

Design Statement

to accompany the Planning Application
for the development at

Annex 96 Bourne Avenue UB3 1QP

PROPOSAL:

Alteration to roof in order to convert the roofspace to habitable use to include a rear dormer and 1 x front rooflight and alterations to entrance.

APPLICANT:

Mr Khasria

Nov 2020

Revision (B)

1.0. OBJECTION

- 1.1. The aim of this statement is to address the concerns raised in the previous application that led to the refusal. The refusal reasons are outlined below:

Reason 1. "The roof alteration/extensions, by reason of the raising of the ridge height, hip to gable end roof design and the size, scale, bulk, and design of the rear dormer window would fail to harmonise with the architectural composition of the original modest dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)."

Reason 2. "The proposed alterations to the roof, by reason of their size, scale, bulk and height, in this open prominent position, would result in the closing of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies."

2.0. RESPONSE

- 2.1. Whilst we appreciate the concerns raised by the council, we would like to make reference to the following similar planning application approved recently. (The application is enclosed)

98 Bourne Avenue UB3 1QP – **ref 7695/APP/2020/1361**

- 2.2. The case report of the above application at 98 Bourne Ave states that "the proposed house would be a continuation of an existing terrace and would incorporate a matching roof design to the main terrace. Contrary to the Council's design guidance the house would extend beyond the main building line of houses on Clevedon Gardens. As per the planning history above a planning application for a similarly designed dwelling was refused by the Council on this basis. However an appeal was lodged and the inspector did not uphold the Council's reason for refusal relating to the siting and appearance of the proposed house. In assessing the proposal the inspector stated:-

'I have assessed the form and layout of development in the area and, whilst there is some balance to the terraces of properties facing Bourne Avenue and the development along adjoining streets, I do not consider that the uniformity is so significant and pronounced that a well-designed continuation of the terrace would necessarily result in harm to its character and appearance or the street scene, generally. Indeed, I am satisfied that the proposal has been carefully designed to respect the form and layout of development in the area, including the spacing between properties and the open nature of the plot adjacent to the corner of Bourne Avenue and Clevedon Gardens. It would be subordinate to the original adjacent building and incorporate design details such as a hipped roof and suitable materials to match the adjacent dwelling and others

in the vicinity. As such, it would complement the character of the area and retain the spacious character of its immediate vicinity.

Furthermore, other developments that have taken place in the area demonstrate that development on similar corner plots do not necessarily disrupt the rhythm and pattern of development to a harmful degree or compromise the important openness adjacent to corners.

In terms of building lines, the proposed property would be set in from the boundary with Clevedon Gardens and so it would breach the important return building line which is aligned to the existing flank wall of 98 Bourne Avenue. However, in this case a significant gap would be retained between the flank wall of the proposal and Clevedon Gardens.

Furthermore, there would remain a relatively large gap between the proposal and the side elevation of the nearby property on Clevedon Gardens. This gap would retain the open character in the area close to the corner. As such, I do not consider that the proposal would result in an overly dominant or visually intrusive form of development that would harm the open character of this area.'

It could be argued that since this appeal decision the Council has adopted a new Local Plan and therefore the inspectors comments in this case do not have significant weight. However although the Council's Local Plan has recently been adopted the policy requirements in relation to impact upon the street scene and the characteristics of the site and the wider area remain relatively unchanged. As such, on balance it is considered that in light of the planning history for the site the Council cannot refuse this application on visual amenity grounds."

3.0. PROPOSED ALTERATIONS

- 3.1. We would like to emphasise that the existing single storey building is not a detached building. It is indeed attached to No.96 as it was originally built as an extension. It was then converted to a residential unit so that it is now an end-terrace property. However, the existing roof design does not reflect that it is an end-terrace property because the roof appears discounted from the terrace to which it belongs.
- 3.2. Our proposal is to alter the existing roof and turn it to a roof that can complement the terrace character and as a result the building can be seen as part of the original terrace properties. The proposed scheme has a single storey which means it has less massing compared to the double storey house approved at 98 Bourne Avenue. The matching roof design with hip-end is similar to what is approved at 98 Bourne Ave.
- 3.3. The proposed rear dormer is significantly reduced in size and is designed to be seen subservient to the main roof. This rear dormer can be reduced or removed if deemed harmful.

4.0. CONCLUSION

- 4.1. Neither the building nor the surrounding area is identified to have a significant character that should be protected. The existing property has currently a standalone roof which does not follow the character of the surrounding terrace properties and it has already encroached the building line.
- 4.2. With regards to the reason 1 of the refusal, the proposed roof is carefully designed to maintain the hip-end character which can be seen as continuation of the existing

terrace character. This will help the roof blend in the row of the terraced housing and this can contribute to enhance and complement the terrace character. Therefore the single-storey building can appear as a typical end-terrace addition not a standalone building. This will help the building integrate well in the wider surrounding context. As a result, by some modest alterations to the roof, we can have better use of the application site whilst enhancing the character of the area. The inspector in the case report at No.98 has stated that a continuation of the terrace would not result in harm to the character and appearance of the street scene. According to the inspector's assessment, the impact of a continued terrace cannot be considered harmful or out of character. Therefore the reason 1 of the refusal is addressed.

- 4.3. With regards to the reason 2 of the refusal, the inspector of the appeal application at No.98 did not uphold the council reason's for refusal relating to the impact on the openness. Our proposed scheme will have even less impact on the openness of the corner plot due to its smaller size, lower height and less massing compared to the approved double-storey scheme at No.98 Bourne Ave. Consequently the reason 2 of the refusal is addressed.



Mr Dale Venn
High House Harlington Road
Hillingdon
UB8 3HX

Application Ref: 7695/APP/2020/1361

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

Two storey, 1-bed attached dwelling with associated parking and amenity space and single storey rear extension to existing dwelling

Location of development: 98 Bourne Avenue Hayes

Date of application: 01 July 2020

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 26 August 2020

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 7695/APP/2020/1361

SCHEDULE OF CONDITIONS

- 1 · 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 · The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4960-5 and 4960-6 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two-Development Management Policies (2020) and the London Plan (2016).

- 3 · No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2016).

- 4 · 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 DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two -Development Management Policies (2020).

SCHEDULE OF CONDITIONS

- 5 · All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme under plan ref:4960-5 and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy DMHB 14 of the Hillingdon Local Plan: Part Two-Development Management Policies (2020).

- 6 · 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.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 7 · 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 garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

SCHEDULE OF CONDITIONS

- 8 . The two storey, 1 bed attached dwelling hereby permitted shall not be erected without the single storey rear extension to Number 98 Bourne Avenue, shown on the submitted drawings, being either first constructed and completed or constructed and completed in combination with the proposed dwelling.

