

DELEGATED HOUSEHOLDER DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been checked. Director of 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, Sport and Green Spaces**

Address 130 PAVILION WAY RUISLIP

Development: Single storey rear extension and porch to front involving alterations to side elevation and demolition of existing rear conservatory

LBH Ref Nos: **30927/APP/2015/2513**

Drawing Nos: 15/295/14
 15/295/13 Rev. A
 15/295/12
 15/295/11

Date Plans Received: 03/07/2015 **Date(s) of Amendment(s):**

Date Application Valid: 15/07/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a storey semi-detached bungalow located on Pavilion Way. The external walls of the property are covered by a hipped roof. The area to the front of the property, within the curtilage of the dwelling, is covered in hardstanding, and provides space to park 1 vehicle. The dwelling also has an attached garage to the rear of the dwelling, which provides an additional car parking space, however the garage is considered to be inaccessible.

The site is located in a developed area as identified in the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey rear extension and porch to front involving alterations to side elevation and demolition of existing rear conservatory.

1.3 Relevant Planning History Comment on Planning History

There is no planning history of relevance to this application.

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

A total of 2 neighbouring occupiers along with the Eastcote Residents Association, and Thames Water Utilities, were consulted on the application on 16th July 2015. By the close of the consultation period on 6th August 2015, comments from Thames Water Utilities were received.

Comments from Thames Water Utilities:

"Waste Comments:

- Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership.
- Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage:

- It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer.
- In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.
- When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.
- Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- There is no objection with regards to sewerage infrastructure capacity.

Water Comments:

- With regards to water supply, this comes within the area covered by the Affinity Water Company who can be contacted on 0845 782 3333".

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- 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.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- AM14 New development and car parking standards.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on the residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property, and the availability of parking.

The existing plans that have been submitted show that the property has a conservatory to the rear, however after going out on site, it was apparent the conservatory had been demolished. The property has a detached garage to the rear, which is 2.83m wide and 5.68m in length.

Section 3 of the HDAS Residential Extensions guidance, states: "single storey rear extensions to terraced and semi-detached houses should not exceed 3.6m in depth and should have a maximum height of 3m for a flat roof or 3.4m for a pitched roof".

The proposed single storey rear extension will have a depth of 4m and will extend the entire width of the original house, as it will be 6m wide. The proposed extension will have a flat roof with height of 2.7m which is increased to 2.8m due to the proposed roof lights. Although the depth of the proposed single storey rear extension exceeds the 3.6m as stated in the HDAS, an exception can be made for this application, as it is considered that the proposed extension will not result in a loss of residential amenity to any neighbouring occupiers.

Paragraph 8.2 of the HDAS Residential Extensions guidance, states: "porches should be subordinate in scale and form and should not be detrimental to the visual amenities of the street scene. The depth of any porch or canopy must not extend past the line of any bay window. The roof design and roof material must match the main roof".

The proposed porch will have a depth of 1.5 metres, and will be 2.15m wide. The roof of the proposed porch will consist of a flat roof, which will have a height of 2.57m. The materials of the proposed porch would match the materials of the main roof. The development is considered to form a proportionate addition that does not have a significant impact on the character of the original property or the visual amenity of the surrounding area, as there are various other properties on Pavilion Way that consist of front porches.

Therefore the proposed development complies with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

As the proposed development will be built along the shared boundary line with no.128 and no.132 Pavilion Way, the design of the development is considered to cause a loss of residential amenity to the occupiers of the neighbouring dwelling, no.132 Pavilion Way, as the proposed development will result in some form of overlooking. Plans show that the proposal will include a window and door on the rear elevation of the proposed extension, which will face the rear garden of the application site, and will not look directly into any adjacent properties. However the proposal will also include an additional window on the side elevation of the original dwelling, which will face the side window of no.132 Pavilion Way, which is a window of a habitable room (bedroom). The new window serves a new bedroom created within the property and thus cannot be conditioned to be obscure glazed as it would result in a habitable room with no outlook, which would be unacceptable. Council standards require the minimum distance between habitable room windows facing each other to be 21m. The proposed window would be only 3.4m from the adjoining property. This will result in unacceptable loss of privacy and overlooking.

Therefore, the proposed development does not comply with Policies BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Paragraph 4.9 of the HDAS Residential Extensions guidance, states that sufficient garden space should be retained as a consequence of an extension. The guidance states that for a 2 bed property, at least 40sq.m of private usable rear garden space should be retained.

Following the construction of the proposed development approximately 49.57sq.m of private rear garden space will be retained for the occupiers of the dwelling. Therefore the proposed development meets the requirements of this guidance as well as Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed development will not change the parking provision for the occupiers of the dwelling, as the existing garage is currently inaccessible.

Having taken everything into consideration, it is recommended that this application be refused.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by virtue of the creation of a habitable room with a side facing window and the proximity of this window to windows in the neighbouring property, 132 Pavilion Way, would be detrimental to the amenities of the adjoining occupiers by reason of loss of privacy and overlooking. The proposal is therefore contrary to Policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

Standard Informatives

- 1** The decision to REFUSE 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 REFUSE 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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

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.
BE23	Requires the provision of adequate amenity space.
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AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

guidance.

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