Residents Services

APP. REF. NO: 68929/APP/2013/1830

DELEGATED 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 Residents 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

Report of the Head of Planning, Sport and Green Spaces

Address 139 WINDSOR AVENUE HILLINGDON MIDDLESEX

Development: Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.6 metres, for which the maximum height would be 3.8 metres, and for which the height of the eaves would be 2.7 metres

LBH Ref Nos: **68929/APP/2013/1830**

Drawing Nos: 01
02
03
04

Date Plans Received: 02/07/2013 **Date(s) of Amendment(s):**

Date Application Valid: 02/07/2013

1. RECOMMENDATIONS

1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, as the proposed development would unduly detract from the amenities of the adjoining occupier, No. 137 Windsor Avenue by reason of visual intrusion, over domination, loss of daylight and loss of sunlight.

This determination is based on your submitted plans. All measurements are taken from existing ground level.

INFORMATIVES

2.0 Planning Considerations

The site comprises of a semi-detached detached house; there is no other historical planning history and therefore no restriction of permitted development rights is in place.

The works would not result in more than 50% of the total curtilage being covered by buildings; does not front a highway or form a principal or side elevation and is single storey [sub paragraphs (a), (b), (c) and (d)].

The proposal therefore falls to be considered as a prior notification under Part 1 Class A1 (ea) and Condition A.4 of the GPDO as amended.

The host dwelling has a newly built detached building at the end of the garden and there is an outstanding application, ref: 68929/APP/2013/1863 which remains to be determined and would require amendments.

Immediately to the north is No. 137 Windsor Avenue, the other half of this pair of semi-detached properties and which has a newly built single storey rear extension, 3.6m deep and with primary doors on its rear elevation. To the south lies No. 141 Windsor Avenue.

The proposal is for the construction of a single storey rear extension projecting out 4.6m from the rear wall of the original dwelling. The proposed extension would have an eaves height of 2.8 m and overall height of 3.7m. The proposal therefore accords with Class A, sub paragraph (ea) and (g)

3.0 Relevant Planning History

68929/APP/2013/1863 139 Windsor Avenue Hillingdon Middlesex

Single storey side extension

Decision Date:

4.0 Any Neighbour Objections

Neighbour Objections received?

YES

Nos. 137 and 141 Windsor Avenue were consulted on the 4 July and these consultations expired on the 25 July 2013. The site notice was posted on the 9 July and expired on the 1 August 2013.

No 137 Windsor Avenue - Would extend over 1m beyond our extension, impact on our dining room by reason of loss of direct sunlight, roof is out of keeping, generally flat roofs in the area and feeling of enclosure, particularly affecting our children.

No. 141 Windsor Avenue - larger than other extensions in the area and apex roof is out of keeping with other extensions.

5.0 Assessment of Impact on Neighbours

The site is 8m wide and therefore HDAS allows for an extension up to 3.6m deep and, with a mono pitch roof not exceeding 3.4m high. The proposal would exceed these criteria by 1m and 0.3m respectively.

The flank wall of No. 141 Windsor Avenue is some 4.5m away from the nearest point of the rear extension, this property lies to the south of the site and is screened by aboundary fence. Properties to the east are a considerable distance away and separated by a rear access.

The key material impact to be considered is on the amenities of No. 137 Windsor Avenue who object to the proposal. There would clearly be an adverse impact by reason of visual intrusion, over domination, loss of daylight and loss of sunlight. This matter is compounded by the fact that No.137 Windsor Avenue lies to the north of the site.

Prior approval is therefore REFUSED.

6.0 ALL CLASSES

If Semi or Terrace - does exceed 6m or 8m

NO

Is the dwelling a flat or a maisonette?
NO

Is there a planning condition removing permitted development rights?
NO

Is the building listed/ in a Conservation Area?
NO

7.0 Other including Measurements

Area of curtilage = 246m²

Area of existing rear outbuilding = 44m²

Area of proposed extension = 27m²

Total = 71m²

Percentage of cartilage = 71/246*100 = 29%

Contact Officer: Mark Baker **Telephone No:** 01895 250230