

Mr Mayur Patel
Smart Planning Designs Ltd
25
Greenbank Avenue
Wembley
HA0 2TF

Application Ref: 76373/APP/2022/2201

Date of Decision: 2nd September 2022

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Application number: 76373/APP/2022/2201

Date your planning application was submitted: 8th July 2022

Site location: 20 Denbigh Drive Hayes

Description:
Erection of single storey rear extension and demolition of existing outbuilding

Application submitted by: Mr Mayur Patel

Plans that this decision was based on: See attached Schedule of Plans

Permission is subject to the condition(s) listed below:-

1. 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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on Drawing Nos. 02 (Existing and Proposed Elevations), 03 (Existing and Proposed Elevations), 04 (Proposed Floor Plans) and 05 (Proposed Block Plan).

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. 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. 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. 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. 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. 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.
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 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).

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 D6 (2021) Housing quality and standards

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

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 Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.
8. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
9. Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-
- A. Demolition and construction works 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.

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 1980.
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. 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.

Date of Decision: 2nd September 2022



Julia Johnson
Interim Director of Planning, Regeneration & Public Realm

END OF SCHEDULE

Address:
Development Management
Directorate of Place

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 76373/APP/2022/2201

SCHEDULE OF PLANS

05 (Proposed Block Plan).	Received	08-07-2022
01 (Existing Floor Plans).	Received	08-07-2022
04 (Proposed Floor Plan).	Received	08-07-2022
Location Plan - 20 Denbigh Drive - 8/7/22.	Received	08-07-2022
03 (Existing and Proposed Elevations).	Received	08-07-2022
02 (Existing and Proposed Elevations).	Received	08-07-2022

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 20 DENBIGH DRIVE HAYES

Development: Erection of single storey rear extension and demolition of existing outbuilding

LBH Ref Nos: **76373/APP/2022/2201**

Drawing Nos: 05 (Proposed Block Plan)
 02 (Existing and Proposed Elevations)
 03 (Existing and Proposed Elevations)
 04 (Proposed Floor Plan)
 Location Plan - 20 Denbigh Drive - 8/7/22
 01 (Existing Floor Plans)

Date Plans Received: 08/07/2022

Date(s) of Amendment(s):

Date Application Valid: 08/07/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a two storey terraced dwelling on Denbigh Drive. The application property is set back from the adjacent highway to provide hardstanding for off-street parking to the front of the property.

The street scene is residential in character and appearance comprising of traditional two storey semi-detached dwellings.

1.2 Proposed Scheme

See above for relevant planning history relating to this application site.

76373/APP/2021/1606 was refused and dismissed at appeal for a single storey rear extension.

Reason for refusal:

1. The proposed single storey rear extension, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupier at 18 Denbigh Drive, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

2. The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would 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 DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

1.3 Relevant Planning History

76373/APP/2021/1604 20 Denbigh Drive Hayes

Conversion of roof space to habitable use to include a rear dormer, two front rooflights and new

gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 18-06-2021 Approved
76373/APP/2021/1606 20 Denbigh Drive Hayes
Single storey rear extension

Decision Date: 18-06-2021 Refused

Comment on Planning History

The application seeks planning permission for the erection of a single storey rear extension, including demolition of the outbuilding.

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 properties were consulted on 22nd July 2022 for a statutory period of 21 days. No comments were received during the public consultation period.

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 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 and car parking provision. As well as, if this application has overcome the previous refusal reasons.

Character and Appearance:

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.

With regard to single storey rear extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states, amongst other criteria, that:

- Single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;
- Single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- 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;

The proposal is for the erection of a single storey extension to the rear of the existing property that would extend 6m beyond the existing rear building line with a flat roof of 3m in height. It is considered that the proposed extension would read as a subordinate addition to the existing dwellinghouse and would respect the character and appearance of the existing dwellinghouse. Therefore, in terms of appearance, the proposed single storey rear extension is considered acceptable and would not be detrimental to the character and appearance of the wider area.

Residential Amenity:

As alluded to in the planning history, a similar proposal for a single storey rear extension (Planning Reference 76373/APP/2021/1606) was refused on 18 June 2021 and it was determined that the proposed extension would have a detrimental impact on the amenities of the adjoining occupier at 18 Denbigh Drive, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook.

The Council's decision was appealed to the Secretary of State. As part of the Appeal Decision (Appeal Ref: APP/R5510/D/21/3282416), the Inspector concluded there would not be an unacceptable harm in regards to the impact of the proposal on the living conditions of No. 18 Denbigh Drive, with particular reference to outlook and light. An extract from the Appeal Decision is included below:

"I have no substantive details as to the extent of any loss of light with the attached property (No 18). Moreover, given the direction of the appeal property which is between west and north west, and the height of the proposed extension at 3m it is reasonable to conclude that there would be no significant shadowing effects."

"The upper part and roof of the proposed rear extension would be visible from the adjoining property's rear windows which include patio doors nearest the boundary. However, given the height of the close boarded fence along the boundary, the proposal would not significantly increase visual intrusion, materially reduce light nor would it appear overbearing."

