT 1	Managing Transport Impacts
LPP D4	(2021) Delivering good design
DMEI 9	Management of Flood Risk
DMT 2	Highways Impacts
LPP D6	(2021) Housing quality and standards
DMT 3	Road Safeguarding
LPP SI12	(2021) Flood risk management
DMT 5	Pedestrians and Cyclists
LPP SI13	(2021) Sustainable drainage
LPP T4	(2021) Assessing and mitigating transport impacts
LPP G7	(2021) Trees and woodlands
LPP D1	(2021) London's form, character and capacity for growth
LPP T5	(2021) Cycling
LPP D5	(2021) Inclusive design
LPP T6.1	(2021) Residential parking
LPP D8	(2021) Public realm
LPP T7	(2021) Deliveries, servicing and construction
DMHB 18	Private Outdoor Amenity Space
NPPF12	NPPF 2021 - Achieving well-designed places
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP T6	(2021) Car parking

- 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 - Residents Services, Building Control
3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 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 Services Reception Desk, 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: -

of 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

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.

prior 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

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).

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
- Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Planning, Environment and Community Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning & Enforcement Services**

Address 51 LANSBURY DRIVE HAYES

Development: Part two storey, part single storey rear extension and first floor side extension

LBH Ref Nos: **21644/APP/2012/2424**

Drawing Nos: 1221-pl-01A
 1221- ex-01
 1221-OS

Date Plans Received: 05/10/2012 **Date(s) of Amendment(s):**

Date Application Valid: 05/10/2012

1. CONSIDERATIONS

1.1 Site and Locality

The application site lies on the west east side of Lansbury Drive, on a corner where it meets Woodstock Gardens and forms the end of a terrace of four two storey houses. It adjoins No. 49 Lansbury Drive to the south which is un-extended. The application property has a detached shed to the rear of the garden. The application property has been extended to its flank by way of a part two storey side and a part single storey side extension.

The street scene is characterised by two storey semi-detached and terraced properties and the site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part 2-Strategic Policies.

1.2 Proposed Scheme

The proposal comprises the erection of a part first floor side, part single storey rear and part two storey rear extension.

It is proposed that the part first floor side extension would occupy the space between the existing first floor side extension and the main front wall of the original dwelling, although the proposed extension would be set back 1m from that frontage. It would be located above the existing ground floor side extension, having a width of 3.6m. The roof above the first floor side extension would be a tiled pitched roof, with a ridge height around 0.4m lower than the original ridge.

The single storey rear element of the proposal would have a depth to the rear of 3.2m when taken from the main rear wall of the original dwelling. There would be a tiled pitched roof over with a maximum height of 3.4m.

The two storey rear extension would also project 3.2m to the rear, having a width of around 5m. The ridge of the pitched roof above would be 0.6m lower than the ridge of the original roof.

The existing dwelling has been shown to have three bedrooms and would have four bedrooms as a result of the extensions. The ground floor extension would be used as an extended kitchen.

1.3 Relevant Planning History

21644/APP/2005/3198 51 Lansbury Drive Hayes
ERECTION OF A SINGLE STOREY SIDE EXTENSION

Decision Date: 10-01-2006 Refused

21644/APP/2006/523 51 Lansbury Drive Hayes
ERECTION OF A SINGLE-STOREY SIDE EXTENSION

Decision Date: 18-04-2006 Approved

21644/APP/2012/1743 51 Lansbury Drive Hayes

Part two storey, part single storey rear extension, first floor side extension and single storey detached outbuilding to rear for use a gym

Decision Date: 13-09-2012 Refused

21644/B/82/1166 51 Lansbury Drive Hayes
Householder development - residential extension(P)

Decision Date: 21-10-1982 Approved

Comment on Planning History

This application is a resubmission of application ref: 21644/APP/2012/1743 which was refused for the following reasons:

