

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 an 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 the 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 changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's 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 DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

The previous drop kerb application, ref. 55611/APP/2020/4318, was refused on the grounds that there was insufficient information regarding potential harm to the street tree in front of the property.

Since this application was determined on 23-03-21, the street tree in question was lost in a storm and cleared by the contractors on behalf of Hillingdon Council. This has been confirmed by Hillingdon Council's Arboricultural Team Manager. The loss of the tree means that the previous reason for refusal is no longer applicable to this proposal for a drop kerb.

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

5 neighbouring properties, Eastcote Residents Association, and Hillingdon Council Highways were consulted by letter dated 03-10-24. The consultation period expired on the 24-10-24.

No comments were received from neighbours or the residents association.

Hillingdon Council Highways raised no objection in terms of highway safety and impact on traffic flow.

The applicant did make the following comments regarding the lamppost that is located on the public footpath to the front of the application site.

As per the Council's Domestic Vehicle Footway Crossover Policy guidance there must be 1.5 metres gap between the tree and the crossover and the lamp column. The lamp column must be moved to ensure there is 1.5 metre gap on each side of the crossover and the applicant will incur any associated cost to relocate the lamp column.

Officers comments: It is the applicants responsibility once receiving planning permission to make sure that the lamppost is moved if needed. An informative will be added to the final decision notice reminding the applicant of their responsibilities to seek highway approval for carrying out works on highway land.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMEI 9 Management of Flood Risk

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

NPPF4 -23

NPPF4 23 - Decision making

NPPF12 -23

NPPF12 23 - Achieving well-designed and beautiful places

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 existing property and area, the impact on the amenity of adjoining occupiers, flooding risk, and highway and pedestrian safety.

Character and Appearance:

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 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that new development to residential properties should ensure there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area.

With regards to front gardens, policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states

- i) new or replacement driveways should use permeable (porous) surfacing. Surfaces of more than five square metres will need planning permission for laying traditional, impermeable driveways.
- ii) the design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene

The proposed development involves the installation of a dropped kerb with paving to the front garden area. The new hard surfacing will cover an area of around 64 sqm, with the total front garden area being around 100sqm. Therefore around 36 sqm of garden will be retained. This is deemed to be acceptable as there is a large amount of hardstanding to front of the neighbouring property at 292 Joel Street. In order to prevent the accumulation of standing water and potential highway safety risks, a condition will be added to final decision notice requiring the materials that will be used to be permeable in nature and retained for the entirety of the developments existence. The drop kerb is deemed acceptable give the presence of dropped kerbs nearby and along Joel Street.

The proposed development would comply with the overall objectives of Policies BE1 of the Hillingdon Local Plan (November 2012) policies DMHB 11 and DMHD 1 of the Hillingdon Local plan - Part Two (2020).

Neighbour Amenity:

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Given the nature of the proposed development, it is considered that the proposal would not adversely impact on the amenity, daylight and sunlight of neighbouring residential occupiers. It would therefore be compliant with Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020), in this regard.

Access, Highways and Parking:

Policy DMT 6 requires that vehicle crossovers must be constructed to Council standards.

Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires parking bays to be a minimum of 2.4m x 4.8m. The proposed parking area would measure approx. 4.15m in width and 7.70m in depth meeting this requirement. The highway authority have been consulted on the application and have no objection to the proposed development. As such this is considered acceptable.

Flooding Risk:

Policy DMEI 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires the development proposals within a flood risk area 2 and 3 be accompanied with a flood risk assessment. The application site lies within a flood risk area 2 and 3. However, given the nature of the proposal and the fact there would be no alterations to the dwellinghouse itself, officers do not consider in this context there would be any adverse flood risk to the owner occupiers of the property and neighbouring properties. The use of permeable materials would help to mitigate the potential impacts of flooding, with a condition being added to the final decision notice.

Conclusion:

For the reasons covered in this report, the application is recommended for approval.

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 plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on Drawing Numbers:

Site Location Plan
290 Joel Street-D01-Rev 04

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 development hereby permitted shall be permeable (porous) in nature and retained there after for the entire existence of the development.

REASON

To prevent surface water accumulation and potential highway safety risks in accordance with policy DMHD 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020)

4. RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with policy DMT 2 of the Hillingdon Local Plan Part 2 (2020).

INFORMATIVES

1. The development hereby approved includes the carrying out of alterations to a vehicular access. Prior to undertaking work on the adopted highway you will require a Section 184 licence from the Highway Authority. The works shall be to the specification and constructed to the satisfaction of the Highway Authority. Fees are payable for the approval of the highway details, and inspection of the works. Further information and an application form are available on the London Borough of Hillingdon website <https://www.hillingdon.gov.uk/dropped-kerb-form>
2. A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

Standard 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 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 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 Polices

PT1.BE1 (2012) Built Environment

Part 2 Polices:

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMEI 9 Management of Flood Risk

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

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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 will 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 - 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.
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:

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