Accordingly, as this Appeal Decision would constitute a material consideration in the determination of this application, it is considered that the Council would not sustain an objection in terms of the assessment on the residential amenity of No.18 Denbigh Drive.

Turning to the impact of the proposed extension on the residential amenity of No.22 Denbigh Drive, there is a staggered building line in regards to the relationship between No. 20 and No. 22. The proposed rear extension would extend approximately 3.2m

beyond the existing rear building line at No.22 and it is considered that the existing store on the shared boundary line at No. 22 retains a built form which would serve to reduce the extent of the impact of the rear extension on No.22. It has also been noted that there is a gap of approximately 1.25m between the side elevations of these properties and this would also serve to mitigate the impact from the proposed extension.

Taking into account the relationship between the application site and No.22 coupled with the Inspectors assessment in terms of the impact to No. 18, it is considered that the proposed extension would not cause undue harm to residential amenity of the neighbouring occupiers.

External Amenity Space Provision:

The existing stores are to be demolished to allow for a larger garden area to the rear of the extended dwellinghouse. The plans show 60 sqm to be retained. Therefore, the standards for a 2-3 bedroom dwelling requiring a minimum 60 sqm private amenity space to be retained, is provided at the site and the proposal would not undermine the provision of external amenity space for the existing occupiers in compliance with the requirements of Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Parking and Highway Safety:

The parking provision would be unaffected by the proposed development. It is therefore considered that the proposal would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Conclusion:

It is therefore concluded, taking all matters into account, this planning permission 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 Drawing Nos. 02 (Existing and Proposed Elevations), 03 (Existing and Proposed Elevations), 04 (Proposed Floor Plans) and 05 (Proposed Block Plan).

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** 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** 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.
- 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 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 11 Design of New Development
DMHB 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
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: -

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.

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).

