

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

Report of the Head of Planning, Sport and Green Spaces

Address 37 NEW ROAD HILLINGDON

Development: Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres

LBH Ref Nos: **29296/APP/2014/3228**

Drawing Nos: Location Plan (1:1250)
BJ/2014/039/01
BJ/2014/039/02
BJ/2014/039/03
BJ/2014/039/04

Date Plans Received: 10/09/2014 **Date(s) of Amendment(s):**

Date Application Valid: 10/09/2014

1. RECOMMENDATIONS

1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

This determination is based on your submitted plans. All measurements are taken from existing ground level.

CONDITIONS

- 1 The Council of the London Borough of Hillingdon made an Article 4(1) Direction on 20 September 2013 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The Direction relates to development comprising the enlargement, improvement or other alteration of a dwelling house where the enlarged part would have a single storey and would:

(i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres.

The Article 4(1) direction removes permitted development rights for this type of development from the date the Direction came into force on 22nd September 2014. Planning permission is therefore required for such development now that the Article 4 Direction is in force.

The Council consulted on the Article 4 Direction from 25th September 2013 to the 25th October 2013 and considered representations received during this period. The Council confirmed the Direction on 10th July 2014 (confirmed under seal on 22 July 2014) therefore it came into force on 22nd September 2014.

The Article 4 Direction applies to the whole of the London Borough of Hillingdon.

A copy of the Direction, including the map defining the area covered may be seen free of charge at Main Reception of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW from 8.45 am to 5.00 pm Monday to Friday or can be viewed on the Council's website: www.hillingdon.gov.uk.

- 2 The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the proposed development would unduly detract from the amenities of the adjoining occupiers at Numbers 35 and 39 New Road, by reason of visual intrusion, over domination, loss of daylight and loss of sunlight.

2.0 Planning Considerations

The application seeks Prior Approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres.

The three properties sharing a boundary with the application site, namely numbers 35 and 39 New Road and 10 Fountain Close. 1 letter of objection was received.

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Therefore, the proposed extension at a depth exceeding 4m, cannot be considered as permitted development.

3.0 Relevant Planning History

4.0 Any Neighbour Objections

Neighbour Objections received?

YES - 1 letter of objection was received from the occupant of Number 39 New Road which

states:-

The proposed extension exceeds the line of extensions including my own and 41 New Road by 1.5 metres. in such a small garden this is unacceptable. 2. A drainage problem along this row of houses means we have to have the drains flushed from time to time this extension I believe would cover the existing manhole. 3. The builders that are already in place have told me this will be 4/5 bedroom house by dividing the downstairs front room into two bedrooms this is why the 5 metre extension is required to give adequate living accommodation, I think this is unacceptable.

5.0 Assessment of Impact on Neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) contains policies that seek to safeguard the amenities of residential occupiers with reference to daylight/sunlight (Policy BE20), bulk and proximity (BE21) and privacy (privacy). The adopted SPD, the Hillingdon Design & Accessibility Statement - Residential Extensions (December 2008) contains design guidance and criteria including dimensions by which to assess these potential impacts on the neighbours.

Where proposed extensions would exceed 3.6 metres in overall depth (including existing extensions) from the original rear wall of the dwelling, the effect on the quality and amount of natural daylight, sunlight and outlook available to the neighbouring properties is considered unacceptable.

Although both adjacent properties at numbers 35 and 41 New Road have been extended to the rear by way of single storey rear extensions (of depth around 3m and 3.5m) it is still considered that the proposed extension with a depth of 5m and height of 3m would have a significantly detrimental impact on the amenities of their occupiers. As such the proposal would result in a significant loss of daylight, outlook and an increased sense of enclosure for the occupants of these neighbouring dwellings. The proposal would be contrary to Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

6.0 ALL CLASSES

If Semi or Terrace - does exceed 4m?
YES

Is the dwelling a flat or a maisonette?
NO

Is there a planning condition removing permitted development rights?
NO

Is the building listed/in a Conservation Area?
NO

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