

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 22 BRADENHAM ROAD HAYES MIDDLESEX

Development: Single storey rear extension

LBH Ref Nos: **60511/APP/2015/1768**

Drawing Nos: Proposed Ground Floor Plan
 Proposed Rear Elevation and Block Plan
 Proposed Side Elevations
 Location Plan (1:1250)
 Supporting Photographs x 7

Date Plans Received: 14/05/2015

Date(s) of Amendment(s):

Date Application Valid: 14/05/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey semi-detached property located on the south side of Bradenham Road, Hayes. The property neighbours no.20 Bradenham Road to the east, and no.24 Bradenham Road to the west. The area to the front of the property is covered by hardstanding, providing room for two vehicles to be parked within the curtilage of the application site. The rear of the property is flat and enclosed.

The application property has previously been extended by way of a single storey rear extension which projects beyond the original rear wall of the property by 3.0m. The property has also had its loft converted to habitable use to include a rear dormer. The adjoining property has recently had a rear extension constructed which projects for a depth of 4.5m.

The surrounding area is residential in character comprising of two storey semi detached properties. Rear extensions of varying scale and design are found on the rear of many of the surrounding properties. The property is located within a 'Developed Area' as identified within the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for a single storey rear extension.

The proposal seeks to extend beyond the existing rear extension by 1.5m, continuing with a flat roof of a maximum roof height of 3.0m. The proposal would result in a rear extension with a total depth of 4.5m, level with the rear extension found on no.24 Bradenham Road, the adjoining property.

1.3 Relevant Planning History

60511/APP/2015/831 22 Bradenham Road Hayes Middlesex
 Single storey rear extension

Decision Date: 05-05-2015 Refused

Comment on Planning History

A similar application was refused on the following reason;

- The proposed development by virtue of its size, scale, bulk and depth would be detrimental to the amenities of the adjoining occupiers by reason of over dominance, loss of light, overshadowing and loss of outlook; and
- The proposed development by reason of its size, scale, bulk and depth would be an incongruous and overly dominant addition to the existing dwelling to the detriment of its character and appearance and the visual amenities of the surrounding area.

Comment

The rear extension on the adjoining property, no.24 Bradenham Road, had not been constructed when the previous application was determined.

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

The occupiers of the following properties were consulted on the application by a letter dated the 18th of May 2015;

- 20 Bradenham Road;
- 24 Bradenham Road;
- 33 Adelphi Crescent;
- 35 Adelphi Crescent; and
- 37 Adelphi Crescent.

By the close of the consultation period on the 8th of June 2015, no objection to the proposal was received.

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.
- LPP 3.5 (2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The primary issues for consideration in the determination of the application relate to the impact of the proposal upon the visual amenity of the application property, the impact upon the residential amenity of occupiers of neighbouring properties and the impact upon the character of the surrounding area.

In the determination of an application for a single storey rear extension, paragraph 3.0 of the HDAS Residential Extension Guidance recognises that careful consideration should be given to the size, depth, location, height and overall appearance of the extension. The extension should always be designed so as to appear subordinate to the original house.

For a semi-detached property on a plot more than 5.0m wide, such as the application site, paragraph 3.3 of the HDAS Residential Extension Guidance states that an extension up to 3.6m deep is acceptable. The application proposes to exceed the guided depth by 1.0m, proposing a total depth of 4.5m.

Although the proposal does exceed the recommended depth, it is equal to the rear extension of the adjoining property. As such, it would not confer any harmful impacts upon the residential amenity of occupiers of the adjoining property by way of over dominance, over shadowing, loss of outlook or loss daylight. In addition, an extension of 1.0m is regarded as insufficient to confer any harmful impact upon the residential amenity of the occupiers of the neighbouring property to the no.20 Bradenham Road, by virtue of the 1.5m distance maintained from the side boundary.

The surrounding area can also be characterised by rear extensions of varying scale and design, as such, the proposed extension is not viewed as having any harmful impact upon the character and appearance of the surrounding character, particularly as it will not be visible from the street scene.

The proposed rear extension is therefore viewed as being in accordance with Policies BE15, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In addition to the above, the proposed rear extension contains no windows within the flank elevation, therefore permitting no overlooking upon the occupiers of the neighbouring properties. The proposal is therefore viewed as being in accordance with Policy BE24 of the Hillingdon Local Plan (November 2012), which seeks to ensure that the level of privacy enjoyed by occupiers of neighbouring properties remains protected as a result of new development.

Plans also indicate that those habitable rooms altered by the proposal will receive an adequate amount of natural light in accordance with Policy 3.5 of the London Plan (2015).

The Garden Space Standards contained within the Hillingdon Local Plan (November 2012) requires that sufficient garden space is retained as a consequence of an extension. Plans indicate that over 200sqm of private garden space would be retained as a consequence of the extension, which therefore satisfies both Policy BE23 and the Garden Space Standards of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Considering the above, the proposed rear extension is considered to have an acceptable

impact upon the visual amenity of the application property whilst conferring no harmful impact upon the residential amenity of occupiers of neighbouring properties by way of over dominance, over shadowing, loss of outlook or loss of daylight. The proposal is therefore viewed as being in accordance with Policies BE15, BE19, BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Supplementary Planning Document: HDAS Residential Extensions.

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 Proposed Ground Floor Plan, Proposed Rear Elevation and Block Plan and Proposed Side Elevations.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

3 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 20 or 24 Bradenham Road.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 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 BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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.

- 2 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).

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 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 (July 2011) and national guidance.

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.
LPP 3.5	(2015) Quality and design of housing developments
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

- 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. This planning permission is not valid for a development that results in any form of encroachment.
- 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 - Planning, Environment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 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, Environment and Community 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: Karen Mckernan

Telephone No: 01895 250230