Contact Officer: Zara Raza

Telephone No: 01895 250230

SITE LOCATION PLAN

AREA 2 HA

SCALE: 1:1250 on A4

CENTRE COORDINATES: 508250 , 179571



Supplied by Streetwise Maps Ltd

www.streetwise.net

Licence No: 100047474

16:04:45 22/04/2021

FRONT VIEW



FRONT VIEW 2



GARDEN



REAR VIEW

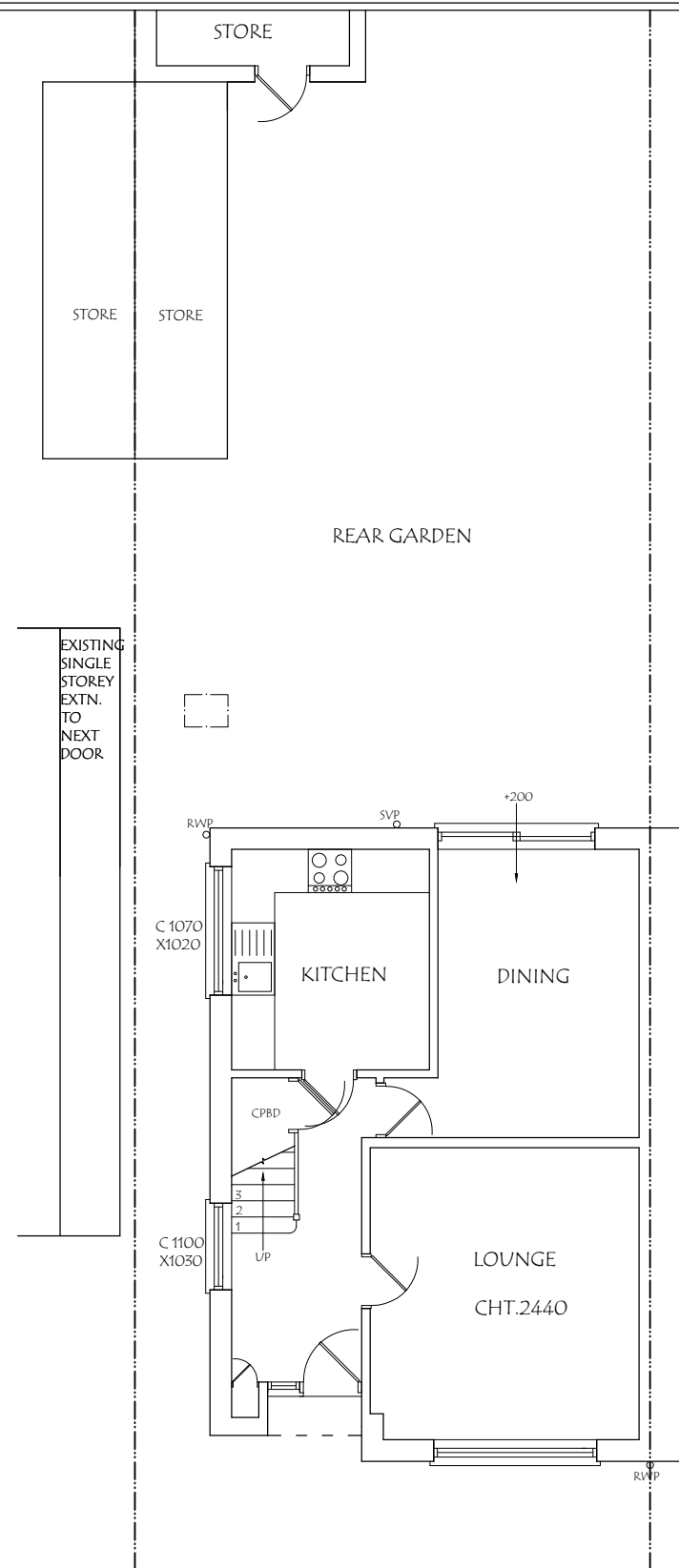


REAR VIEW 2

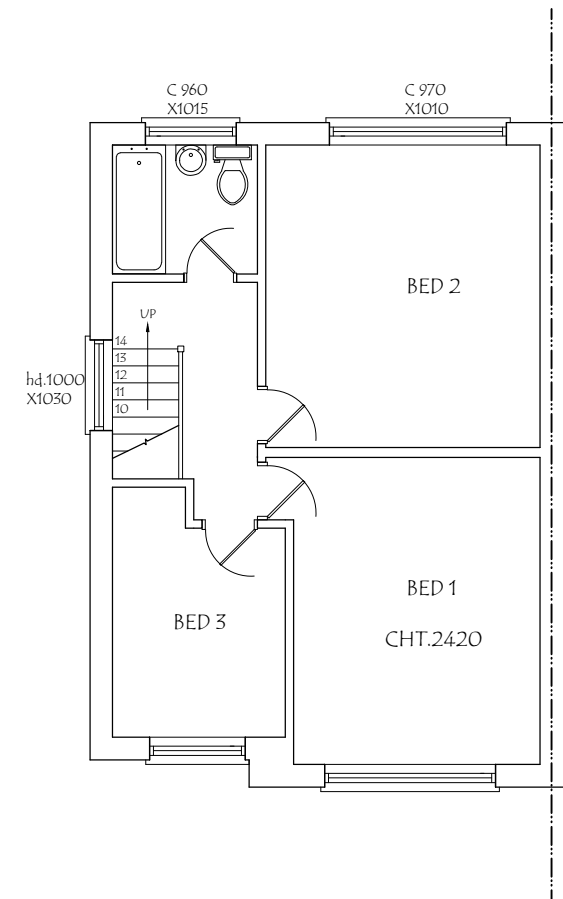