1. The proposed detached building, by reason of its position, size, scale, bulk and excessive footprint, would result in an over dominant and visually obtrusive form of development, which would be out of character with the pattern of prevailing development in the area to the detriment of the character and appearance of the street scene and the wider area. Therefore the proposal would be contrary to policies BE13 and BE19 of the Unitary Development Plan (Saved Policies, September 2007) and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed detached building, by reason of its size, scale, bulk and excessive footprint, would result in an over dominant and visually obtrusive form of development in relation to surrounding residential properties and as such constitutes an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore the proposal would be contrary to policies BE13, BE19 and BE21 of the Unitary Development Plan (Saved Policies, September 2007) and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposal is for a detached structure which because of its size is considered to be capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted. It is therefore contrary to policies BE19, BE23 and BE24 of the Unitary Development Plan Saved Policies 2007 and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

4. The proposed extensions/outbuilding would result in the loss of existing amenity space, which would result in a failure to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, result in an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to policies BE19 and BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document: Residential Extensions.

This application is a resubmission of the previously refused application. This submission differs from the above application in that the detached outbuilding has been omitted.

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

Two neighbouring occupiers were consulted on 09/10/2012 and a site notice was erected on 29/10/2012. No responses were received.

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:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area generally, and on residential amenity. Parking matters and amenity space are also to be discussed.

With regard to the design of the two storey side extension, Policy BE22 of the Hillingdon Local Plan: Part 2 UDP Saved Policies and the HDAS: Residential Extensions: Section 5.1 guidance states that all residential extensions of two or more stories in height should be set away a minimum of 1m from the respective boundary for the full height of the building. This is to protect the character and appearance of the street scene and to protect the

gaps between properties. The proposal complies with this advice, being set in around 3m from the side boundary at the frontage and 2m towards the rear.

The site forms part of a sensitive corner location. The proposal would breach the building line along Woodstock Gardens. However, it is to be noted that the existing two storey side extension also breaches the building line; hence no major concerns are raised. Also, the two storey side extension is proposed to be set back from the frontage by 1m. This would be against the advice offered by paragraph 5.7 of the HDAS: Residential Extensions guidance, which advises that two storey side extensions should be integrated with the existing house. However, in this case, given the existing two storey side element is significantly set back from the frontage, the proposed first floor extension would integrate with the original dwelling to a greater degree.

In relation to the two storey rear extension, this element would comply with the advice offered within paragraph 6.4 of the HDAS, having regard to its maximum depth at 3.2m. Furthermore, it would have a ridge line 0.6m lower than the host dwelling. Therefore, it is considered that the first floor rear element of the proposal would appear relatively subordinate to the original house, providing a well integrated form of development, therefore complying with Section 6 of the HDAS: Residential Extensions.

The single storey rear extension would comply with the guidance in the HDAS: Residential Extensions. Section 3.3 indicates that single storey rear extensions to such a terraced property should be a maximum of 3.6m deep. The pitched roof with a height of 3.4m would also be in compliance.

With regard to impact on neighbouring properties, it is noted that the proposal complies with the guidance offered within HDAS: Residential Extensions. The proposals would not result in any material loss of light or overshadowing of either the attached property to the south given the compliance of the single storey rear extension with HDAS guidance and the fact that the two storey rear extension would avoid the 45 degree line when taken from the southern neighbours nearest bedroom window. A distance of around 15m would exist between the rear of the first floor rear extension and the neighbouring property to the west 112 Woodstock Gardens. As no habitable room windows exist to the flank of that neighbouring property, no concerns are raised.

It is considered that all the proposed habitable rooms and those altered by the development would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

In terms of Local Plan Policy BE23, 100sq.m of private amenity space would be retained for the 4 bedroom dwelling.

It is considered that two vehicles could be parked within the front garden which would suffice for the resultant four bedroom dwelling and as such the proposal would accord with Local Plan Policy AM14 and the Council's adopted parking standards.

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 1221-pl-01A and 1221-ex-01.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (July 2011).

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 2 Unitary Development Plan Saved Policies.

4 HO5 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 north and south and the site.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part 2 Unitary Development Plan Saved Policies.

INFORMATIVES

- 1** 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), then London Plan Policies. 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.

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.
AM7	Consideration of traffic generated by proposed developments.
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-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

- 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 Desk, 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

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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: Kelly Sweeney

Telephone No: 01895 250230