Planning, Environment and Community Services | **APP. REF. NO: 68096/APP/2012/468**

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 52 PADDINGTON CLOSE HAYES

Development: Part two storey, part single storey rear extension (Resubmission)

LBH Ref Nos: **68096/APP/2012/468**

Drawing Nos: SSS 004
001
SSS 002
SSS 003
SSS 005/a

Date Plans Received: 28/02/2012 **Date(s) of Amendment(s):** 28/02/0012
27/03/0012

Date Application Valid: 28/03/2012

1. CONSIDERATIONS

1.1 Site and Locality

The property is a two bedroom semi-detached house with a detached garage situated at the head of a residential cul-de-sac of similar linked detached, semi and terraced dwellings in the developed area of north Hayes.

1.2 Proposed Scheme

The proposal is for the erection of a part single storey, part two storey rear extension (measuring approx. 4.5 metres wide x 3.5m deep x 3.4m high at ground floor level/2.9m deep at first floor) to provide a kitchen/dining room and enlarged second bedroom above, across the full width of the property.

The ridge of the pitched roof extension would be kept 1 metre below that of the main building whilst the hipped end would match the angle of the main roof slope seen on the side elevation. The extension, which would contain two rear facing windows, would align in depth with a similar first floor rear extension proposed to the other half of this pair, No. 50, under a separate planning application ref. 63135/APP/2012/467.

The extension would be finished in external materials - brick, roof tiles and upvc window frames - to match those on the existing house.

1.3 Relevant Planning History

68096/APP/2011/2419 52 Paddington Close Hayes

Part two storey, part single storey rear extension

Decision Date: 15-12-2011 Refused

Comment on Planning History

The previous proposal for a two storey rear extension was refused in December 2011 because of its introduction of a flat roofed section continued back from the existing ridge height and thus its failure to harmonise with the original building and impact on the street scene under UDP Policies BE13, BE15 and BE19 plus HDAS.

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

11no. neighbouring occupiers have been consulted (30.3.2012) - three responses received with the following objections:

(i) increased density/possible additional tenants in overcrowded section of the close, leading to additional vehicles and traffic flows via a shared drive;
(ii) out of keeping with style of properties in street;
(iii) dividing wall between Hillingdon and Ealing has been breached to provide access and short cut to Ruislip Road without notification of local residents;
(iv) The only access is via driveway shared with Nos. 48, 50, 52 and 54;
(v) inadequate parking spaces for residents;
(vi) tree felled in front garden and concreted.

Officer Comment: Issues relating to (ii) and (v) are addressed within the body of the report. In respect of issues (i) and (iii) it is not considered that the proposal would result in any significant increase in traffic or parking demand. Issues (iii) and (vi) are not considered directly relevant to the current application.

Environmental Protection Unit - recommend contamination informative (former munitions factory/depot site).

In addition, a site notice was displayed at the site on 11.4.2012.

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the application proposal on the character and appearance of the original property, on the visual amenities of the street scene/surrounding area and on the amenities of adjoining occupiers. A further consideration is made in respect of parking provision for the enlarged dwelling proposed. The proposal should be considered together with that for similar developments proposed at Nos. 50 and 52a Paddington Close.

Hillingdon Unitary Development Plan Saved Policy BE13 states that all development should harmonise with the existing street scene whilst Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. The extension would not be especially visible from within the close or thus to the detriment of the general street scene or the surrounding residential area as a whole.

UDP Policy BE15 permits extensions that are in harmony with the scale, form, composition and proportions of the original building. In order to achieve this, the extension should thus be designed to appear subordinate to the original (Hillingdon Design And Accessibility Statement - Residential Extensions, paragraphs 3.1 and 6.4) and not protrude too far from the rear wall. For semi-detached houses on plots of more than 5 metres width, 3.6 metres is considered an acceptable depth at both ground and first floors. The height of an extension should not exceed 3.4m at ground floor or that of the existing building at first floor and roof lines should be parallel to the existing with a matching pitch but have a ridge height at least 0.5m lower than the original roof.

The proposal, by setting the ridge height of the extension one metre below that of the main roof, would therefore meet the Council's adopted design guidance and would thus appear subordinate to the original in terms of its overall size and bulk.

In these respects therefore, the proposal would comply with Hillingdon Unitary Development Plan Saved Policies BE13, BE15, BE19 and to HDAS - Residential Extensions in this regard.

With regard to the impact of the extension on the amenities of adjoining occupiers, there would be no effect on the amount of daylight, sunlight, general outlook (as measured by the depth and 45 degree angle of light) or privacy currently enjoyed by the neighbours at No. 50, should the current application for a similar first floor rear extension to that property, also be approved. The other immediately adjoining dwelling, proposed to be built at No. 52a, would also not be affected for the same reason, being the subject of an almost identical proposal on two floors. Furthermore, the habitable room rear windows within the nearest facing properties in Fellowes Close beyond the application site rear boundary are also some 22.5 metres distance away and thus no additional overlooking potential would arise. The proposal thus accords with UDP Saved Policies BE20, BE21, BE24 and HDAS.

UDP Saved Policy BE23 states that extensions to residential buildings should maintain external amenity space sufficient to protect the amenity of future occupants and HDAS sets out the minimum requirements in this respect, which for two bedroom properties is 40 sq. metres. The proposal would retain a rear garden of approx. 5.2m x 10m and thus accords with Policy BE23.

The proposed extension would retain the existing number of bedrooms in the property at two, and therefore the existing parking provision of two off-road vehicle spaces, including the garage, meets the Council's maximum standards in this regard and there would be no implications for highway safety as a result. The proposal thus complies with UDP Saved Policy AM14.

There are no landscape features of merit that would be directly affected by or require protection during the construction of the extension, if approved, and thus the proposal conforms with UDP Saved Policy BE38.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HH-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 HH-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 HH-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 HH-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. 52a Paddington Close.

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

INFORMATIVES

1 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.

2 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).

3 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council¿s Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

4 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).

5 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.

6 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.

7 You are advised this development is on a former munitions factory/depot based on Ordnance Survey data and our records. There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. Some remedial works were undertaken as part of the development. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any material that is dug up with shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

The advice is provided on the grounds of Health and Safety of the workers on site and to
ensure the appropriate restoration of the site once works are complete to minimise risk to the occupants of the site.

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.
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CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
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: Daniel Murkin **Telephone No:** 01895 250230