SIDE ELEVATION

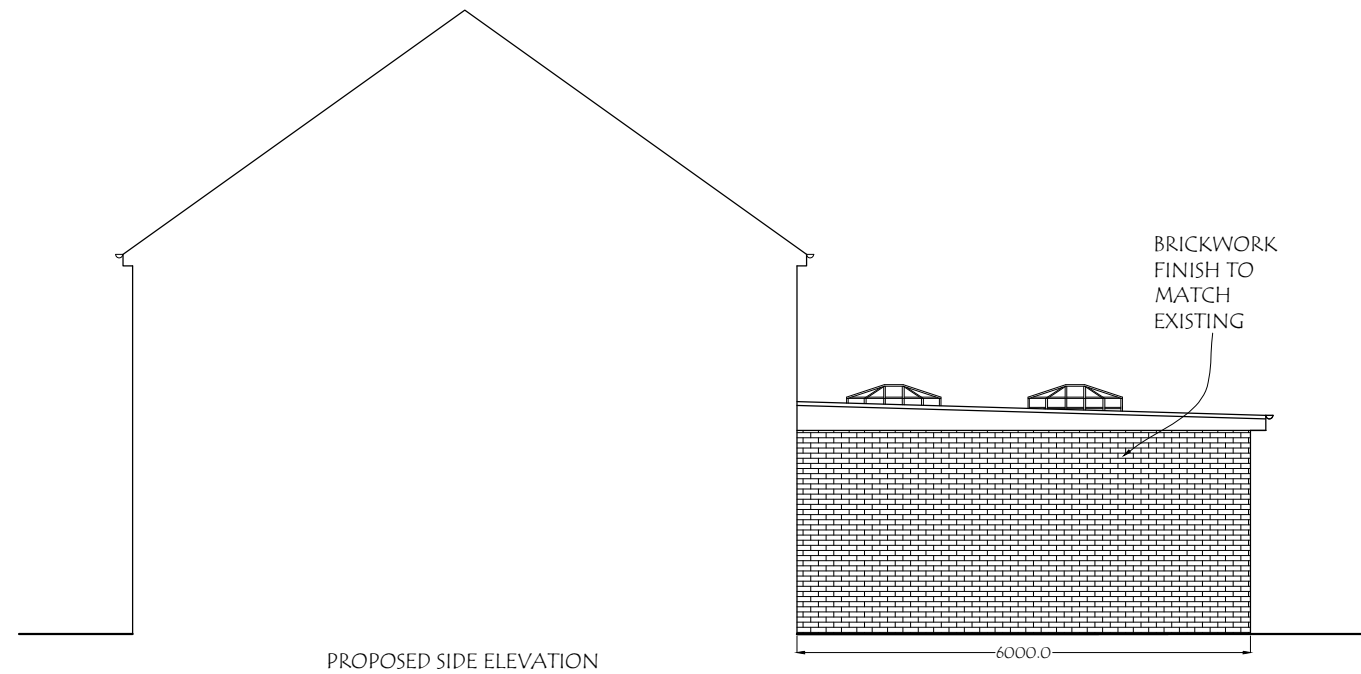
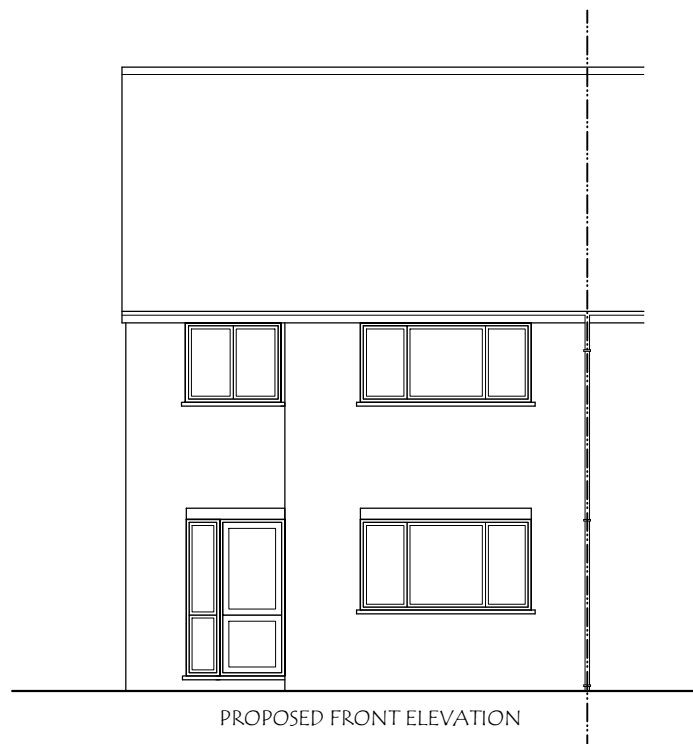
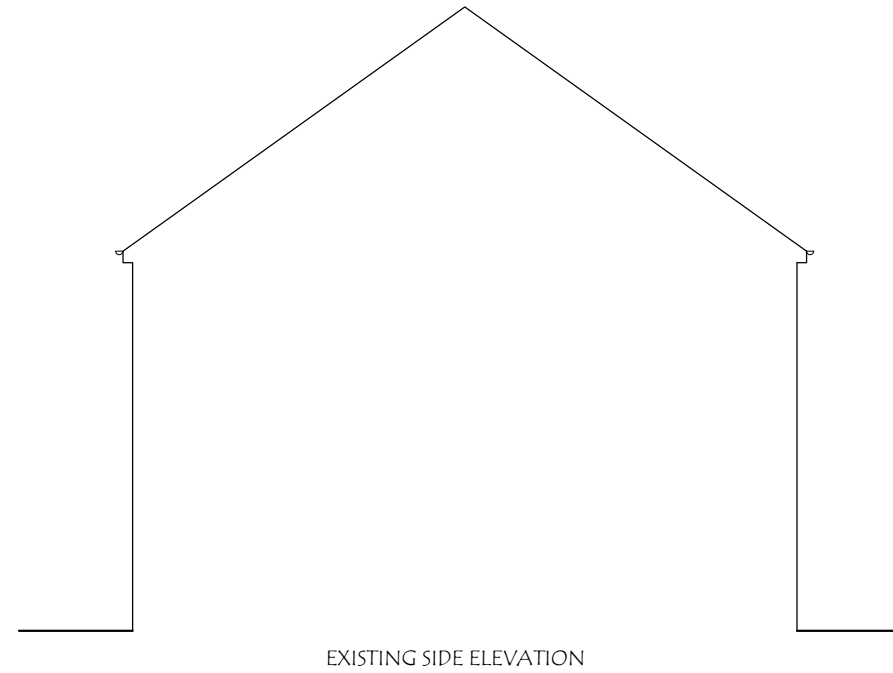
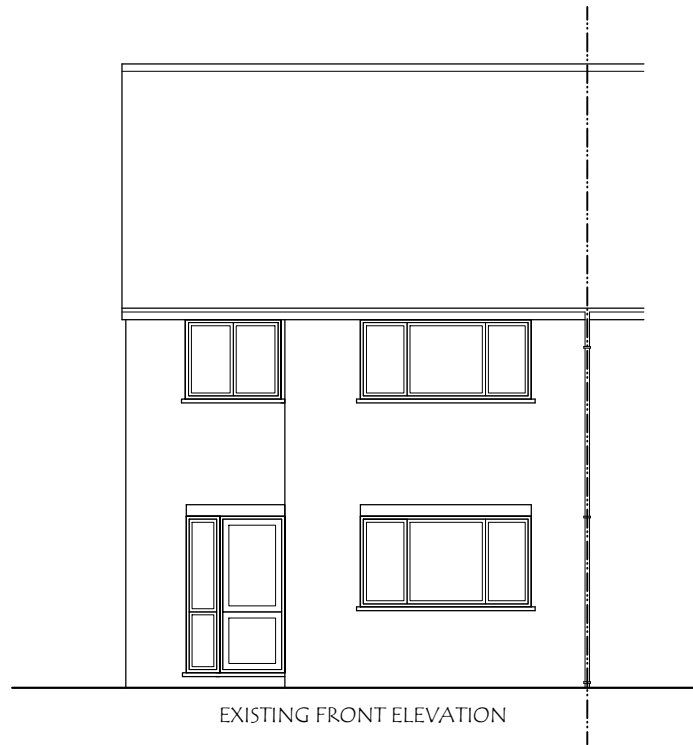