REASON

To protect the outlook and light to the occupants of Number 98 Bourne Avenue in accordance with policy DMHB11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2016).

- 9 . Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

- 10 . The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON

To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

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 Local Plan Part 1 (2012) and Part 2 (2020) 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
PT1.H1	(2012) Housing Growth

Part 2 Policies

DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping

SCHEDULE OF CONDITIONS

DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

- 3 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
- 4 . You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then the validity of this planning permission may be challengeable by third parties.
- 5 . 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 Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

SCHEDULE OF CONDITIONS

- 6 . 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.
- 7 . 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

GRANT OF PLANNING PERMISSION

Application Ref.No.: 7695/APP/2020/1361

SCHEDULE OF PLANS

4960-II - received 29 Apr 2020

4960-3 - received 29 Apr 2020

4960-5 - received 29 Apr 2020

4960-6 - received 29 Apr 2020

4960-4 - received 29 Apr 2020

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at www.Planning-inspectorate.gov.uk

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 98 BOURNE AVENUE HAYES

Development: Two storey, 1-bed attached dwelling with associated parking and amenity space and single storey rear extension to existing dwelling

LBH Ref Nos: **7695/APP/2020/1361**

Drawing Nos: 4960-II
4960-3
4960-5
4960-6
4960-4

Date Plans received : 01/07/2020

Date(s) of Amendment(s):

Date Application Valid: 01/07/2020

1. **SUMMARY**

The application seeks permission for the erection of a two storey, 1 bedroom, attached dwelling with associated parking as well as a single storey rear extension to the host property.

The application is a re-submission of the approved planning application ref: 59974/APP/2017/730 which expired in May this year. The proposal is almost identical to the previously approved application and is considered to be, on balance, in compliance with Local Plan and London Plan policies relating to the impact upon the character and appearance of the site and it's wider area, the impact upon existing and future residents and the impact upon the local highway network.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 RES3 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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 4960-5 and 4960-6 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two-Development Management Policies (2020) and the London Plan (2016).

3 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed

ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB11 of the Hillingdon Local Plan: Part Two -Development Management Policies (2020) and the London Plan (2016).

4 RES7 Materials (Submission)

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 DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two -Development Management Policies (2020).

5 RES9 Landscaping (car parking & refuse/cycle storage)

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme under plan ref:4960-5 and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy DMHB 14 of the Hillingdon Local Plan: Part Two-Development Management Policies (2020).

6 RES12 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.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

7 RES14 Outbuildings, extensions and roof alterations

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 garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020)

8 NONSC Non Standard Condition

The two storey, 1 bed attached dwelling hereby permitted shall not be erected without the single storey rear extension to Number 98 Bourne Avenue, shown on the submitted drawings, being either first constructed and completed or constructed and completed in combination with the proposed dwelling.

REASON

To protect the outlook and light to the occupants of Number 98 Bourne Avenue in accordance with policy DMHB11 of the Hillingdon Local Plan: Part Two -Development Management Policies (2020) and the London Plan (2016).

9 NONSC Non Standard Condition

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

10 NONSC Non Standard Condition

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON

To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

INFORMATIVES

1 I52 Compulsory Informative (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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMH 4	Residential Conversions and Redevelopment
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

4 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then the validity of this planning permission may be challengeable by third parties.

5 I5 Party Walls

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 Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

6 I6 Property Rights/Rights of Light

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.

7 I15 Control of Environmental Nuisance from Construction Work

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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application property is an end of terrace two storey dwelling occupying a corner position at the junction of Bourne Avenue and Clevedon Gardens. The property consists of front and rear gardens and garden area approximately 6 metres width along the flank elevation. This area is grassed and open and bounded by a low rise (approximately 0.5 m) brick wall running along its perimeter. The rear garden of 98 Bourne Avenue is enclosed using 1.8 m high close board fencing. The principal elevation faces almost South.

There is hard standing at the front of 98 Bourne Avenue with a drop kerb allowing vehicular access for off-street parking for two vehicles. The rear garden contains a large garage with access from Clevedon Gardens via a second dropped kerb. The wider area is residential in character. Bourne Avenue comprises large 1930s terraces whilst cul-de sacs off Bourne Avenue comprise mainly semi-detached properties.

3.2 Proposed Scheme

Planning permission is sought for the erection of a two storey, one bedroom attached dwelling with associated parking as well as a single storey rear extension to the host

property. This application is almost identical to the house approved in 2017.

3.3 Relevant Planning History

59974/APP/2006/535 Land Forming Part Of 98 And 98 Bourne Avenue Hayes

ERECTION OF A PAIR OF ATTACHED TWO STOREY DUPLEX FLATS WITH ASSOCIATED PARKING AND ERECTION OF SINGLE STOREY REAR EXTENSION TO EXISTING DWELLING (NO.98).

Decision: 05-05-2006 Refused **Appeal:** 20-11-2006 Dismissed

59974/APP/2015/2078 Land Forming Part Of 98 Bourne Avenue Hayes

Two storey, 2-bed, end of terrace dwelling with associated parking and amenity space involving demolition of existing garage

Decision: 18-09-2015 Refused **Appeal:** 22-07-2016 Dismissed

59974/APP/2017/730 Land Forming Part Of 98, And 98 Bourne Avenue Hayes

Two storey, 1-bed attached dwelling with associated parking and amenity space and single storey rear extension to existing dwelling.

Decision: 16-05-2017 Approved

Comment on Planning History

The site has a lengthy planning history dating back to 2004. Various applications relating to the redevelopment of this site for residential purposes have been submitted to and refused by the LPA. The most recent and relevant planning history is as follows:-

59974/APP/2015/2078 - Two storey, 2-bed, end of terrace dwelling with associated parking and amenity space involving demolition of existing garage was refused for the following reasons:

1. The proposed development, by reason of its, siting in this open prominent position and forward of the return building line along Clevedon Gardens, size, scale and bulk, would represent a cramped, incongruous, over-dominant and visually intrusive form of development detrimental to the open nature of the existing corner plot and the visual amenity of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2015) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed development, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupier at 98 Bourne 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 Residential Layouts.

An appeal was subsequently lodged and dismissed. However the inspector did not uphold the Council's view that the proposed house due to its siting would cause harm to the character and appearance of the area. The inspectors comments are addressed further in the report.

Following the appeal decision application ref: 59974/APP/2017/730 was submitted and approved. It differed from the application subject to the above appeal in that a single storey rear extension was proposed to the host property at No. 98. It was considered that

the inclusion of this extension overcame the second reason for refusal relating to application ref:59974/APP/2015/2078.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

A total of 16 adjoining and nearby neighbouring properties were consulted via letter dated 2.7.20. No comments were received.

