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**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
GRANT OF PLANNING PERMISSION**

Roger Barton
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Herts
WD3 1TA

Application Ref: 61248/APP/2006/2155

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:

ERECTION OF SINGLE-STOREY SIDE EXTENSION, AND PART SINGLE/PART TWO-STOREY REAR EXTENSION.

Location of development: 43 Findhorn Avenue, Hayes

Date of application: 24 July 2006

Plan Numbers: 06/501 (A) (location plan 1:1250 scale and block plan 1:500 scale) and 06/500- REV-A - Received on 24/07/08.

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

Signed:..... 

DIRECTOR OF PLANNING & TRANSPORTATION

Date: 18 September 2006

- 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).

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SCHEDULE OF CONDITIONS

- 1 · 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 · The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan.

- 3 · 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 No. 41 Findhorn Avenue and Nos. 46A and 46 Lothian Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan.

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 Unitary Development Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

BE13 - new development to harmonise with the existing street scene.

BE15 - extensions to harmonise with the scale, form, architectural composition and proportions of the original building.

BE19 - new development to complement and improve the amenity and character of the area.

BE20 - ensure adequate daylight and sunlight can penetrate into and between buildings and the amenities of existing houses are safeguarded.

BE21 - siting, bulk and proximity of extensions not to result in a significant loss of

SCHEDULE OF CONDITIONS

residential amenity.

BE22- two storey side extensions and distance from side boundaries.

BE23 - sufficient external amenity space

BE24 - design to protect privacy of occupiers and neighbours

AM14 - Adequate off-street car parking provision.

SPG: Residential Extensions -

A3 - Impact of mass bulk and overlooking.

A4 - Visual impact of a development.

A5 - Design of extensions / materials.

B2-Single and two storey side extensions.

B3-Single and two storey rear extensions.

Supplementary Planning Document: Residential Extensions:

3.0- Rear extensions and Conservatories: Single Storey.

4.0- Side extensions: Single Storey.

6.0-Rear and First Floor Rear Extensions: Two Storey.

11.0-Front Gardens and Parking.

- 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 - 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.

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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 and Transportation Services Reception Desk, Level 3, 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 . 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.
- 10 . 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).
- 11 . Written notification of the intended start of works shall be sent to Planning and Transportation Group, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.
- 12 . The developments associated with the certificate of lawfulness granted under references- 61248/APP/2005/2904 or 61248/APP/2006/1395 shall be substantially completed prior to the commencement of the development hereby granted consent

SCHEDULE OF CONDITIONS

otherwise these certificates would be invalid.

- 13 . The extension of the existing vehicular crossover shown on the plans submitted with the application would may require prior approval of the Highway Authority. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge UB8 1UW.

END OF SCHEDULE

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

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Appeals to the Secretary of State

- 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 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://www.planning-inspectorate.gov.uk>.
- 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 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 they 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 office 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 in its existing state nor render the land capable of 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.