

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. Director of Residents 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, Building Control, Sport & Green Spaces**

Address FLAT 16 WATERS REACH APPARTMENTS 10 RESERVOIR ROAD
RUISLIP MIDDLESEX

Development: Construction of an extension at the side of the existing roof terrace access to
create additional habitable space to the flat below

LBH Ref Nos: **16848/APP/2015/474**

Drawing Nos: 323/102 Rev. 01
323/000 Rev. 01
323/004
323/002
323/006
323/003
323/007
323/005
323/107 Rev. 01
323/001
323/101
323/103 Rev. 01
323/105 Rev. 02
323/106 Rev. 02

Date Plans received : 25/02/2015

Date(s) of Amendment(s):

Date Application Valid: 25/02/2015

1. SUMMARY

The application relates to the erection of an extension to the existing roof terrace to create additional habitable floorspace. The proposed extension reflects the character and design of the existing building and is not considered to result in any additional loss of amenity to the occupiers of the adjacent properties. The proposal is therefore considered acceptable.

2. 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 323/101, 323/102 Rev. 02, 323/103 Rev. 01, 323/105 Rev. 02, 323/106 Rev. 02 and 323/107 Rev. 01.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan:

Part Two Saved UDP Policies (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 Two Saved UDP Policies (November 2012)

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 south west.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 HO6 Obscure Glazing

The windows and door facing north west shall be glazed with permanently obscured glass for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

3 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), 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.

4 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).

5 I2 Encroachment

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.

6 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 ODPM, available free of charge from the Residents

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

7 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.

8 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to 10 Reservoir Road which is a 3/4 storey apartment block located to the south east of Reservoir Road. The land runs down hill from northwest to southeast with Del Farm Road running along the side of the building on the north east. To the south are business and industrial units. The area is a mixture of commercial and residential, with the residential a mixture of semi detached and semi detached two storey dwelling and three storey apartment blocks. To the west of the site off Dell Farm Road there is a block of 30 plus garages and additional parking spaces.

The application site lies within the developed area as designated by the policies of the Hillingdon Local Plan (2012).

3.2 Proposed Scheme

The application relates to the construction of an extension on the existing roof terrace to create additional habitable floorspace. The proposals would be located on the terrace roof on the south western side of the existing building and would be accessed via the internal stairs which are enclosed within a similar structure and adjoining the proposed extension. The building measures 4.3m wide by 4.9m deep and has a flat roof of 2.4m in height. The proposed materials are to match the existing.

3.3 Relevant Planning History

Comment on Planning History

16848/B/78/1360 FUL - Mixed development on 0.023 hectares

Between 1981 and 1989 there have been an additional 6 applications linked to the site, but these relate to warehouse and industrial premises, not the flats in question.

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

The following neighbours were consulted for a period of 21 days expiring on the 19 March 2015 as follows: -

- The Occupants of Waters Reach Apartments
- 36 Dell Farm Road
- 24 Reservoir Road

3 responses were received from adjoining neighbours raising the following issues:

- There may be loss of light and overshadowing to neighbouring roof terraces
- There will be noise and disturbance resulting from use as it will be above my balcony
- Noise and disruption from extending their property
- It will affect the layout, design and appearance of the block which is currently uniform
- It will increase buildings insurance which is paid by all leaseholders
- 21 days notice was not given by the leaseholders to other leaseholders in the block
- Loss of privacy

Advised the residents have signed a petition which will be forwarded to the council. If this was produced it has not been received.

Ruislip Residents Association - no response

6. 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. |
| 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.

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

In addition: None

7. MAIN PLANNING ISSUES

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

The extension would be constructed on the south easterly end of the building. To the north east is a 3m wide section of roof and to the south west and north west are neighbouring roof terraces, which are separated from the application site by 1.6m high fences. Due to the building having been built on a slope the third storey flats located to the front of the block, are level with the roof terrace. They are situated 12m away from the proposed extension with windows facing the application site. HDAS advises that an adequate distance should be maintained to any area which overlooking may occur and as a guide the distance should not be less than 21m. However this is an existing roof terrace which currently overlooks the adjacent roof terrace and flat windows. The proposed play room is set to the rear of the terrace and has full length side windows (set back 3m from the side wall of the existing building) facing the garages and parking areas and proposed high level windows on the rear elevation, it would therefore be acceptable to condition the windows facing the flats to the northwest to be obscure glazed, which would mitigate for the increased use of the area (to that already experienced) in inclement weather.

The building is set back to the rear of the terrace and adjacent to the neighbouring roof terrace and the proposed structure will increase the level of enclosure along the adjoining boundary by an additional 1m. However given the orientation of the site and positioning of the extension to the north east it is not considered that the proposal would lead to a significant loss of daylight or overshadowing to the adjacent roof terrace.

Therefore the proposed extension is not considered to result in an unacceptable loss of privacy to the adjacent properties. As such the proposal complies with Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15, BE19 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.2 Impact on Street Scene

The design of the proposed extension reflects the existing building and roof house. It is located 8.75 metres above ground level and set back 3m from the main elevation to the north east and behind the 1.8m high parapet wall to the south east. The proposed extension would not appear unduly prominent or overly dominant or incongruous in appearance or out of scale or character of the existing building or the wider area. As such the proposal complies with Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15, BE19 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.3 Traffic Impact/Pedestrian Safety

Not applicable to this application

7.4 Carparking & Layout

Not applicable to this application

7.5 Urban Design, Access and Security Considerations

See above.

7.6 Other Issues

It is considered that the proposed playroom, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

There is currently a roof terrace providing 43sqm of private amenity space serving the 2 bedroom apartment. The proposed extension will reduce the level of space to 23.5sqm. This is slightly below the 25sqm recommended in HDAS, however given the close proximity to Ruislip Lido and associated facilities, if all other aspects of the proposal were considered acceptable it would not be sufficient to warrant refusal on this basis

8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2.

The London Plan (2015).

Supplementary Planning Document 'Accessible Hillingdon'.

National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230