Internal Consultees:

Tree Officer:

This site is occupied by a two-storey semi-detached house located at the junction of Clevedon Gardens. Situated on a corner plot, the garden is wider than neighbouring properties in this street. There are two parking space to the front of the house and a garage at the end of the garden which is accessed from Clevedon Gardens. There are no TPO's or Conservation Area designations affecting the site.

COMMENT: No trees will be affected by the proposal. The attached dwelling will leave the existing front garden layout unaffected by the extension. The garage will be removed and two parking spaces (nose to tail) will be provided at the end of the garden, using the existing dropped kerb. The division of the garden between the two properties appears to be reasonable, albeit the garden of number 98 will be much reduced.

RECOMMENDATION: No objection subject to conditions RES9 (parts 1, 2 and 5).

Officer Comment: Unlike the previously approved application the plans submitted for this application do provide details for the landscaping to be implemented on site. As such it is considered that a condition seeking the implementation of the landscaping scheme proposed prior to occupation would be suitable in this case.

Access Officer:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following Conditions should be attached to any grant of planning permission: Any grant of planning permission should include the following conditions:

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with

London Plan policy 3.8 c, is achieved and maintained'.

Environmental Specialists Team: No comments received.

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

LPP 7.4 (2016) Local character

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

In addition: Since the previous 2017 application was approved the Council have adopted their new Local Plan Part Two: Development Management Policies (2020).

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB11 of the Hillingdon Local Plan: Part Two states that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded. Furthermore the policy stresses the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both

parties privacy.

The proposed house would be at the end of a terrace adjacent to a road and would be located a significant distance from properties to the front and rear of the site. The house would be in line with the existing ground floor rear extension at No.98 and when applying a 45 degree angle from the midpoint of the closest habitable room windows at No. 98 to the end of the first floor element of the proposal it is evident that the house would not result in harm to this property by way of loss of light or outlook. No windows are proposed that would result in loss of privacy to the host property.

It was established in the 2017 application that the single storey rear extension to the host property would not cause harm to the amenity of neighbouring properties.

Overall it is considered that the proposed house would not cause harm to the amenity of nearby residents.

7.2 Impact on Street Scene

Policy DMHB 12 of the Hillingdon Local Plan: Part Two requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore the policy resists any development which would fail to harmonise with the existing street scene and seek to ensure any new development complements the amenity of the area.

The proposed house would be a continuation of an existing terrace and would incorporate a matching roof design to the main terrace. Contrary to the Council's design guidance the house would extend beyond the main building line of houses on Clevedon Gardens. As per the planning history above a planning application for a similarly designed dwelling was refused by the Council on this basis. However an appeal was lodged and the inspector did not uphold the Council's reason for refusal relating to the siting and appearance of the proposed house. In assessing the proposal the inspector stated:-

"I have assessed the form and layout of development in the area and, whilst there is some balance to the terraces of properties facing Bourne Avenue and the development along adjoining streets, I do not consider that the uniformity is so significant and pronounced that a well-designed continuation of the terrace would necessarily result in harm to its character and appearance or the street scene, generally. Indeed, I am satisfied that the proposal has been carefully designed to respect the form and layout of development in the area, including the spacing between properties and the open nature of the plot adjacent to the corner of Bourne Avenue and Clevedon Gardens. It would be subordinate to the original adjacent building and incorporate design details such as a hipped roof and suitable materials to match the adjacent dwelling and others in the vicinity. As such, it would complement the character of the area and retain the spacious character of its immediate vicinity.

Furthermore, other developments that have taken place in the area demonstrate that development on similar corner plots do not necessarily disrupt the rhythm and pattern of development to a harmful degree or compromise the important openness adjacent to corners.

In terms of building lines, the proposed property would be set in from the boundary with Clevedon Gardens and so it would breach the important return building line which is aligned to the existing flank wall of 98 Bourne Avenue. However, in this case a significant gap would be retained between the flank wall of the proposal and Clevedon Gardens.

Furthermore, there would remain a relatively large gap between the proposal and the side elevation of the nearby property on Clevedon Gardens.

This gap would retain the open character in the area close to the corner. As such, I do not consider that the proposal would result in an overly dominant or visually intrusive form of development that would harm the open character of this area."

It could be argued that since this appeal decision the Council has adopted a new Local Plan and therefore the inspectors comments in this case do not have significant weight. However although the Council's Local Plan has recently been adopted the policy requirements in relation to impact upon the street scene and the characteristics of the site and the wider area remain relatively unchanged. As such, on balance it is considered that in light of the planning history for the site the Council can not refuse this application on visual amenity grounds.

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 1 of the Hillingdon Local Plan: Part 2 considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy DMT 6 of the Hillingdon Local Plan seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Two off-street parking spaces would be provided for the proposed house and sufficient parking would be retained for the host property. The parking arrangements proposed are the same as the 2017 application and it is considered that their layout and location would be acceptable.

Overall the development would not lead to conditions prejudicial to pedestrian and highway safety.

7.4 Carparking & Layout

As above.

7.5 Urban Design, Access and Security Considerations

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

A house with one bedroom should have an internal floor area of at least 58sq.m which the development complies with. Furthermore all of the proposed habitable rooms would be afforded an adequate level of light and outlook.

The Council's Local Plan (2020) policy DMHB 18 states that new residential developments should provide an adequate level of private amenity space for occupiers that is good quality and usable. The amount of garden space proposed for the new dwelling and retained for the host property would comply with the Council's standards.

7.6 Other Issues

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Technical Housing Standards - Nationally Described Space Standard
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Kelly Sweeney