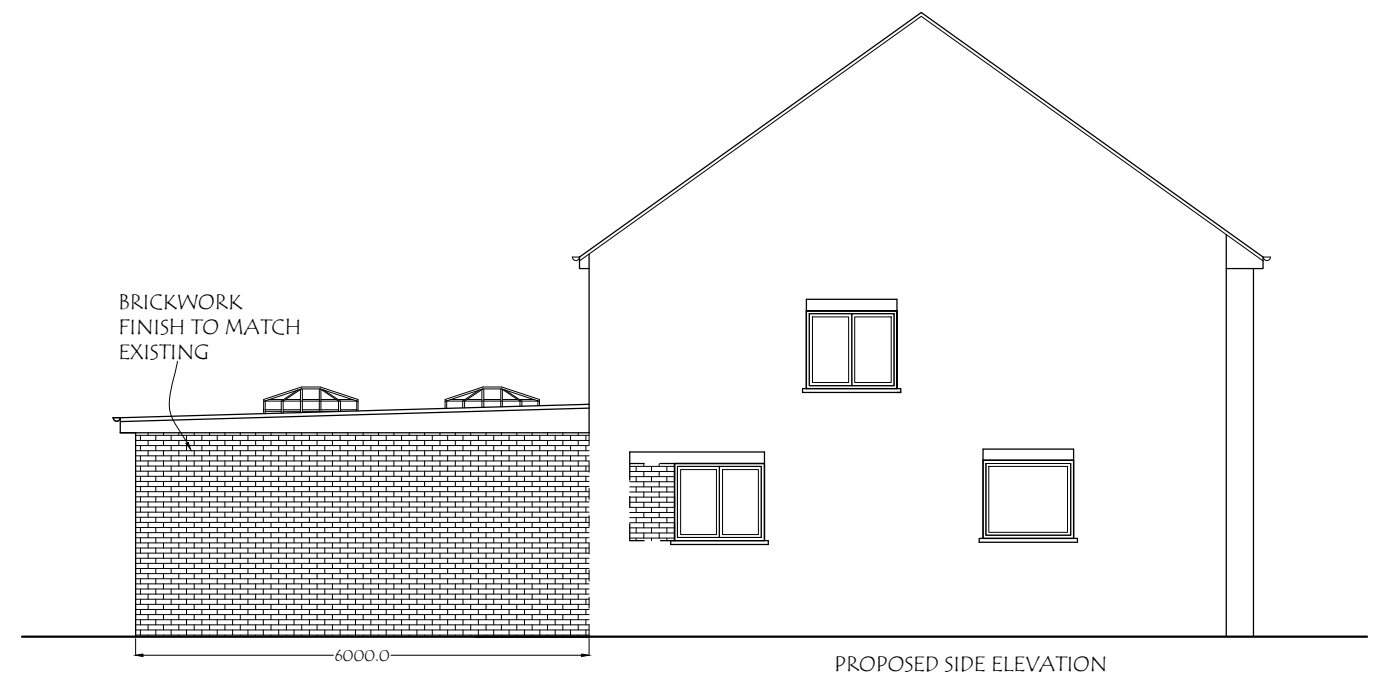
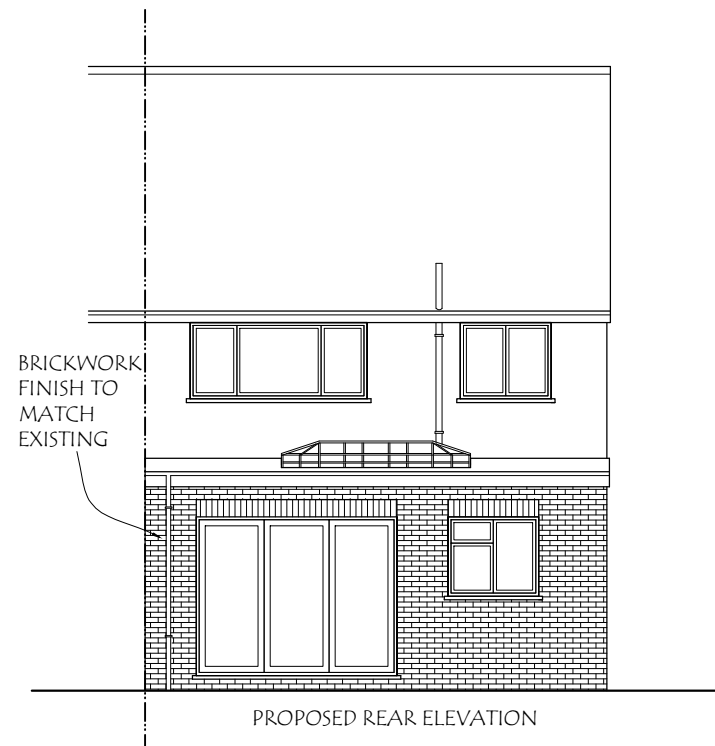
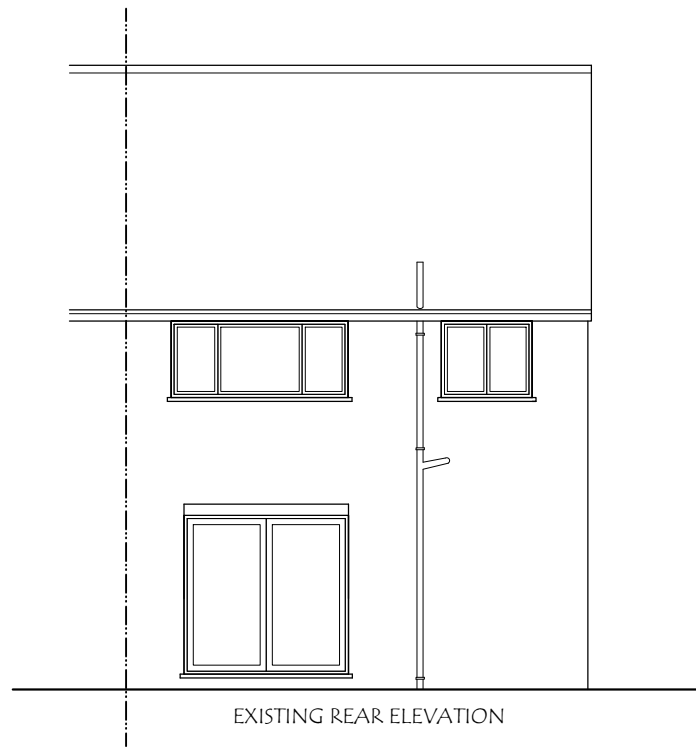


