

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	<input type="checkbox"/>
2. Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3. There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4. There is no effect on listed buildings or their settings	<input type="checkbox"/>
5. The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>
REFUSAL RECOMMENDED: GENERAL	
6. Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7. No petition of 20 or more signatures has been received	<input type="checkbox"/>
8. Application has not been supported independently by a person/s	<input type="checkbox"/>
9. The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>
RESIDENTIAL DEVELOPMENT	
10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11. Householder application in the Green Belt	<input type="checkbox"/>
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	<input type="checkbox"/>
13. Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS	
15. Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16. Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17. Certificate of Appropriate Alternative Development	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS	
18. ADVERTISEMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19. PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20. OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21. CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22. CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23. APPROVAL OF DETAILS	<input type="checkbox"/>
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval	<input type="checkbox"/>
25. WORKS TO TREES	<input type="checkbox"/>
26. OTHER (please specify)	<input type="checkbox"/>

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, Transportation and Regeneration**Address** 1 BRIXHAM CRESCENT RUISLIP**Development:** Single storey rear extension**LBH Ref Nos:** 20332/APP/2021/1732**Drawing Nos:** 1/BC/May/004 (Proposed Ground Floor Plan)
Location Plan (1:1250)
1/BC/May/001
1/BC/May/002
1/BC/May/003
1/BC/May/004 (Existing and Proposed Site Layout)**Date Plans Received:** 29/04/2021 **Date(s) of Amendment(s):** 30/04/2021**Date Application Valid:** 17/05/2021**1. CONSIDERATIONS****1.1 Site and Locality**

The property is a semi-detached house with rear and side garden sited at the corner junction of Brixham Crescent with Chudleigh Way. The site is within the built-up area of the Borough in a residential context with similar properties adjacent. The site is not subject to any heritage, ecology or Local Plan designations.

1.2 Proposed Scheme

The proposed single storey flat roof extension with lantern rooflight would have dimensions as follows:

Height - flat roof 3m, lantern rooflight 3.4m
Depth - 3.3m
Width - 5m

The extension would infill an area between a rear projection and the boundary with the attached semi (no.7 Chudleigh Way) which is currently occupied by decking.

1.3 Relevant Planning History

20332/APP/2021/1966 1 Brixham Crescent Ruislip

Demolition of garage and proposed erection of single storey building to be used as self-contained dwellinghouse, with associated works.

Decision Date:**Comment on Planning History**

No history but a concurrent application 20332/APP/2021/1966 exists for development of the garden of the property for:

Demolition of garage and proposed erection of single storey building to be used as self-contained dwellinghouse, with associated works.

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 adjoining occupiers consulted. Three s received objecting on the following grounds:

1. The application should be considered with application Ref: 20332/APP/2021/1966.
2. This 5 bedroom house along with an addition of a separate dwelling will cause horrific parking.
3. Does not comply with the National Planning Policy Framework (NPPF) or the Council's planning policies.
4. When applications 1732 and 1966 are taken together the proposed developments to extend the current dwelling and to demolish a garage and replace it with a new dwelling on the plot of 1 Brixham Crescent amount to disproportionate additions to the site that is over and above the size of the original building which would have been a 2 bedroom dwelling. Planning permission was previously granted in 1989 for a two-storey side extension & single- storey front extension (20332/B/88/2656). It is also my view that the proposals are in contravention of Policy DMH 6: Garden and Backland Development - in the Council's Local Plan Part 2: Development Management Policies.
5. These two new planning applications (1732 and 1966) taken together represent substantial overdevelopment of the plot.
6. None of the plans for either application indicate the garden area that will be retain by the current dwelling at No 1 which would indicate that this is less than the stated minimum of 100m² for a 5 bedroom house.
7. The current plans do not reflect the fact that there is a manhole cover for essential access to the sewage drains (this is the end of the run of the sewer behind houses 3-11 and the place where blockages have occurred), so retaining access via this manhole cover is essential. As such the proposed dwelling is sited too far forward and will mean that this manhole cover is built over with no easy access by Thames Water. Has Thames Water been consulted about this proposal as the proposed structure will cover their manhole cover? No structure should be any further forward than the existing garage.
8. I am concerned that the bifold doors from the only living area will lead to unacceptable noise levels, particularly when opened. In addition, I am concerned that the proposals will lead to the removal of all the shrubs alongside the boundary which currently provide a buffer from noise from the existing property, provides privacy from the over-looking windows and contribute to the biodiversity of the area. These shrubs are along the boundary immediately behind the proposed new bi-fold doors. I object to the proposals on the basis of the loss of biodiversity the removal of shrubs this development may entail which would be unfortunate given the Government's wider environmental objects, including the biodiversity net gain requirements set out in the Environment Bill current progressing in Parliament. The proposals are in contravention of Paragraph 8(c) of the NPPF requires the protection and enhancement of the natural and built environment, including helping to improve biodiversity.

Officer Comments: This application only relates to the single storey extension and any issues raised regarding the application for a new unit within the site will be considered in relation to that proposal. The issues raised regarding the single storey extension are covered in the main issues section of the report.

4. Local Plan Designation and London Plan

Standard Informatives

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

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 and car parking provision.

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 regard to rear extensions Policy DMHD 1 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;

The proposed extension is fully compliant with the requirements of Policy DMHD 1. It would appear subordinate in scale and would respect the architectural integrity of the host dwelling and would not have a negative impact upon the visual amenity of the site or the surrounding area.

The boundary with the attached semi, 7 Chudleigh Way, comprises an approximately 1.8m wooden fence, with a rear conservatory to no.7 beyond. Given this screening and the 3m depth and height of the facing side elevation, it is considered no material harm would result to the amenities of this neighbour.

The comments made in the objection responses are noted, but the application is assessed on its own merits. The separate, concurrent application for a house on the plot will be subsequently also dealt with on its own merits, and the existence of an extant permission for an extension to the house will be a material consideration in that assessment.

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 requirements of Policy DMHB 11 and London Plan Policy D6.

In terms of the garden area, the property is, at a minimum a 4 bedroom dwelling and thus, 100 sq.m would normally be required. In this case approximately 75sq.m would remain, which would be considered reasonable for everyday use and the site is within easy walking distance of a public open space at Shenley Park. Taking these factors into consideration, the level of amenity space provided is considered acceptable.

The parking provision would remain unaffected by the proposal.

CONCLUSION

It is concluded that the proposed addition complies with relevant Development Plan policies and recommended that permission be granted subject to appropriate conditions. The application has been assessed on its own individual merits and the concurrent application for a new dwelling on the site will also be dealt with as such, including cognisance of the extension subject of the present application.

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 1/BC/May/002, 1/BC/May/003 and 1/BC/May/004 (Proposed Ground Floor 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 of the development hereby approved facing 7 Chudleigh Way.

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 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

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.

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: Michael Gavin

Telephone No: 01895 250230