Planning, Environment and Community Services | **APP. REF. NO: 63907/APP/2010/587**

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 28 RICHMOND AVENUE HILLINGDON MIDDLESEX

Development: Single storey rear extension involving demolition of existing single storey rear extension.

LBH Ref Nos: **63907/APP/2010/587**

Drawing Nos: jenkins01.dwg sheet 1 of 5 issue A
jenkins01.dwg sheet 2 of 5 issue A
jenkins01.dwg sheet 3 of 5 issue A
jenkins01.dwg sheet 4 of 5 issue A
jenkins01.dwg sheet 5 of 5 issue A

Date Plans Received: 15/03/2010 **Date(s) of Amendment(s):**

Date Application Valid: 15/03/2010

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the south side of Richmond Avenue. It comprises a two storey semi-detached house with a gable end pitched roof, rear dormer, part single storey rear kitchen/diner extension (original to the house and measuring 1.4m deep) with a flat roofed part single storey rear extension beyond (measuring 3.0m deep) as well as a detached outbuilding in the rear garden. The application property adjoins 26 Richmond Avenue to the west, which also has a part single storey rear kitchen/diner extension and which shares a common part wall with a similar extension to the application property. No. 26 Richmond Avenue has a ground floor rear window on the projecting rear section of the kitchen/diner extension as well as patio doors on the recessed rear wall (which also serve the diner/kitchen area). To the east of the application property is 30 Richmond Avenue, which has not been extended at the rear and has a main ground floor rear kitchen/diner window sited closest to the shared side boundary. No 30 Richmond Avenue does not have any ground floor side habitable room windows. The application property is sited further forward of 30 Richmond Avenue. The street scene is residential in character and appearance comprising two storey semi-detached and terraced houses. The application site lies within the 'developed area' as identified in saved UDP, September 2007.

1.2 Proposed Scheme

It is proposed to erect a single storey rear extension with a flat roof. The application proposal would result in the demolition of the existing flat roofed single storey rear extension and most of the original rear kitchen/diner extension. Only the common party wall of this extension shared with 26 Richmond Avenue would remain. The applicant attempts to overcome the previous reasons for refusal by deleting the single storey rear extension originally proposed for 26 Richmond Avenue and replacing the L-shaped mono-pitch roof originally proposed for the single storey rear extension to the application property by a flat roof. The projecting parapet common party wall between the extensions has also been removed. The footprint of the single storey rear extension to the application property shown in the current application proposal is similar to that shown in the previously refused application proposal.

The previously refused scheme would have resulted in the demolition of the original projecting rear kitchen/diner extension to both the properties. The single storey rear extension to both the properties, was shown to have a common party parapet wall measuring 3.6m high and 4.8m deep. The single storey rear extension to 26 Richmond Avenue was shown to be set flush with its western flank elevation wall and measuring 4.8m deep and 5.85m wide along the rear elevation. The extension was shown to be finished with a flat roof measuring 3.0m high. The single storey rear extension to 28 Richmond Avenue (application property) was shown to be set flush with its eastern flank elevation wall, measuring 3.0m deep and 3.1m wide. At this point the extension was shown to project further rearward measuring a further 2.0m deep and 2.75m wide. The single storey rear extension to the application property (no.28) was shown to be finished with an L-shaped mono-pitch roof measuring 2.6m high at eaves level and 3.4m to it maximum height.

The current application proposal shows the single storey rear extension to the application property to be set flush with its eastern flank elevation wall. The extension would measure 3.0m deep and 3.1m wide, along this elevation. The single storey rear extension would project 3.6m deep beyond the remaining original common party wall shared with 26 Richmond Avenue and would measure 3.02m wide along the rear elevation. Part of the rear extension would therefore be built on land owned by the residents of 26 Richmond Avenue. A certificate 'B' of ownership has been served on the owner of no.26 Richmond Avenue. The flat roof to the single storey rear extension would measure 3.0m high. The shorter section of the single storey rear extension would comprise a diner with rear facing patio doors. The deeper section of the rear extension would comprise an enlargement to the original rear kitchen with a side facing door and a rear window.

