

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 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

Item No. Report of the Head of Planning, Sport and Green Spaces**Address** 50 WINDERMERE AVENUE RUISLIP**Development:** Part two storey, part single storey side/rear extension**LBH Ref Nos:** **70949/APP/2015/3011****Drawing Nos:** DD108-06-P3
DD108-07-P3
DD108-01-P0
DD108-02-P2

Date Plans Received:	10/08/2015	Date(s) of Amendment(s):	07/10/2015
Date Application Valid:	12/08/2015		10/08/2015

1. CONSIDERATIONS**1.1 Site and Locality**

The application relates to a two storey semi-detached property located on Windermere Avenue. The external walls of the property are covered by a traditional hipped roof. The area to the front of the property, within the curtilage of the site, is covered in hardstanding and provides space to park 2 vehicles.

The site is located in a developed area as identified in the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension

1.3 Relevant Planning History

70949/APP/2015/2133 50 Windermere Avenue Ruislip

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.4 metres, and for which the height of the eaves would be 2.7 metres

Decision Date: 14-07-2015 PRN

70949/APP/2015/2210 50 Windermere Avenue Ruislip

Single storey side/rear/front extension

Decision Date: 07-08-2015 Approved

Comment on Planning History**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

A total of 5 neighbouring occupiers, along with the Eastcote Residents Association, and Thames Water Utilities, were consulted on the application on 14th August 2015. By the close of the consultation period on 4th September 2015, two objections were received, along with comments from Thames Water Utilities.

The objections from the occupiers at no. 48 Windermere Avenue are summarised in bullet point form below.

Comments from no.48 Windermere Avenue:

- Loss of daylight. Our main source of light at the side of the house is the landing window which provides light for our landing and stairs. The proposed two storey extension would therefore considerably reduce the amount and quality of light.
- Loss of sunlight - the above considerations regarding the loss of light also apply in respect of the loss of sunlight. A reduction of sunlight entering the property will be a loss in a valued amenity.
- The size of the extension will mean that our outlook and property would be completely overshadowed.
- The new windows on the second storey of the proposed extension facing our property would result in visual intrusion and overlook our property.
- An extension of this size would completely change the character and outlook of the Avenue.

Comments from Thames Water Utilities:

"Waste Comments:

- Legal changes under The Water Industry (scheme for the Adoption of Private Sewers) Regulations 2011 mean that sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's Ownership.
- Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required.
- You can contact Thames Water on 0800 009 3921 or for more information visit www.thameswater.co.uk.

Surface Water Drainage:

- It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer.
- In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.
- When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.
- Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- There is no objection with regards to sewerage infrastructure capacity.

Water Comments:

- With regards to water supply, this comes within the area covered by the Affinity Water Company who can be contacted on 0845 782 3333".

4. UDP / LDF Designation and London Plan

Standard Informatives

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.
BE22	Residential extensions/buildings of two or more storeys.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on the residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property, and the availability of parking.

Paragraph 5.1 of the HDAS Residential Extensions guidance, states: "the Council requires all residential extensions and buildings of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property for the full height of the building. This protects the character and appearance of the street scene and protects the gaps between properties - preventing houses from combining visually to form a terraced appearance".

The proposed two storey side extension element of this development will be set in from the side boundary, shared with no.48 Windermere Avenue by 1m. This is considered to be an acceptable set in from the boundary, as it does not create a terracing effect, as the property will still visibly read as a semi-detached dwelling.

Paragraph 5.6 of the HDAS Residential Extensions guidance, states, that for semi-detached properties "the ground and first floor should be set back from the main front building line to ensure a subordinate appearance to the existing house".

Plans show that the proposed two storey side extension will be set back from the front wall of the original dwelling by 1m.

Paragraph 5.1 of the HDAS Residential Extensions guidance, states, "the width and height of the extension in relation to the original house should be considerably less than that of the original house and be between half and two thirds of the main house width".

The proposed two storey side extension element of this development will be 1.63m wide, which is less than half and two thirds the width of the original house, which is 5.91m wide. The length of the proposed side extension is 10.97m, and will wrap around the proposed rear extension.

The proposed development will also consist of a part single storey part two storey rear extension.

Section 3 of the HDAS Residential Extensions guidance, states that for semi-detached houses, a single storey rear extension of up to 3.6m in depth is acceptable.