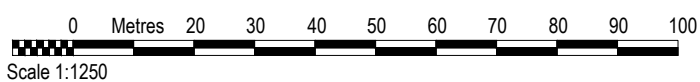
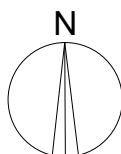
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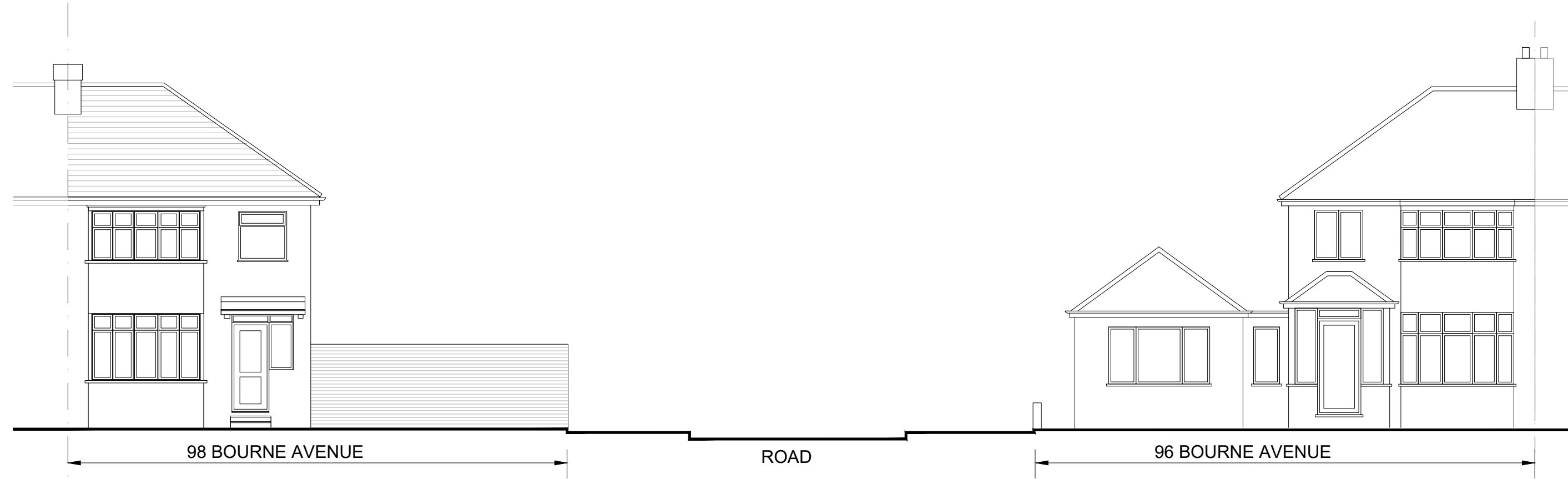
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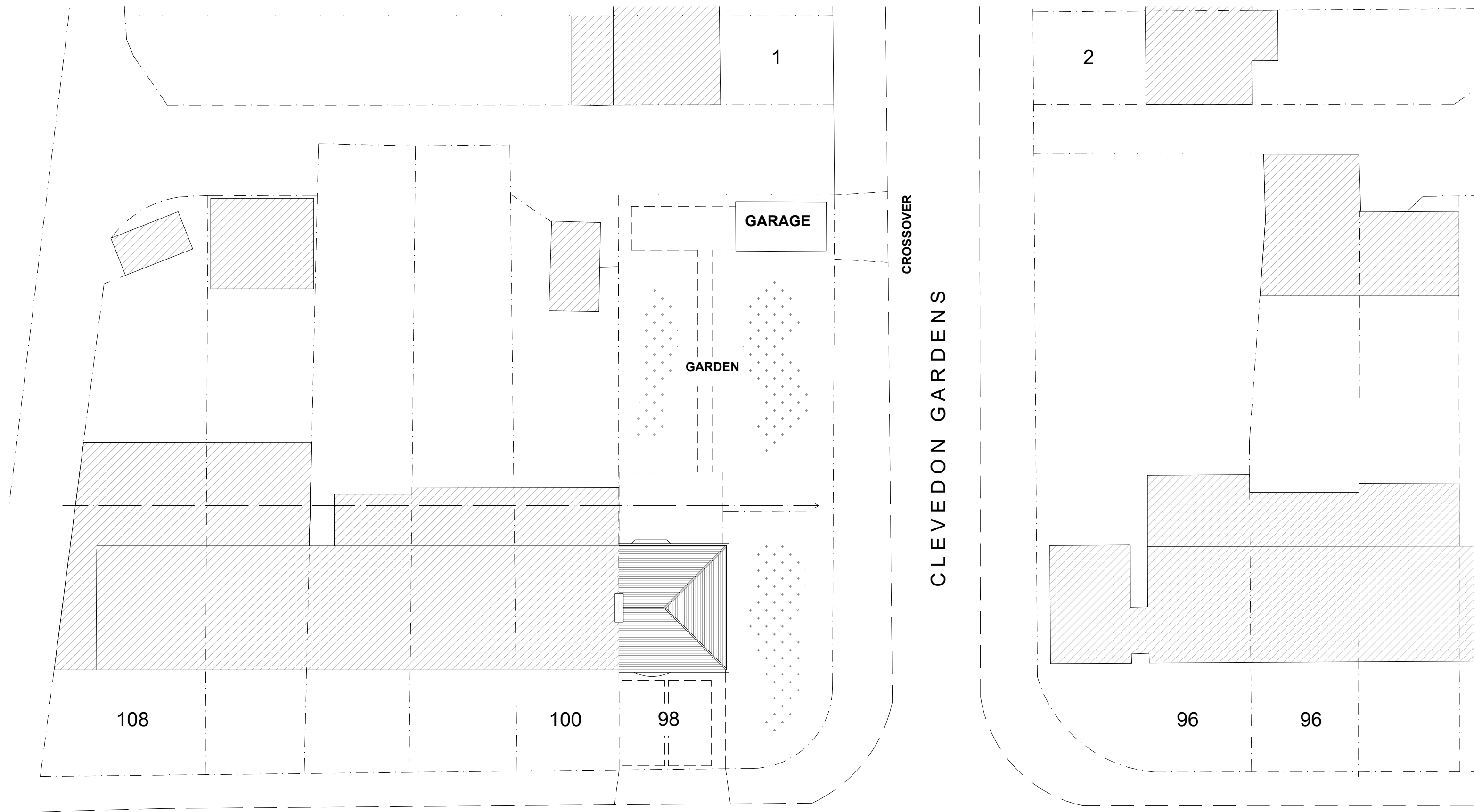
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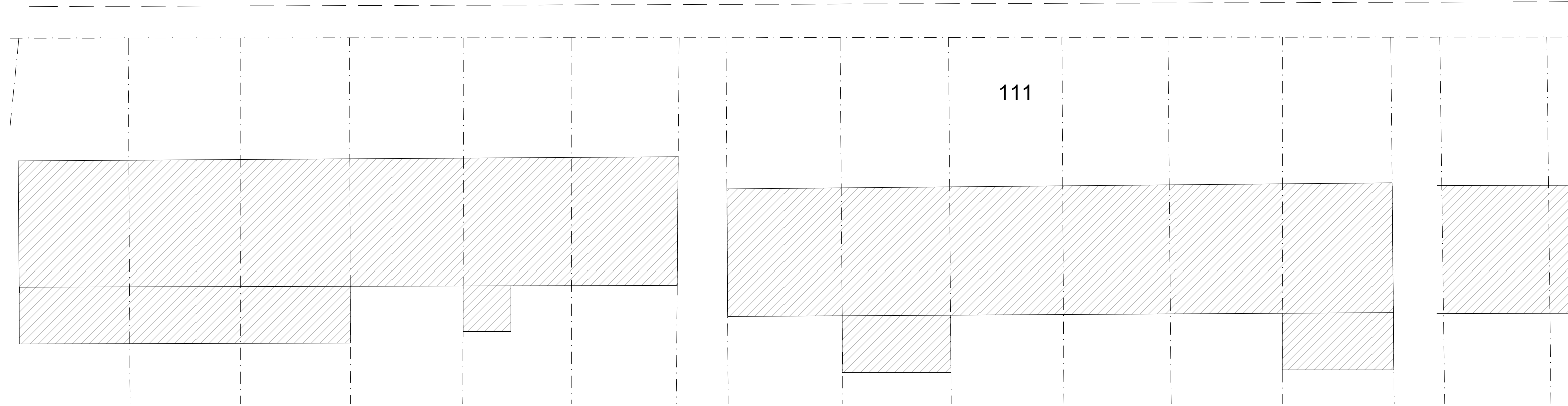




