Residents Services

APP. REF. NO: 71272/APP/2015/4686

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 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 110 RYEFIELD AVENUE HILLINGDON

Development: Single storey rear extension (Retrospective)

LBH Ref Nos: **71272/APP/2015/4686**

Drawing Nos: Location Plan (1:1250)
RPA/110/RFA/100
RPA/110/RFA/101
RPA/110/RFA/102
RPA/110/RFA/103

Date Plans Received: 23/12/2015 **Date(s) of Amendment(s):**

Date Application Valid: 23/12/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey mid terraced property located on Ryefield Avenue. The external walls of the property are covered by a hipped roof. The area to the front of the property, within the curtilage of the dwelling, is covered in hardstanding which provides space to park approximately 1 vehicle.

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 a single storey rear extension (retrospective)

1.3 Relevant Planning History

71272/APP/2015/3958 110 Ryefield Avenue Hillingdon

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 metres, and for which the height of the eaves would be 2.4 metres

Decision Date: 24-11-2015 Refused

Comment on Planning History

The property has had a Prior Approval application, reference number: 71272/APP/2015/3958 (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 metres, and for which the height of the eaves would be 2.4 metres) refused on 24th November 2015, as the proposed development did not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A4 (10) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the development had commenced prior to:

i) the receipt by the developer from the local planning authority of a written notice that their

prior approval is not required;
ii) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
iii) the expiry of 42 days following the date on which the information was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

Following the refusal of application reference number: 71272/APP/2015/3958, the applicants have submitted the current retrospective planning 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

A total of 9 neighbouring occupiers along with the Oak Farm Residents Association, Ministry of Defence and the National Air Traffic Services (NATS) were consulted on the application 29th December 2015. By the close of the consultation period on 19th January 2016, no objections had been 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.
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 extension 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.

The applicant is seeking planning permission for the erection of a retrospective single storey rear extension.

Section 3 of the HDAS Residential Extensions guidance, states: Single storey rear extensions to terraced and semi-detached houses should not exceed 3.6m in depth and should have a maximum height of 3m for a flat roof or 3.4m for a pitched roof.

The single storey rear extension has a depth of 4m and is approximately 5.70m wide. The roof of the extension consists of pitched roof which has a maximum height of is 3m. Although the depth of the extension exceeds the 3.6m as stated in the HDAS, the extension is not considered to have a detrimental impact upon the character and appearance of the original dwelling.

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

The size, scale and design of the rear extension is considered to cause undue loss of residential amenity to the occupiers of the neighbouring dwellings, no.112 and no.108 Ryefield Avenue, in terms of loss of light, loss of outlook and overshadowing.

The rear extension is set in from both side boundaries shared with both no.108 and no.112 Ryefield Avenue by approximately 0.15m.

The rear extension is not considered to have a detrimental impact upon the occupiers of no.112 Ryefield Avenue, as it extends beyond the single storey rear extension at no.122 by approximately 0.40m which is not considered to obstruct and daylight and sunlight into the property or result in any overshadowing.

Although the rear extension is not considered to have an impact upon the occupiers of no.112, it does have a significant impact upon the occupiers of no.108 Ryefield Avenue. The rear extension extends beyond the rear of no.108 by 4m, which is considered to result in the loss of light to the rear of no.108, by obstructing any daylight and sunlight entering the rear of the property, which consists of patio doors, which are the only source of light into the rear room.

The rear extension will consist of doors on the rear elevation, which will face the applicant's rear garden, and not directly into any neighbouring properties.

Due to the impact the extension is considered to have on the occupiers of no.108 Ryefield Avenue, the development fails to comply with Policies BE20 and BE21 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 proposal would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing SPG (December 2012) and the Mayor of London's Housing Standards Policy Transition Statement (October 2015).

Following the construction of the rear extension, approximately 106.47sq.m of private amenity space has been retained for the occupiers of the dwelling which is in accordance with Paragraph 4.9 of the HDAS guidance which states for a 3 bedroom house at least 60sq.m of private rear garden space should be retained, and Policy BE23 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The rear extension does not impact the parking provision to the front of the property and

the development is not considered to materially increase the parking demand for the occupiers of the site.

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

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The single storey rear extension, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 108 Ryefield Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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 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.

Standard Informatives

1 The decision to REFUSE 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 REFUSE 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

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

guidance.

	the area.
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