

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 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. 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 7 BLUNTS AVENUE SIPSON

Development: Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3.4 metres, and for which the height of the eaves would be 3 metres

LBH Ref Nos: 70232/APP/2014/2898

Drawing Nos: Location Plan (1:1250)
Block Plan (1:500)

Date Plans Received: 14/08/2014

Date(s) of Amendment(s):

Date Application Valid: 14/08/2014

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.5 Blunts Avenue, by reason of visual intrusion, over domination, overshadowing, loss of daylight, loss of sunlight and loss of outlook.

The Council of the London Borough of Hillingdon made an Article 4(1) Direction on 20 September 2013 under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The Direction relates to development comprising the enlargement, improvement or other alteration of a dwelling house where the enlarged part would have a single storey and would:

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres

The Article 4(1) direction removes permitted development rights for this type of development from the date the Direction came into force on 22nd September 2014. Planning permission is therefore required for such development now that the Article 4 Direction is in force.

The Council consulted on the Article 4 Direction from 25th September 2013 to the 25th October 2013 and considered representations received during this period. The Council confirmed the Direction on 10th July 2014 (confirmed under seal on 22 July 2014) therefore it came into force on 22nd September 2014.

The Article 4 Direction applies to the whole of the London Borough of Hillingdon. A copy of the Direction, including the map defining the area covered may be seen free of charge at Main Reception of the Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW from 8.45 am to 5.00 pm Monday to Friday or can be viewed on the Council's website:

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

2.0 Planning Considerations

This application seeks prior approval for the erection of a single storey rear extension to an end of terrace dwelling in Sipson. The site is located on the south side of Blunts Avenue. The adjoining dwelling exists to the east, number 5 Blunts Avenue, which is un-extended to the rear. The non-adjoining neighbouring dwelling number 9 Blunts Avenue is located to the west and maintains a distance of at least 3.5m (as scaled from the submitted drawings) from the flank wall of the application property.

The proposed extension, which is to form additional living accommodation, would have a depth of 6 metres measured from the rear wall of the original house, and would have a maximum roof height of 3.4m and an eaves height of 3m.

The proposal falls within the requirements of Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 2008 (as amended by paragraph A.1(ea) on 30th May 2013) but has been subject to an objection from an adjoining neighbour therefore prior approval is required.

The proposal has been duly assessed in terms of its impact on the amenities of the adjoining occupiers to either side of this end of terrace dwelling and is considered unacceptable due to loss of light, loss of outlook and overshadowing to the adjoining dwelling number 5 Blunts Avenue.

Furthermore, as the proposed extension exceeds 4m in depth it is in breach of the Article 4 direction that came in to force across the entire borough on the 22nd Sept 2014. This direction removes permitted development rights for this type of residential extension. As a result, prior approval for this development is required and the application is therefore recommended for refusal.

3.0 Relevant Planning History

4.0 Any Neighbour Objections

The neighbouring occupiers of numbers 5 and 9 Blunts Avenue were consulted on 20/08/2014 with a closing date of 10/09/2014.

An objection has been received from the adjoining occupier of the site, number 5 Blunts Avenue on 29/08/2014.

5.0 Assessment of Impact on Neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) contains policies that seek to safeguard the amenities of residential occupiers with reference to daylight/sunlight (Policy BE20), bulk and proximity (BE21) and privacy (privacy). The adopted SPD, the Hillingdon Design & Accessibility Statement - Residential Extensions (December 2008) contains design guidance and criteria including dimensions by which to assess these potential impacts on the neighbours.

Where proposed extensions would exceed 3.6 metres in overall depth (including existing extensions) from the original rear wall of the dwelling, the effect on the quality and amount of natural daylight, sunlight and outlook available to the neighbouring properties is considered unacceptable.

Given number 9 Blunts Avenue would maintain a gap of over 3.5m from the proposed extension and the site boundary has dense and high hedges, it is considered that there would not be a significantly detrimental impact on the amenities of its occupiers.

Number 9 Blunts Avenue is un-extended to the rear and has habitable room windows to its rear elevation from which the 45 degree line would be breached. The significant depth and height of the proposed extension combined with its location along the eastern boundary would result in an unacceptably reduced daylight and outlook for the occupiers of 5 Blunts Avenue together with an increased sense of enclosure, contrary to the relevant policies of the Local Plan.

6.0 ALL CLASSES

Terrace - does exceed 6m?

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

Contact Officer: Jazz Ghandial

Telephone No: 01895 250230