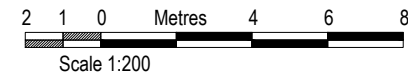
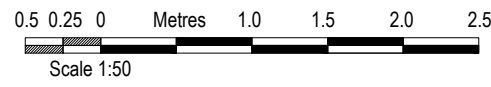
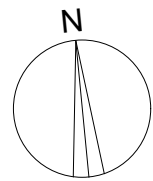
SOUTH ELEVATION 1:100



BOURNE AVENUE



SITE PLAN 1:200



AMENDMENTS	DATE	REV.
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JOB 98 BOURNE AVENUE HAYES UB3 1QR
CLIENT MARTIN QUILLE AND DAVID DORE
DRAWING EXISTING SITE PLAN AND ELEVATION

DALE VENN ARCHITECTS Architects, Planners & Surveyors HIGH HOUSE, HARLINGTON ROAD, HILLINGDON, MIDDLESEX 01895-237345
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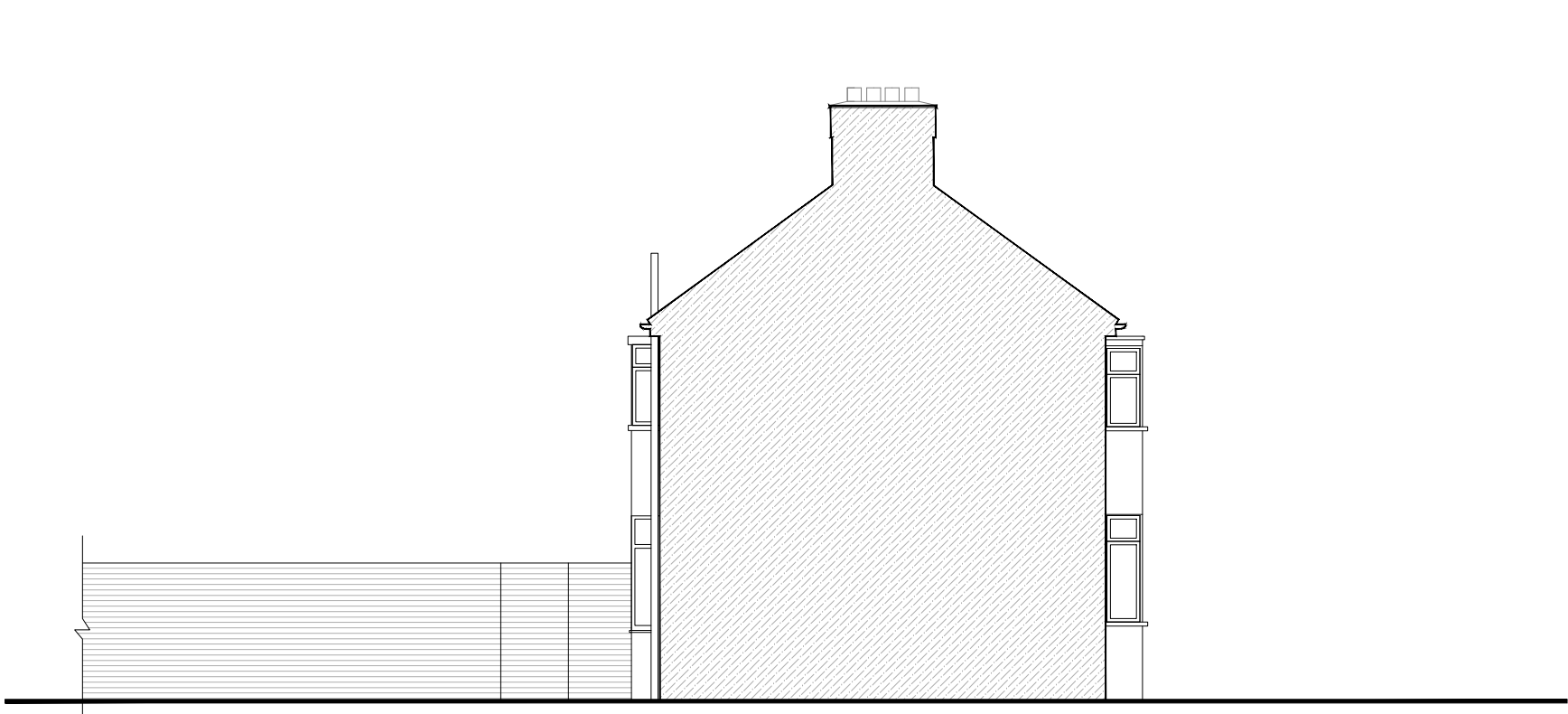