1.3 Relevant Planning History
Comment on Planning History

Planning permission (ref: 63907/APP/2009/2098) Single storey rear extensions (to nos. 26 and 28 Richmond Avenue), involving demolition of existing single storey rear extensions was refused for the following reasons:

The scale and size of the single storey rear extension to no.26 Richmond Avenue would fail to appear subordinate to the appearance of the original house, and this taken together with its expansive flat roof with projecting party wall above as well as the stepped roof design of the single storey rear extension to no.28 Richmond Avenue, would constitute disproportionate and incongruous additions, detrimental to the character, appearance and proportions of the original houses. The extensions would detract from the appearance and visual amenities of the surrounding area. The application proposal is therefore contrary to policies, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

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: 15 neighbouring properties have been consulted and no responses have been received.

Oak Farm Residents' Association: no comments received.

MOD Safeguarding - RAF Northolt: has no safeguarding objections to this proposal.

NERL Safeguarding (NATS)- has no safeguarding objections to this proposal.

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.
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): 3.0-Rear Extensions and Conservatories: Single Storey.

5. MAIN PLANNING ISSUES

The finished height dimension of the proposed single storey rear extension is consistent with that as set out in paragraph 3.6 of the HDAS: Residential Extensions. The depth dimension of the single storey rear extension along the side boundary with 26 Richmond Avenue would not be consistent with that as set out in paragraph 3.3 of the HDAS: Residential Extensions. However, this section of the extension would replace the original flat roofed single storey rear extension and would only be 600mm deeper than that extension. Given the above, it is considered that the single storey rear extension would not appear disproportionate to the scale and form of the original house. The extension

would be finished with a uniform flat roof and owing to the deletion of the extension originally proposed for 26 Richmond Avenue, would be viewed against the backdrop of the application property. The single storey rear extension, by reason of its scale and form would harmonise satisfactorily with the character and appearance of the original house. The extension is not considered to detract from the visual amenities of the surrounding area. The single storey rear extension is considered to be in compliance with the objectives of policies BE13, BE15 and BE19 of the saved UDP, September 2007 and section 3.0 of the HDAS: Residential Extensions. The current application proposal is considered to have overcome the previous reasons fro refusal.

The single storey rear extension would maintain a separation gap of 2.8m to the flank elevation wall of 30 Richmond Avenue. This separation gap is considered to be adequate in order to prevent harm to the residential amenities of 30 Richmond Avenue from a significant increase in overshadowing, visual intrusion and/or over-dominance. The single storey rear extension would not be more than 3.6m deep and 3.0m high beyond the projecting rear elevation wall of 26 Richmond Avenue and its rear kitchen/diner window (as set out in paragraphs 3.3 and 3.6 of the HDAS: Residential Extensions). The rear window on the projecting rear kitchen/diner extension to 26 Richmond Avenue does not provide the only source of light and outlook to that room as it is linked to the main rear diner in the original house, which has rear facing patio doors. Given the above, it is considered that the single storey rear extension would not harm the residential amenities of 26 Richmond Avenue from a significant increase in overshadowing, visual intrusion and/or over-dominance. No side facing windows have been proposed on the single storey rear extension that would overlook nos. 26 and 30 Richmond Avenue. The 1.8m high close boarded fence along the side boundary with 30 Richmond Avenue would prevent overlooking of that property from the side facing kitchen door on the extension. The rear window and patio doors on the rear extension 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 section 3.0 of the HDAS: Residential Extensions as well as the London Plan (2008) Policy 4A.3.

Some 100 sqm of private amenity space would be retained which is considered to be adequate for the enlarged property and would be in compliance with paragraph 3.13 of the HDAS: Residential Extensions and policy BE23 of the saved UDP, September 2007.

In terms of policy AM14 of the saved UDP, September 2007, the application proposal would not impact upon the existing on site car parking arrangement.

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 Policy 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 nos. 26 and 30 Richmond 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).

6 M6 Boundary Fencing - retention

A 1.8 metre high close boarded fence or imperforate wall shall be maintained on the boundary with no. 30 Richmond Avenue for the full depth of the development hereby approved, and shall be permanently retained for so long as the development remains in existence.

REASON
To safeguard the privacy and amenity of neighbouring occupiers 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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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): 3.0-Rear Extensions and Conservatories: Single Storey.

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: Sonia Bowen **Telephone No:** 01895 250230