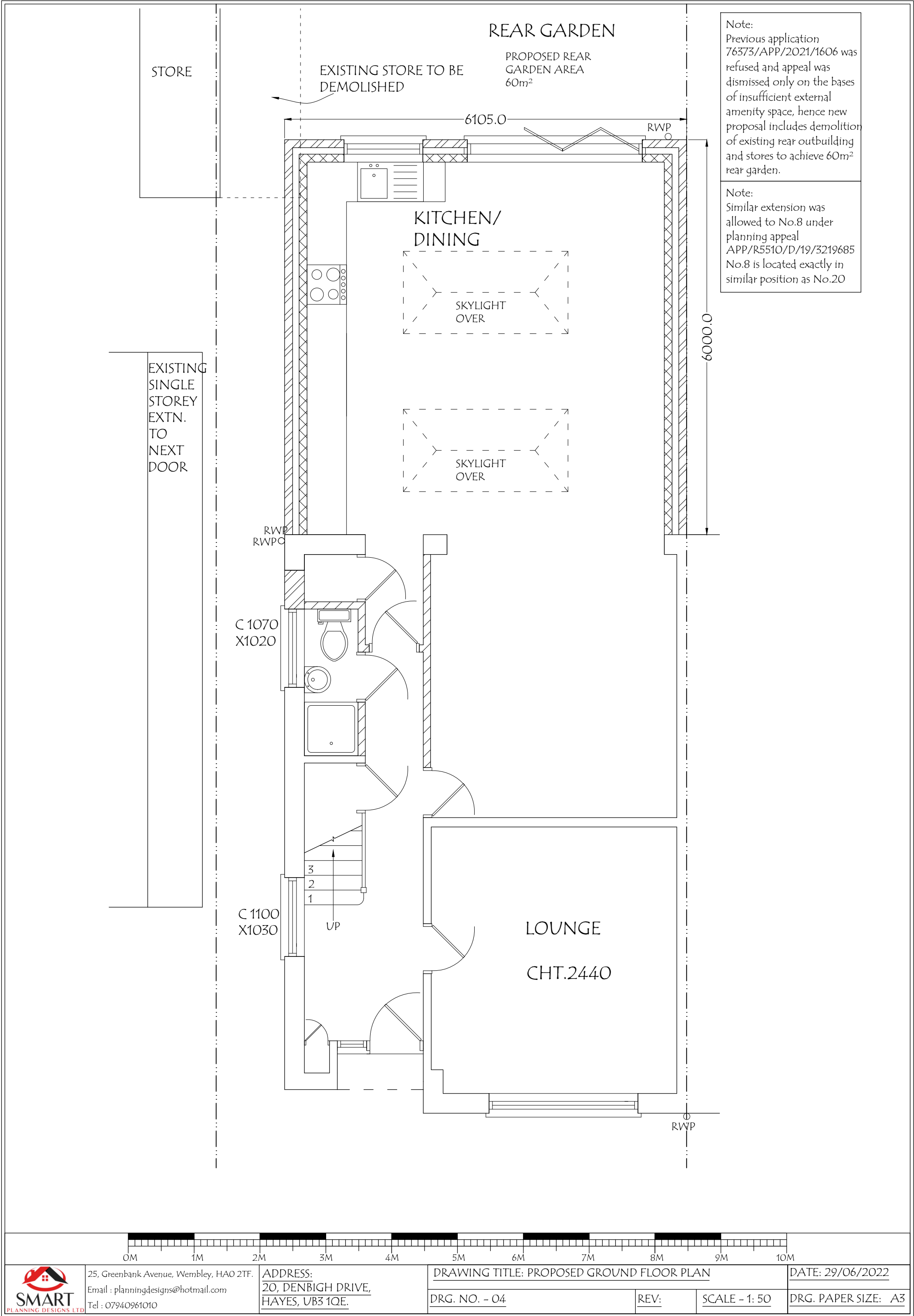
EXISTING GROUND FLOOR PLAN

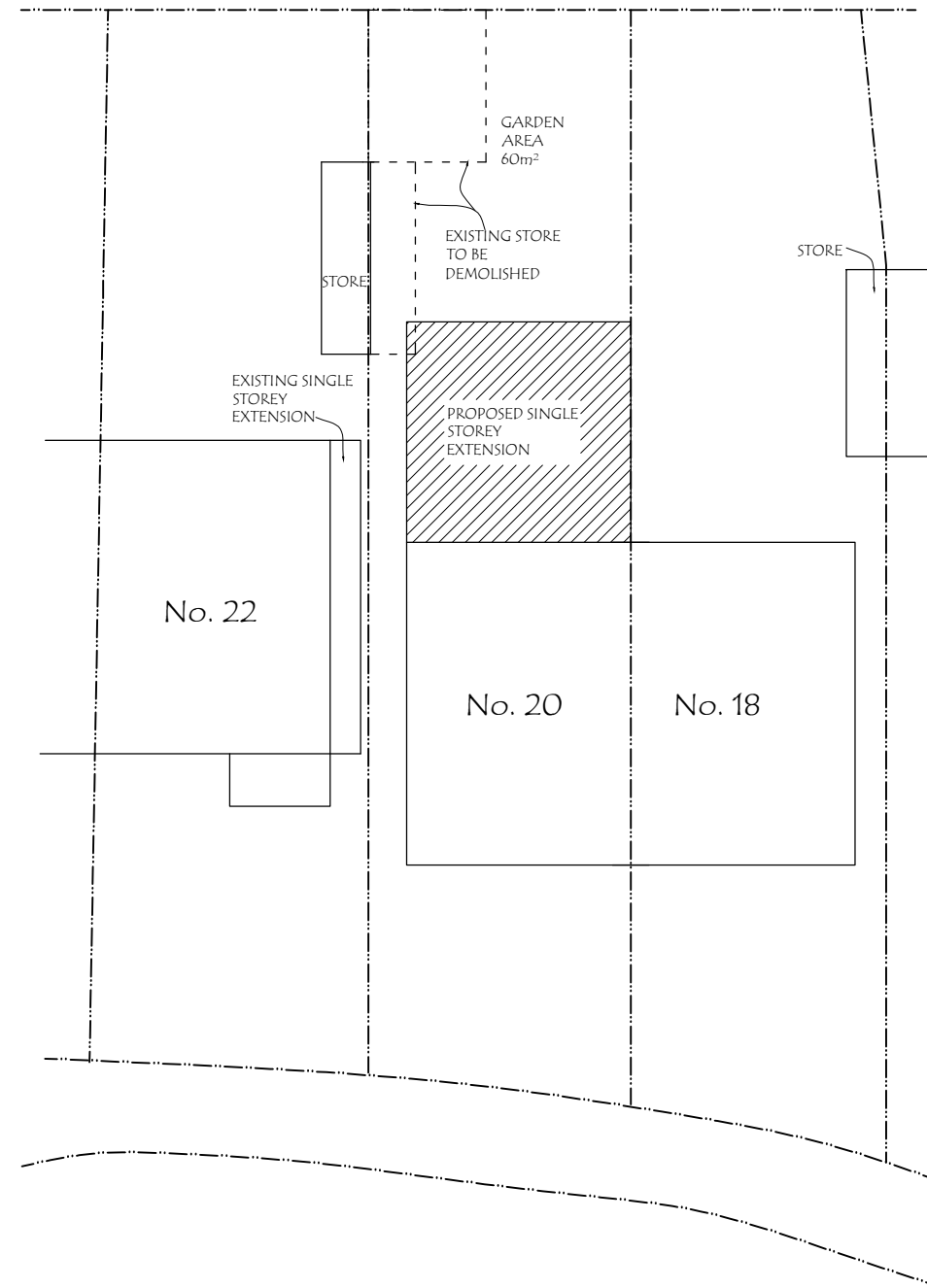


EXISTING FIRST FLOOR PLAN









Note:
Previous application 76373/APP/2021/1606 was refused and appeal was dismissed only on the bases of insufficient external amenity space, hence new proposal includes demolition of existing rear outbuilding and stores to achieve 60m² rear garden.