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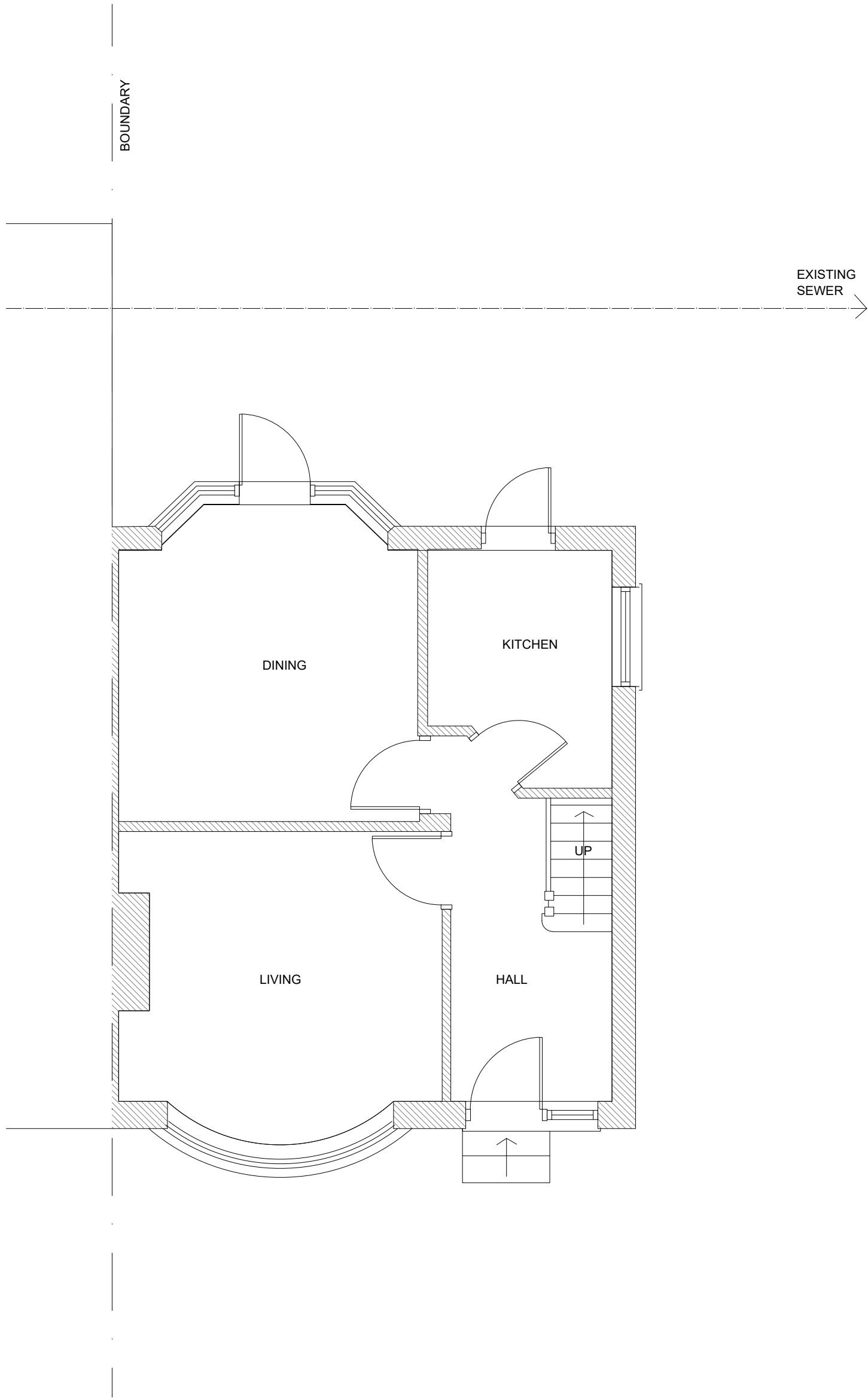
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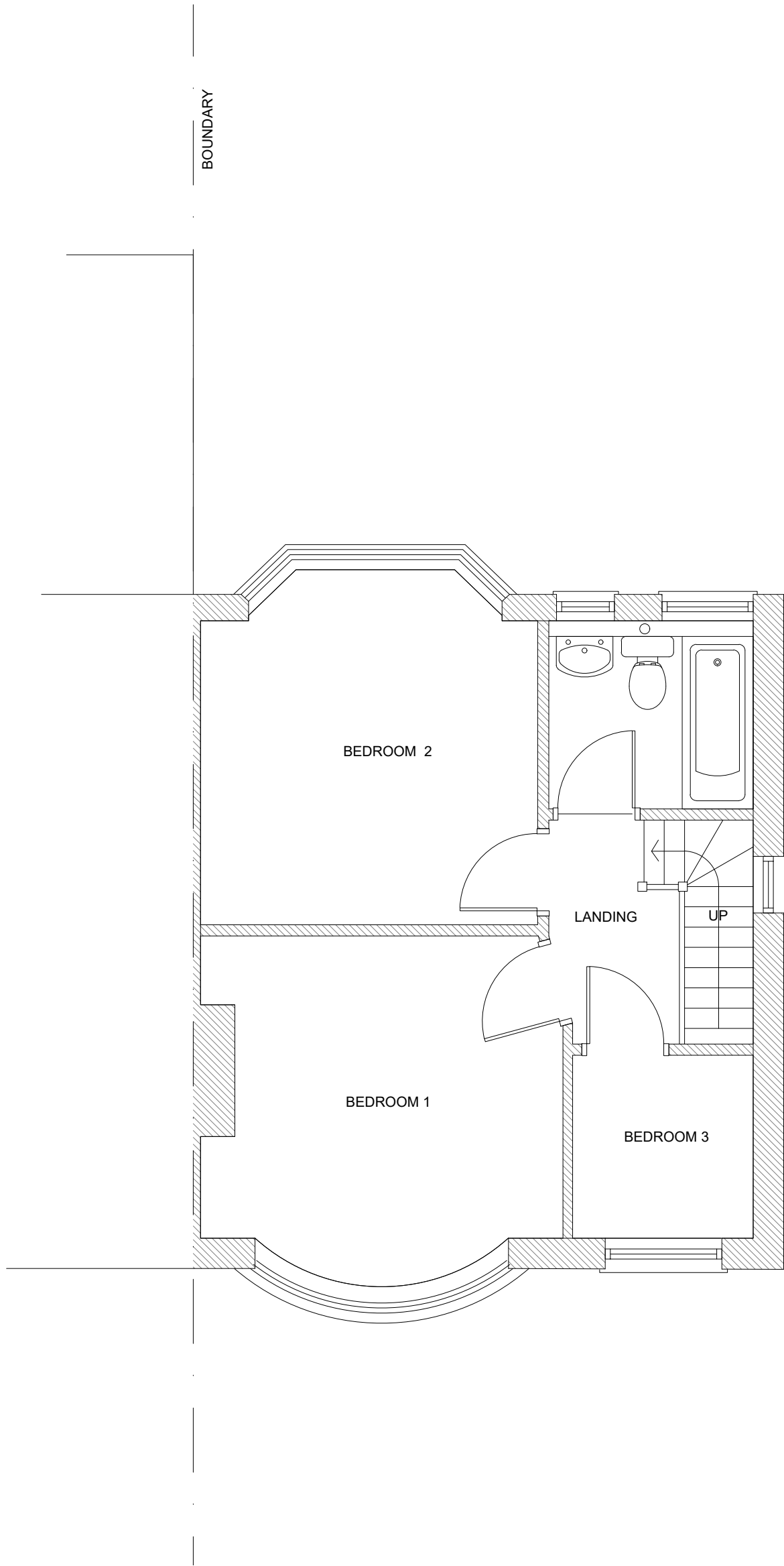
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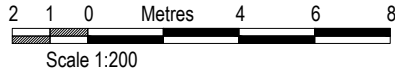
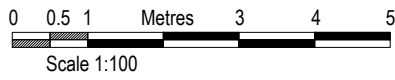
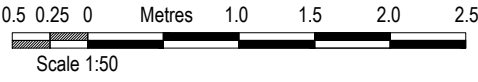
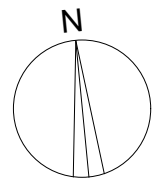
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GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN

