

Anuj Bhatt
60 Braemar Avenue
Wembley
HA0 4QN

Application Ref: 321/APP/2022/46

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:-

Description of development:

Variation of Condition 2 (Approved Plans) of planning permission ref. 321/APP/2021/4094, dated 30/12/21 (Demolition and replacement of the existing detached bungalow with a new two-storey detached dwelling, together with alterations to the front driveway, new decking to rear and all associated ancillary works) to extend rear dining area by 840mm; realign doors and windows to rear elevation and enlargement of 2 lantern rooflights.

Location of development: 39 Oak Avenue Ickenham

Date of application: 10 January 2022

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-



Head of Planning, Transportation and Regeneration

Date: 7 March 2022

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 321/APP/2022/46

SCHEDULE OF CONDITIONS

- 1 · The development hereby permitted shall be begun before the expiration of three years from 30th December 2021, being the date of the original permission granted under reference 321/APP/2021/4094.

REASON

As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions.

- 2 · The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers AA-A003-1001 Rev. P01, AA-A003-1002 Rev. P01, AA-A003-1003 Rev. P01, AA-A003-1004 Rev. P01, AA-A003-1005 Rev. P01, AA-A003-1006 Rev. P01, AA-A003-1007 Rev. P01, AA-A003-1008 Rev. P01, AA-A003-1009 Rev. P01, AA-A003-1010 Rev. P01 and AA-A003-1011 Rev. P01 (all received on 10.01.2022) and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

- 3 · The development hereby approved shall be carried out in accordance with the materials and external surfaces specified on drawing numbers AA-A003-1007 Rev. P01, AA-A003-1008 Rev. P01, AA-A003-1009 Rev. P01, AA-A003-1010 Rev. P01 (all received on 10.01.2022) and the document titled Material Schedule and Product Specification (received and approved under application 321/APP/2021/4094).

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 4 · The development shall be carried out in accordance with the document titled Sustainable Urban Drainage System Assessment (Job Number: 1163, dated January 2022) approved under application 321/APP/2022/189 granted on 17th February 2022. Thereafter the development shall be retained in accordance with the approved details.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2021) Policies SI 12 and SI 13 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 5 · The development shall be constructed in accordance with step free access details shown on drawing numbers AA-A003-1001 and AA-A003-1007 Rev. P01 approved under application 321/APP/2022/189 granted on 17th February 2022. Thereafter the development shall be retained in accordance with the approved details.

REASON

To ensure that the dwelling is of an inclusive and accessible design in accordance with Policies D5 and D7 of the London Plan (2021).

- 6 · The demolition and construction works for the development hereby approved shall be carried out in accordance with the details specified in the document titled Construction Management Plan approved under the original planning permission reference 321/APP/2021/4094.

REASON

In in the interest of the health of the trees at the site, amenities of surrounding occupiers and to ensure the safe operation of the adopted highway during the construction of the development in accordance with Policies DMHB 11, DMHB 14 and DMT1, DMT 2 of the Hillingdon Local Plan Part 2 (2020).

- 7 · The demolition and construction works of the development hereby approved shall be carried out in accordance with tree protection measures specified in the document titled Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) (dated 22nd October 2021, ref: TH 2990 B) approved under the original planning permission reference 321/APP/2021/4094. All site monitoring reports shall be submitted to the Local Planning Authority within 5 working days of the visit by the arboriculturist as stated in paragraph 12.3 of the Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012).

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

- 8 · The development shall be constructed in accordance with hard and soft landscaping details shown on drawing numbers AA-A003-1001 Rev. P01, AA-A003-1002 Rev. P01, AA-A003-1003 Rev. P02, AA-A003-1004 Rev. P01, AA-A003-1005 Rev. P01 and AA-A003-1006 Rev. P01 and the document titled 'Landscape Management Plan and Schedule for Implementation' (dated 14th January 2022) all approved under application 321/APP/2022/189 granted on 17th February 2022. Thereafter the development shall be retained in accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies G5 and T6.1 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 9 · The development hereby approved shall not be occupied until the bin store and cycle store has been provided on site as detailed on approved drawing number AA-A003-1004 Rev. P01 (received on 10.01.2022) and specified in sections 8.4 and 8.5 of the Design and Access Statement (approved under the original planning permission reference 321/APP/2021/4094).

REASON

To ensure that there are adequate facilities for waste and cycle storage in accordance with Policies DMHB 11 and DMT 5 of the Hillingdon Local Plan Part 2 (2020) and Policy D5 of the London Plan (2021).

- 10 · Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

- 11 · The dwelling hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON

To ensure that the dwelling is of an inclusive and accessible design in accordance with Policies D5 and D7 of the London Plan (2021).

SCHEDULE OF CONDITIONS

- 12 · The dwelling hereby approved shall not be occupied until it has achieved an energy efficiency standard of a minimum 10% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).

REASON

In the interest of energy conservation and to comply with SI 2 of the London Plan (2021).

- 13 · Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020).

- 14 · Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (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 numbers 37a and 40 Oak Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 15 · The first floor side windows serving the 'Bathroom' and 'En-suite' as detailed on approved drawing number AA-A003-1006 Rev. P01 (received on 10.01.2022) shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policies 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 Local Plan Part 1 (2012) and Part 2 (2020) set

SCHEDULE OF CONDITIONS

out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

Part 1 Policies:

Part 2 Policies

DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

- 3 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

SCHEDULE OF CONDITIONS

- 4 . Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

- 5 . 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.
- 6 . 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.

SCHEDULE OF CONDITIONS

- 7 . 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 . Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species. Therefore, if applicable, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

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SCHEDULE OF PLANS

AA-A003-1001 Rev. P01 - received 10 Jan 2022
AA-A003-1002 Rev. P01 - received 10 Jan 2022
AA-A003-1003 Rev. P01 - received 10 Jan 2022
AA-A003-1004 Rev. P01 - received 10 Jan 2022
AA-A003-1010 Rev. P01 - received 10 Jan 2022
AA-A003-1009 Rev. P01 - received 10 Jan 2022
AA-A003-1008 Rev. P01 - received 10 Jan 2022
AA-A003-1006 Rev. P01 - received 10 Jan 2022
AA-A003-1005 Rev. P01 - received 10 Jan 2022
AA-A003-1011 Rev. P01 - received 10 Jan 2022
AA-A003-1007 Rev. P01 - received 10 Jan 2022

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.