**Planning, Environment and Community Services** | **APP. REF. NO: 68879/APP/2012/2863**

# 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** 96 VICTORIA AVENUE HILLINGDON MIDDLESEX

**Development:** Single storey rear extension involving demolition of existing rear element

**LBH Ref Nos:** **68879/APP/2012/2863**

**Drawing Nos:** Block Plan to Scale 1:500
Location Plan to Scale 1:1250
96001
96002
96003

**Date Plans Received:** 16/11/2012 **Date(s) of Amendment(s):**

**Date Application Valid:** 23/11/2012

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site is located on the western side of Victoria Avenue and comprises an end of terrace property set within a 6.0m to 7.2m wide plot. The property has been extended by way of a single storey rear extension which is part way across the rear elevation of the existing property. There is also a detached structure within close proximity to the rear elevation of the property. The property has a long rear garden which backs onto a block of garages. During the site visit roof extensions were under construction.

No. 94, the adjoining property to the north has been extended by way of a single storey rear extension. No. 98 the neighbouring property to the south has also been extended by way of a single storey rear extension.

The site is situated within the Developed Area as identified in the policies of the Adopted Hillingdon Local Plan (November) where the prevailing character of the area is residential, comprising of mainly terrace and semi-detached houses.

There is not a significant difference in site levels.

### 1.2 Proposed Scheme

The application seeks planning permission to erect a single storey rear extension which would extend the full width of the property, following the demolition of the existing single storey rear extension. It would be 6.0m wide, 3.6m deep with a pitched roof 2.4m in height to the eaves and 3.1m in height to the ridge. It would be constructed using matching materials and would include glazing across its rear elevation. Internally it would provide a kitchen/dining room.

### 1.3 Relevant Planning History
### Comment on Planning History

There are no planning history records relating to the roof extensions being constructed on site. It is likely that the roof alterations are permitted development, however this would have to be confirmed by way of the submission of a formal CLD. Nevertheless it is considered that the roof extension do not have any bearing upon the outcome of this

application.

## 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

Seven neighbours and the Oak Farm Residents Association were notified on 27.11.12. A site notice was also posted on the 12/12/12 - no responses were received.

## 4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.3 | (2011) Sustainable design and construction |

## 5. MAIN PLANNING ISSUES

The main considerations are the impact of the proposal on the character of the existing property and surrounding area, upon residential amenity and private amenity space. As the proposal would not involve an increase in the number of bedrooms, parking provision does not need to be considered in this instance.

Paragraph 3.3 of the HDAS states that single storey rear extensions proposed on terraced houses on a plot of more than 5m should not be more than 3.6m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3.4m in height. This is in order to ensure that the extension appears subordinate to the main house.

The proposed extension would comply with the recommendations set out in the HDAS and therefore would appear subordinate to the main property. It would not be visible from

the street scene and would be constructed using matching materials. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in accordance with Local Plan Policies BE13, BE15 and BE19 (Part Two) and BE1(Part One).

Compliance with the height and depth restrictions discussed above means that the extension would not result in a significant loss of daylight to either of the neighbouring properties and no side facing windows are proposed that would result in loss of privacy. The development would therefore comply with Local Plan Policies BE20, BE21 and BE24.

The inclusion of extensive glazing across the rear of the extension means that a sufficient level of daylight would serve the ground floor of the existing property in accordance with London Plan Policy 3.5.

Policy BE23 of the adopted UDP states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed as well as surrounding buildings which is usable in terms of its shape and siting.

Paragraph 3.13 of the HDAS recommends that a four bedroom house should retain at least 100 sq.m of usable garden space. Well over 100sq.m of private amenity space would be retained on site.

Approval of the application is recommended.

## 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, numbers 96001, 96002 and 96003.

REASON
To ensure the development complies with the provisions of the Hillingdon Local Plan(November 2012) 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 Local Plan (November 2012).

**INFORMATIVES**

**1** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

**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. |
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| 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:** Kelly Sweeney **Telephone No:** 01895 250230