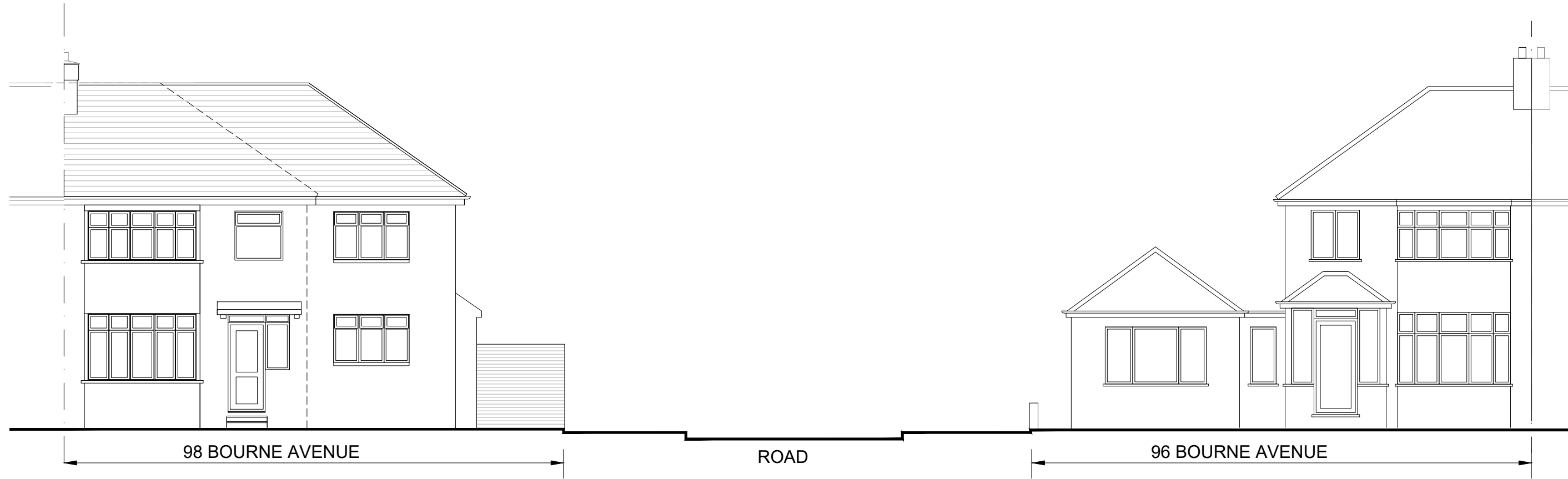


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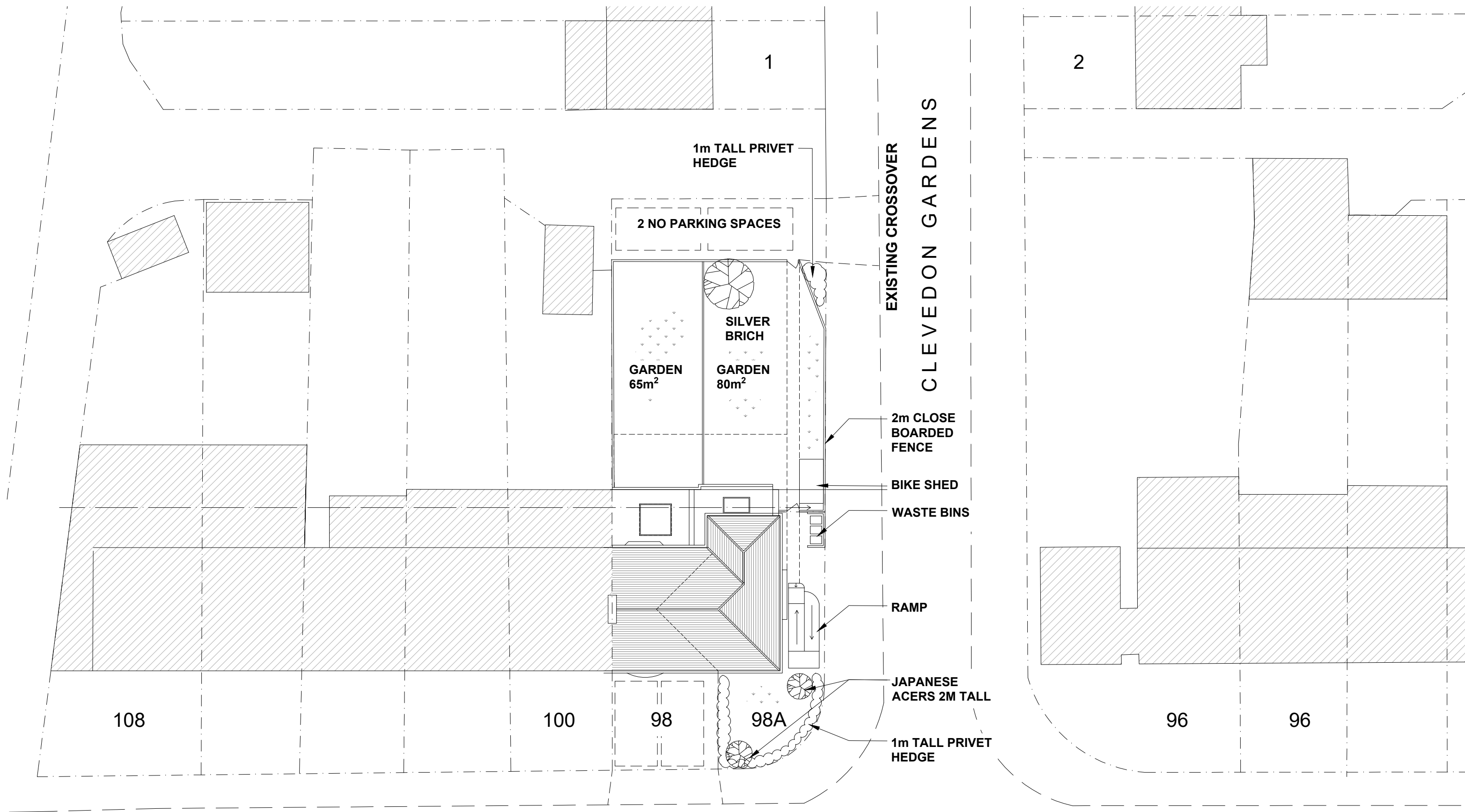
JOB 98 BOURNE AVENUE HAYES UB3 1QR
CLIENT MARTIN QUILLE AND DAVID DORE
DRAWING EXISTING PLANS AND ELEVATIONS

