

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. Corporate Director of Planning & Community Services can determine this application.

Case Officer: S. Bowen

Signature: JSM

Date: 15/3/10

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager: R. PHILLIPS

Signature: R

Date: 17/3/10

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature: J. Rodger

Date: 17/3/10

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning & Enforcement**

Address 20 LINDEN AVENUE RUISLIP

Development: Conversion of existing integral garage to habitable use to include increased finished height, single storey side extension and single storey front extension incorporating a porch.

LBH Ref Nos: **62356/APP/2010/17**

Drawing Nos: PM/MB/LINA/2009/03 Rev A
PM/MB/LINA/2009/01
PM/MB/LINA/2009/02 Rev A

Date Plans Received: 06/01/2010 **Date(s) of Amendment(s):** 06/01/2010

Date Application Valid: 21/01/2010

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the southeast side of Linden Avenue at its junction with Chudleigh Way. It comprises a two semi-detached house with a front bay, garage attached to the southwest side and a single storey rear extension. To the southwest of the application site and sited on a lower ground level is 18 Linden Avenue, which has a side garage along the shared side boundary. The application property adjoins 22 Linden Avenue to the northeast, which has a front porch. The street scene is residential in character and appearance comprising two storey semi-detached and terraced houses of similar design. The application site lies within the 'developed area' as identified in the saved UDP, September 2007.

1.2 Proposed Scheme

It is proposed to convert the existing garage into habitable room by increasing the finished height of its flat roof and extending it to the rear wall of the original house. It is also proposed to install a single storey extension incorporating a porch to the front of enlarged and converted garage. The depth of the original garage would be increased by 800mm to the rear wall of the original house and its southwestern flank wall would be increased in height from 2.3m to 2.5m - 2.8m. The front extension to the garage incorporating a porch would project 800mm deep to the existing front bay window and would be 4.5m wide. The front section of the extension would be finished with a dummy-pitch roof measuring 2.7m high at eaves level and 3.1m to its maximum height. The converted and extended garage would comprise a study at the front with a front window and a bedroom at the rear with a rear window.

1.3 Relevant Planning History

62356/APP/2006/2921 20 Linden Avenue Ruislip
ERECTION OF A SINGLE STOREY REAR EXTENSION.

Decision Date: 24-11-2006 Approved

Comment on Planning History

No comment to make.

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

External consultations: 14 neighbouring properties have been consulted and no responses have been received.

Ruislip Residents' Association: no comments received.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework):

4.0-Side Extensions: Single Storey.

8.0-Front Extensions, Porches and Bay windows.

11.0-Front Gardens and Parking.

5. MAIN PLANNING ISSUES

The single storey side extension to the rear of the garage would harmonise with the character and appearance of the original house and would not detract from the visual amenities of the surrounding area. The extension would therefore comply with the objectives of section 4.0 of the HDAS: Residential Extension and policies BE13, BE15 and BE19 of the saved UDP, September 2007.

Paragraph 8.2 of the HDAS: Residential Extensions states that porches should generally be confined to the front entrance area. In case of being combined with a garage conversion they may be integrated with a forward extension of the garage not exceeding 1.0m. Therefore, the principle of the single storey front extension proposed would comply with the above paragraph in the HDAS. The extension would finish adequately below the cill level of the first floor front windows and as such, would not appear overdominant within the front elevation of original house. The front extension would harmonise satisfactorily with the character and appearance of the original house. Paragraph 8.4 of the HDAS: Residential Extensions states that careful consideration should be given to the location of extensions to buildings, building lines, frontages and entrances should be respected. Building lines within schemes should relate to the street pattern. The proposed single storey front extension would project beyond the building line of 18 Linden Avenue, contrary to paragraph 8.4 of the above HDAS. However, the building line along the application side of the street is stepped such that the entire row of terrace properties (nos. 24 to 34 Linden Avenue) to the northeast of no.22 Linden Avenue project further forward of the application property, nos.18 and 22 Linden Avenue. The single storey front extension proposed would not project forward of the building line of nos. 24 to 34 Linden Avenue and would be set back adequately from the street. Therefore, the extension would not appear unduly intrusive in the street scene. The single storey front extension would therefore comply with the objectives of section 8.0 of the HDAS: Residential Extension and policies BE13, BE15 and BE19 of the saved UDP, September 2007.

The garage conversion with its front and rear extensions would mainly extend along the flank wall of the side garage at 18 Linden Avenue and would be sited on the opposite side of 22 Linden Avenue. Therefore, the application proposal would not harm the residential amenities of the above properties from a significant increase in overshadowing, visual intrusion and/or over-dominance. The front window on the extension would overlook the road and the rear window on the extension would directly overlook the rear garden of the application property. No side facing windows are proposed on the converted garage and its additions that would overlook no.18 Linden Avenue. Therefore, the neighbouring properties would not experience overlooking as a result of the application proposal. The windows on the extensions would provide an adequate outlook and natural light to the rooms they would serve.

As such, the application proposal would not represent an unneighbourly form of development and would be in compliance with policies BE20, BE21, and BE24 of the saved UDP, September 2007 and sections 4.0 and 8.0 of the HDAS: Residential Extensions as well as the London Plan (2008) Policy 4A.3.

In terms of policy BE23 of the saved UDP, September 2007, the application proposal would not impact on the existing private rear amenity area available to the application property.

In terms of policy AM14 of the saved UDP, the application proposal would result in the conversion of the existing garage and the front drive could only accommodate one off-

street car parking space. However, given that the internal width dimension of the existing garage (2.3m wide) is sub-standard and does not comply with the adopted internal width dimension of 3.0 as set out in the council's adopted car parking standards, one off-street car parking space is considered to be adequate in this instance.

This application is recommended for approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M2 External surfaces to match existing building

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 Saved Policies (September 2007).

4 RPD1 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 no. 18 Linden Avenue.

REASON

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

5 RPD4 Prevention of Balconies/Roof Gardens

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

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.

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.
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AM7	Consideration of traffic generated by proposed developments.
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LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions (adopted in August 2006 and to form part of the emerging Local Development Framework):
	4.0-Side Extensions: Single Storey.
	8.0-Front Extensions, Porches and Bay windows.
	11.0-Front Gardens and Parking.

CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
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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. 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 & 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 & Community 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 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: Sonia Bowen

Telephone No: 01895 250230