Planning, Environment and Community Services | **APP. REF. NO: 62090/APP/2012/1530**

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 then 10 dewlling 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. ADVERTISMENT 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 Planning, Environment and Community 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 & Enforcement Services**

Address 42 KINGSASH DRIVE HAYES

Development: Part two storey, part single storey side extension, single storey rear extension to include 4 x rooflights to rear and porch to front, involving demolition of existing garage and porch

LBH Ref Nos: **62090/APP/2012/1530**

Drawing Nos: SHEIKH/2012/PLAN/03
SHEIKH/2012/PLAN/01
SHEIKH/2012/PLAN/04
Location Plan to Scale 1:1250
Block Plan to Scale 1:500
SHEIKH/2012/PLAN/02 Received 25th July 2012

Date Plans Received:	25/06/2012	**Date(s) of Amendment(s):**	25/06/2012 27/06/2012 25/07/2012
Date Application Valid:	03/07/2012		

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a triangular piece of land with Kingsash Drive located along the western boundary. The north eastern boundary of the site is shared with 41 Kingash Drive, a linked-detached dwelling. The application site contains a detached dwelling, arranged over two storeys, with an attached garage to the side. There is a hardstanding area with room for more than two vehicles. The property is un-extended.

The western boundary along Kingash Drive has high boundary treatment consisting of a close boarded timber fence and a hedge.

The street scene is residential in character and appearance, comprising predominantly two storey detached and linked-detached houses, and the application site lies within the Developed Area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

1.2 Proposed Scheme

The proposal relates to the demolition of the existing garage to the side and the erection of a two storey side extension, a single storey rear extension and a front porch.

The two storey side extension would have a width of 3.6m, being set away from the western boundary by around 3m at its closest point. The ground floor element would occupy the entire length of the side elevation of the original dwelling, the main front and rear walls of the extension being in-line with the front and rear walls of the original dwelling. The first floor side extension would be set back from the frontage by 1m, with the roof over the two storey side extension being around 0.5m lower then the original ridge height.

The single storey rear extension would occupy the entire width of the rear elevation of the dwelling at around 9.2m, having a depth of 3.6m. It would have a tiled pitched roof over,

with a maximum height of 3.4m.

The porch to the frontage would have a depth and width of 3.5m and 1.75m respectively. There would be a three sided pitch roof over with a maximum height of 3.9m.

1.3 Relevant Planning History

62090/APP/2006/2177 42 Kingsash Drive Hayes

ERECTION OF SINGLE-STOREY FRONT AND REAR EXTENSIONS, CONVERSION OF GARAGE AND ROOFSPACE TO HABITABLE ACCOMMODATION WITH INSTALLATION OF REAR DORMER WINDOW AND ROOFLIGHTS

Decision Date: 19-09-2006 Refused

62090/APP/2006/3240 42 Kingsash Drive Hayes

ERECTION OF SINGLE-STOREY FRONT AND REAR EXTENSIONS, CONVERSION OF GARAGE AND ROOFSPACE TO HABITABLE ACCOMMODATION WITH INSTALLATION OF FRONT DORMER AND REAR ROOFLIGHTS.

Decision Date: 09-01-2007 Refused

62090/APP/2007/1253 42 Kingsash Drive Hayes

ERECTION OF A PART SINGLE-STOREY, PART TWO-STOREY SIDE EXTENSION, FRONT ENTRANCE PORCH, AND SINGLE STOREY REAR EXTENSION (INVOLVING RE-SITING OF FRONT FIRST FLOOR WINDOW AND DEMOLITION OF EXISTING GARAGE AND PORCH)

Decision Date: 25-09-2007 Approved

62090/APP/2007/547 42 Kingsash Drive Hayes

ERECTION OF A TWO-STOREY PART FRONT, TWO-STOREY SIDE AND SINGLE-STOREY REAR EXTENSIONS (INVOLVING DEMOLITION OF EXISTING GARAGE)

Decision Date: 20-04-2007 Refused

Comment on Planning History

Planning application 62090/APP/2007/1253 for 'ERECTION OF A PART SINGLE-STOREY, PART TWO-STOREY SIDE EXTENSION, FRONT ENTRANCE PORCH, AND SINGLE STOREY REAR EXTENSION (INVOLVING RE-SITING OF FRONT FIRST FLOOR WINDOW AND DEMOLITION OF EXISTING GARAGE AND PORCH)' was approved 09/2007. It is noted that the approved scheme is largely similar to that as proposed, the main difference being that the ground floor 'wrap-around' portion proposed as part of application 62090/APP/2007/1253 has been omitted from the proposed scheme.

