

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, Transportation and Regeneration		
Address	16 SWANAGE WAYE HAYES		
Development:	Part two storey, part single storey side/rear extension involving demolition of existing outbuilding		
LBH Ref Nos:	27066/APP/2019/1614		
Drawing Nos:	109/PP/004a 109/PP/001 Location Plan (1:1250) 109/PP/003c 109/PP/002b		
Date Plans Received:	14/05/2019	Date(s) of Amendment(s):	14/05/2019
Date Application Valid:	20/05/2019		02/07/2019 11/07/2019

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey, semi-detached dwelling house located to the South West of Swanage Waye. The render and tile dwelling is set back from the road by 5 metres of soft landscaping. To the rear of the property lies a garden area which acts as private amenity space and there is also space to park two cars within the rear garden area access from Swanage Waye.

The application property is located on a prominent corner plot set on the junction along Swanage Way. The road runs to the North East and South East. The property is attached to No.14 Swanage Waye to the North West. To the rear lies the side boundary of No.18 Swanage Waye.

The area is residential in character and appearance and the site lies within the Developed Area as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application is seeking planning permission for a part two storey, part single storey side/rear extension. At ground floor the side extension would have a width of 2.7 metres and at first floor would have a width of 1.8 metres. It would be set back from the front elevation by 1 metre and would span for a depth of 10 metres and ground floor and 7.2 metres at first floor wrapping around into a rear extension. The rear extension at ground floor would have a depth of 4.5 metres and would span the full width of the dwelling house and side extension. At first floor it would have a depth of 1.5 metres and would span for a width of 4 metres. The two storey element would be characterised by a hipped roof with a maximum height of 7.3 metres and the single storey element would have a hipped roof with a maximum height of 2.67 metres.

During the determination process the ground floor layout and windows were amended and the width of the extension at ground floor is reduced.

1.3 Relevant Planning History

27066/APP/2019/1936 16 Swanage Waye Hayes

Conversion of roofspace to habitable use to include a rear dormer and 2 x front rooflights, and conversion of roof from hip to gable end, with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date:

27066/C/93/0433 16 Swanage Waye Hayes

Erection of two-storey side and single-storey rear extensions

Decision Date: 15-04-1993 Refused

27066/D/93/1953 16 Swanage Waye Hayes

Erection of a single-storey side extension

Decision Date: 28-01-1994 Refused

27066/E/94/0639 16 Swanage Waye Hayes

Erection of a single-storey side and rear extension and new porch and enlargement of existing rear extension

Decision Date: 07-07-1994 Approved

Comment on Planning History

A certificate of lawful development for a conversion of roof space is currently under determination (Ref: 27066/APP/2019/1936).

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

Six neighbouring properties were notified of the proposal on 21/05/2019. A site notice was also displayed which expired on 19/06/2019.

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:

LPP 3.5 (2016) Quality and design of housing developments

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.
DMHD 1	Alterations and Extensions to Residential Dwellings
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

The main planning issues for consideration relates to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the street scene and surrounding area, the impact on the amenity of adjoining occupiers, the provision of acceptable residential accommodation and the availability of parking.

Section 5 of the Hillingdon Design and Accessibility Statement - Residential Extensions (HDAS) states that two storey side extensions to semi-detached properties should not exceed two thirds of the width of the original dwelling house. The extension should be set back from the front by 1 metre and set down from the roof by 0.5 metres. Two storey extensions are required to be set in from the boundary line by a minimum of 1 metre to retain the visual gap between properties, although in situations where the extensions are proposed where the side of the house adjoins a road or open space there may be some scope for flexibility on this set in, however they should not breach the return building line. Sections 3 and 6 refer to rear extensions. They should not exceed 3.6 metres in depth and the height of the two storey element should be set down from the ridge by 0.5 metres. Single storey extensions should not exceed 3.4 metres in height if a pitched roof is proposed.

The two storey rear extension would have a depth of 1.5 metres and would be set down from the ridge by 1 metre. The single storey rear extension would have a pitched roof with a maximum height of 2.8 metres, however, the depth of the single storey element would be 4.5 metres which exceeds HDAS recommendations. However, rear extensions of varying depths are common within the area including a 4 metre deep extension at the attached property of No.14 Swanage Way. As the two storey element is limited in width, depth and height, it is considered that it would appear subordinate to the main property.

The side extension would have a width of 2.7 metres at ground floor and 1.8 metres at first floor which would equate to 50% and 32% of the width of the original dwelling house respectively. The extension would be set back from the front by 1 metre and the two storey element would be set down from the roof by 0.35 metres. Although the set down does not comply with HDAS recommendations, the roof pitch would match the original and it is considered that as there is a set down it would still appear subordinate. The ground floor element would be located 2 metres from the side boundary along Swanage Way, and the first floor would be 3 metres from the boundary. As the property is located on a corner plot it is considered that the proposal would not result in a terraced appearance. It is considered that the large gap between the two storey element and the boundary would allow for the openness of the corner to be retained. The 2 metre gap between the boundary and the extension along with the limited height would be considered to not appear over dominant to the users of the street. Although it is noted that the side extension would project forward of the front building lines of Nos.18 and 20 Swanage Way, this is limited and due to the turn in the road there is no clear set building

line running along the street. The extension would also breach the building line along Blandford Way, however, this row of properties is located over 50 metres from the application property. As such, it is considered that the extension would not be detrimental to the street scene.

Subsequently, it is considered that the proposal would appear subordinate to the main property and would not have a detrimental impact on the street scene and surrounding area. Therefore, the proposal would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The ground floor rear element would be built up to the shared boundary line with No.14 Swanage Way. This neighbour benefits from a 4 metre rear extension and so the proposal would project to the rear of this by 0.5 metres. The first floor element would be located 3.5 metres from the boundary line and it would not intersect the 45 degree horizontal line. It is considered that the extension would be located sufficient distance from all other nearby properties. Subsequently, it is considered that the proposal would not have a detrimental impact on any neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, it would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

No side windows would be installed facing No.14 Swanage Way. A new side first floor window would be installed on the Southern Western flank wall, however, this would overlook Swanage Way and would be located over 21 metres from the front of No.23 Swanage Way therefore it would not result in any loss of privacy. The new first floor rear facing windows would be located less than 21 metres from No.18 Swanage Way, however, they would overlook the flank wall of this neighbour and so it is considered that they would not result in any loss of privacy. Therefore, the proposal would comply with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all the proposed rooms and those altered by the development would still maintain an adequate outlook and source of natural light. Therefore, it would comply with Policy 3.5 of the London Plan (March 2016).

Following development over 100 square metres of private amenity space would be retained. As such, it is considered that the proposal would comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The parking would not be impacted by the proposal.

The application is recommended for approval.

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 plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 109/PP/002b, 109/PP/003c and 109/PP/004a.

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 (March 2016).

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) Order 2015 (as amended) (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 of the development hereby approved facing 14 Swanage Waye.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (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 September 2007), then London Plan Policies (2016). 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.

2 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).

3 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive

and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

- 4 The applicant should note that the implementation of the development granted a Certificate of Lawful Development (CLD) under Ref: 27066/APP/2019/1936 will mean that the development hereby granted permission could not be implemented and conversely the implementation of the permission hereby granted would invalidate the CLD.

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) 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 - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

LPP 3.5	(2016) Quality and design of housing developments
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.
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AM14	New development and car parking standards.

DMHD 1 Alterations and Extensions to Residential Dwellings
HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,
Supplementary Planning Document, adopted December 2008

- 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 - Residents Services, Building Control
3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
- 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 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: Charlotte Spencer

Telephone No: 01895 250230