25, Greenbank Avenue, Wembley, HAO 2TF.
Email : planningdesigns@hotmail.com
Tel : 07940961010

ADDRESS:
20, DENBIGH DRIVE,
HAYES, UB3 1QE.

DRAWING TITLE: PROPOSED BLOCK PLAN

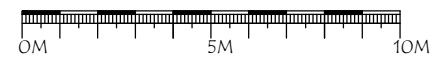
DRG. NO. - 05

REV:

SCALE - 1: 100

DATE: 29/06/2022

DRG. PAPER SIZE: A3





Appeal Decision

Site visit made on 25 January 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/R5510/D/21/3282416

20 Denbigh Drive, Hayes UB3 1QE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Binder Singh against the decision of London Borough of Hillingdon.
 - The application Ref 76373/APP/2021/1606, dated 22 April 2021, was refused by notice dated 18 June 2021.
 - The development proposed is erection of single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The living conditions of future occupiers of the host property with particular reference to external amenity space; and
 - The living conditions of the occupiers of No 18 Denbigh Drive with particular reference to outlook and light.

Reasons

Living conditions – External Amenity Space

3. The appeal property has a modest sized garden but commensurate with the size of the host dwelling as a three-bedroom property. The proposal would significantly reduce the amount of space and the appellant does not dispute the Council's calculations that it would be a reduction from 84 square metres to 48 square metres.
4. Table 5.3 within Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) (LP) sets down Private Outdoor Amenity Space Standards and indicates that for a 2-3 bedroom property there should be a minimum of 60 square metres. The proposal would therefore fall considerably below these requirements. I have been referred to standards within the London Plan, however, such standards do not outweigh the locally adopted standards within the LP. As an extended 3-bedroom property the dwelling would be suitable for family occupation and, in my view, its size would not leave a useable external amenity space commensurate with this function.
5. The proposal would improve the living conditions of the occupiers of the host property by providing larger internal space with a spacious open plan

kitchen/dining room. However, this would be at the expense of access to external amenity space and does not outweigh my concerns on this matter.

6. Overall, the proposal would result in an unacceptable effect on the living conditions of future occupiers of the host property, with particular reference to external amenity space. The proposal would therefore conflict with the requirements of Policies DMHD 1 and DMHB 18 of the LP. These stipulate, amongst other things, that planning applications relating to alterations and extensions of dwellings will be required to ensure that adequate garden space is retained. In this regard, the proposal would also conflict with the requirements of paragraph 130 of the revised National Planning Policy Framework (2021) (the Framework) which seeks, amongst other things, high quality design having regard to the amenity of existing and future occupiers of properties.

Living conditions – neighbouring properties

7. I have no substantive details as to the extent of any loss of light with the attached property (No 18). Moreover, given the direction of the appeal property which is between west and north west, and the height of the proposed extension at 3m it is reasonable to conclude that there would be no significant shadowing effects.
8. The upper part and roof of the proposed rear extension would be visible from the adjoining property's rear windows which include patio doors nearest the boundary. However, given the height of the close boarded fence along the boundary, the proposal would not significantly increase visual intrusion, materially reduce light nor would it appear overbearing.
9. I therefore find that the proposal would not result in unacceptable harm to the living conditions of the occupiers of No 18 Denbigh Drive with particular reference to outlook and light.
10. The proposal would extend beyond the limits for single storey rear extensions set down in criterion i of part B of Policy DMHD 1 of the LP. However, it would not harm the living conditions of the occupiers of the neighbouring property thus complying with criterion ii) of part A of the policy. In this regard, when taken as a whole and in relation to this matter, I find no conflict with the objectives of Policy DMHD 1 or Policies DMHB 11 of the LP. These stipulate, amongst other things, that planning applications relating to alterations and extensions of dwellings will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved.

Other Matters

11. I have been referred to a similar extension at No 8 Denbigh Drive. However, although I do not have full details of that case, from the evidence before me whilst its size and relationship to the neighbouring properties is similar, it has a longer garden. As such, the circumstances that applied in that case are not directly comparable to the proposal before me.
12. The absence of harm in relation to matters including the character and appearance of the host dwelling and effects on the occupiers of neighbouring properties are neutral matters weighing neither for nor against the proposal. As such, they do not outweigh the harm I have identified in relation to the extent of external amenity space to the host property.

Conclusion

13. For the reasons given above, the proposal would conflict with the development plan when read as a whole and there are no material considerations that outweigh that conflict. Accordingly, the appeal is dismissed.

Mr R Walker

INSPECTOR