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

Ten local addresses were consulted on 05/07/2012 and a site notice was erected on 10/07/2012. No responses were received.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 5.3	(2011) Sustainable design and construction

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, visual amenities of the street scene and surrounding area generally, residential amenity, parking and amenity space.

Policy BE22 of the saved UDP, September 2007 and paragraph 5.1 of the HDAS: Residential Extensions requires that where there is an existing single storey extension at ground level, already within 1m of a side boundary, then any first floor level side extension buildings should be set in by at least 1.5m. It is noted that the existing side garage extension would be demolished as part of the proposal and replaced by the two storey side extension. The extension at its closest point to the western boundary would maintain a separation of 3m. The openness of the corner plot would be maintained. The proposal would comply with Paragraph 5.3 of the HDAS: Residential Extensions and Policy BE22 of the saved UDP, September 2007. The two storey side extension would have a width less than 2/3rds of the width of the original dwelling in compliance with paragraph 5.10 of the HDAS: Residential Extensions, being a subordinate addition. The proposal would maintain the open character and appearance of the street scene, in compliance with Policies BE13 and BE19 of the saved UDP, September 2007.

The depth and finished height dimensions of the proposed ground floor rear extension would be in accordace with the guidance within paragraphs 3.3 and 3.7 of the HDAS: Residential Extensions, with the maximum depth and height of the extension being 3.6m and 3.4m respectively. The proposed extension would be subordinate to the scale and form of the original house and would harmonise satisfactorily with its character and appearance. The ground floor rear extension would not detract from the visual amenities of the surrounding area, not being readily visible from the street scene. The proposed ground floor rear extension is considered to be in compliance with Policies BE13, BE15 and BE19 of the saved UPD, September 2007, and section 3.0 of the HDAS: Residential Extensions.

The proposed front porch, although having a size exceeding that allowed under permitted development, when considered in context with the relavtively large detached house it would be attached to, would be subordinate to the scale and form of the original house and would harmonise satisfactorily with its character and appearance. It is noted that the roof over the proposed porch would be less dominating/bulky than that approved as part of the application 62090/APP/2007/1253 which proposed a gable ended roof. It is also to be noted that the height of the roof above the proposed porch would match that of the existing porch to the dwelling. The proposed porch, on balance, would not detract from the visual amenities of the dwelling and surrounding area, in compliance with Policies BE13, BE15 and BE19 of the saved UPD, September 2007.

The proposed two storey side extension would be located to the south western side of the dwelling, away from the neighbouring property, 41 Kingsash Drive located to the north. In addition, as the single storey rear extension would have a size in accordance with HDAS guidance and as the neighbouring dwelling 41 Kingsash Drive is set significantly forward of the application property, no negative amenity concerns are raised. The porch to the frontage would be located well away from any neighbouring dwelling. The extensions would not harm the residential amenities of the occupiers of the neighbouring properties by way of increased overshadowing, visual intrusion and/or over-dominance. The first floor front and rear windows to the proposed side extension would overlook the front and rear gardens of the application dwelling. No windows are proposed to the flank elevation. The proposal would not result in a loss of privacy for any neighbouring occupiers, in accordance with Policy BE24 of the saved UDP September 2007. The windows to the extensions would provide an adequate outlook and natural light to the rooms they would serve. Therefore, the application proposal would not constitute an un-neighbourly form of development and would be in compliance with policies BE20, BE21 and BE24 of the saved UDP September 2007, and the London Plan (2011) Policy 5.3.

In terms of policy AM14 of the saved UDP, September 2007, the application proposal would result in the conversion of the existing side garage to a habitable room. As the front garden can accomodate two off street parking spaces with ease, no concerns are raised and the proposal would be considered acceptable with regard to Policy AM14 of the saved UDP September 2007.

Over 100sq.m of private amenity space would be retained. As such, the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September
2007).

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

The development hereby permitted shall not be carried out except in complete

accordance with the details shown on the submitted plans 'Location Plan, Block Plan, SHEIKH/2012/PLAN/01, SHEIKH/2012/PLAN/02 (received 25-07-12), SHEIKH/2012/PLAN/03 and SHEIKH/2012/PLAN/04'.

REASON
To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 HO4 Materials

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 and shall thereafter be retained as such.

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 Saved Policies (September 2007).

4 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.

REASON
To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy No.

AM14	New development and car parking standards.
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.

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 5.3	(2011) Sustainable design and construction

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: Jazz Ghandial **Telephone No:** 01895 250230