The proposed single storey rear extension will have a depth of 3.6m and will have a width of 7.68m. The proposed single storey rear extension will have a pitched roof with a height 3.4m.

Paragraph 6.4 of the HDAS Residential Extensions guidance states, "rear extensions will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight. In particular, the extension should not protrude out too far from the rear wall of the original house. The first floor should not extend beyond a 45-degree angle. If this can be achieved the depth of a rear extension to a semi-detached property cannot exceed 3.6m ".

The first floor rear extension will not extend beyond a 45-degree angle, ensuring no over dominance, overshadowing or loss of outlook. The proposed two storey rear extension will have a depth 3.6m and will be approximately 4.13m wide.

Paragraph 6.6 of the HDAS Residential Extensions guidance states: "the new roof should appear subordinate to the original roof and so have a ridge height at least 0.5m lower than the original roof".

The roof of the proposed development will be approximately 0.58m lower than the ridge of the original roof.

Therefore, the proposed development is in accordance with Policies, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

As the application received objections, the paragraph below will address the objections raised.

OBJECTION 1 - "Loss of daylight. Our main source of light at the side of the house is the landing window which provides light for our landing and stairs. The proposed two storey extension would therefore considerably reduce the amount and quality of light".

Although the proposed development may result in some form of loss of light to the landing, a landing is not considered to be a habitable room, therefore is not considered to be a material consideration as such.

OBJECTION 2 - Loss of sunlight - "the above considerations regarding the loss of light also apply in respect of the loss of sunlight. A reduction of sunlight entering the property will be a loss in a valued amenity".

OBJECTION 3 - "The size of the extension will mean that our outlook and property would be completely overshadowed".

With regards to objection 2 and 3, the proposed development will be set in from the side boundary shared with no.48 Windermere Avenue by 1m, which is considered to be an appropriate separation distance. Furthermore the proposed first floor rear extension does not breach the 45 degree line of sight, ensuring there will be no overshadowing, loss of light or loss of outlook to the occupiers of no.48 and no.52 Windermere Avenue.

OBJECTION 4 -" The new windows on the second storey of the proposed extension facing our property would result in visual intrusion and overlook our property".

Plans show that the proposed windows on the side elevation, at first floor level, are windows of a bathroom and an en suit, and will therefore be obscurely glazed. Therefore there will be no issues regarding overlooking or breach of privacy.

OBJECTION 5 - "An extension of this size would completely change the character and outlook of the Avenue".

The proposed extension is considered to have an acceptable impact upon both the character and appearance of both the street scene and the original dwelling. Furthermore the proposed development will not result in an incongruous addition to the street scene, as no.16 Windermere Avenue also consists of two storey side extension.

Although the proposed development would be built along the shared boundary line with no. 48 and no.52 Windermere Avenue the size, scale and design of the extension is considered not to cause any undue loss of residential amenity to the occupiers of the dwelling in terms of loss of light, loss of outlook or overshadowing. Although the proposed development proposes 2 windows on the side elevation at first floor level, there will be no form of overlooking into the property of no.48, as these windows will be bathroom windows and will be obscurely glazed. Furthermore the windows and doors on the rear elevation will face the rear garden of the application property and will not directly overlook into any neighbouring properties. The proposed development will also include windows on the front elevation, which will face the street, and will therefore have an outlook onto the general street scene, and not directly into any neighbouring properties, ensuring there will be no issues regarding overlooking or breach of privacy upon any neighbouring occupiers. Therefore, the proposed development is in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan; Part Two - Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms and those altered by the proposals would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan.

Following the construction of the proposed development, approximately 166.56sq.m of private rear garden space will be retained for the occupiers of the dwelling. Therefore the development is in accordance with Paragraph 4.9 of the HDAS guidance which states for a 4 or more bedroom house at least 100sq.m of private rear garden space should be retained, and Policy BE23 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The proposed extension would not impact the parking provision to the front of the property and the development is considered to not materially increase the parking demand for the occupiers of the site.

Having taken everything into consideration, it is recommended that this application be approved.

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 DD108-06-P3 and DD108-07-P3.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

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: Part Two Saved UDP Policies (November 2012)

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 48 or 52 Windermere Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

- 1** The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 2 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 September 2007), then London Plan Policies (2015). 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.
- 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

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.
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AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

- 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 ODP, 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
does property rights and any ancient rights of light that may exist. This permission
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: Ayesha Ali

Telephone No: 01895 250230