DALE VENN ARCHITECTS Architects, Planners & Surveyors HIGH HOUSE, HARLINGTON ROAD, HILLINGDON, MIDDLESEX 01895-237345
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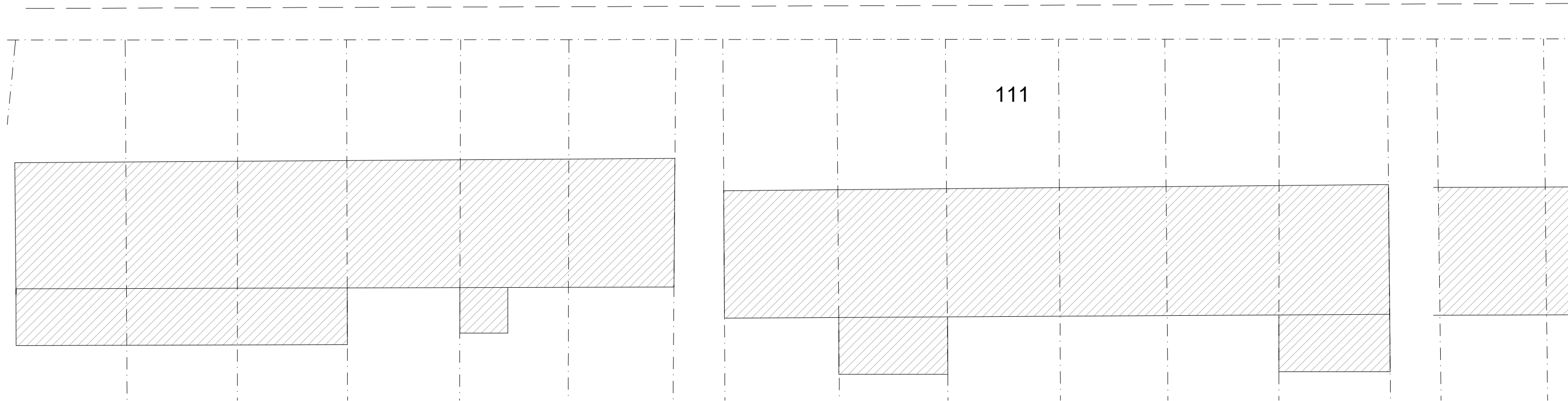
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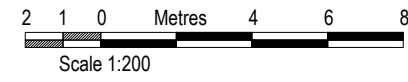
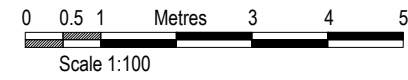
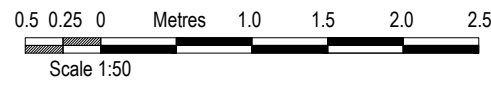
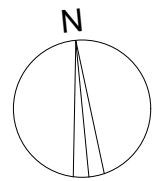
SOUTH ELEVATION 1:100



BOURNE AVENUE



SITE PLAN 1:200



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CLIENT MARTIN QUILLE AND DAVID DORE
DRAWING PROPOSED SITE PLAN AND ELEVATION

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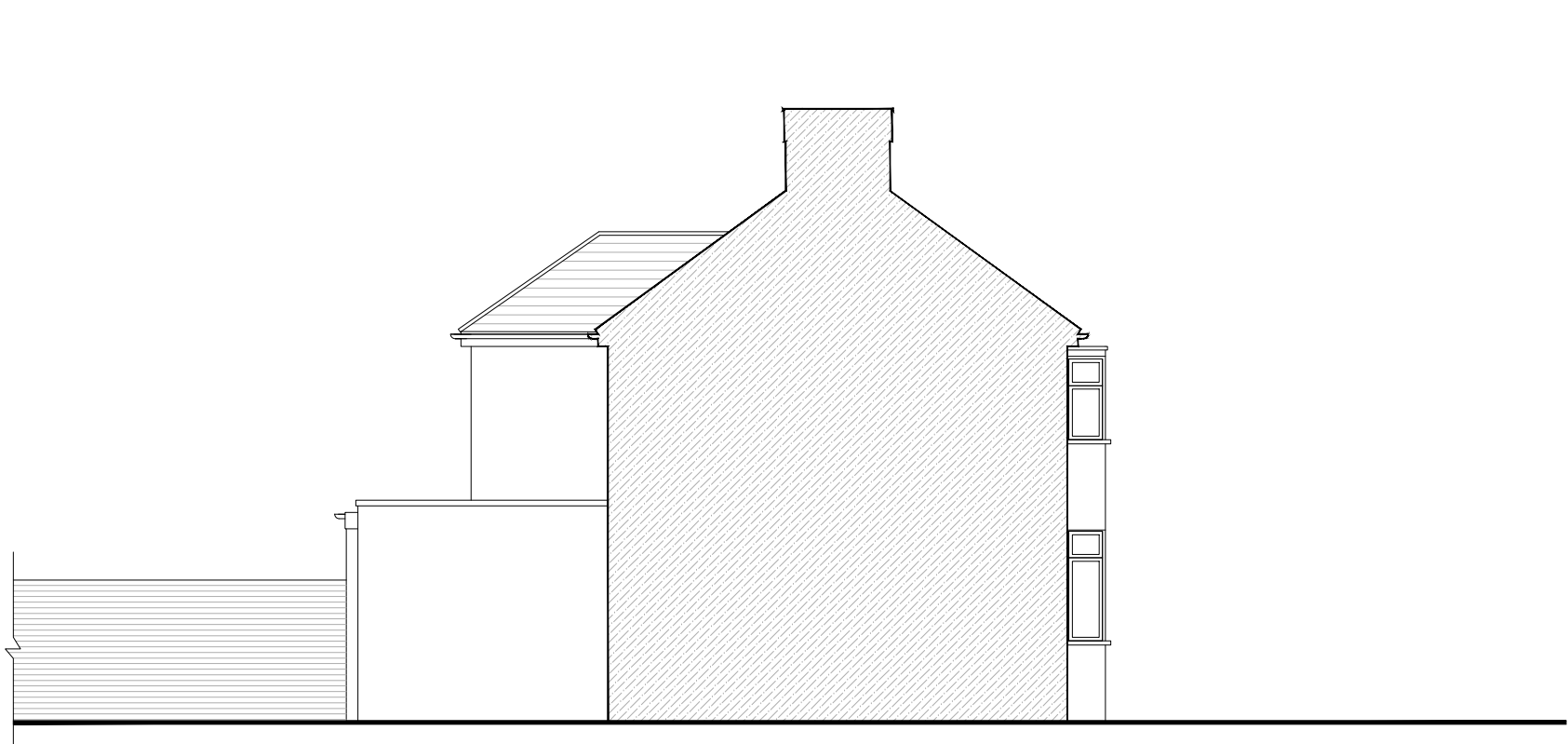
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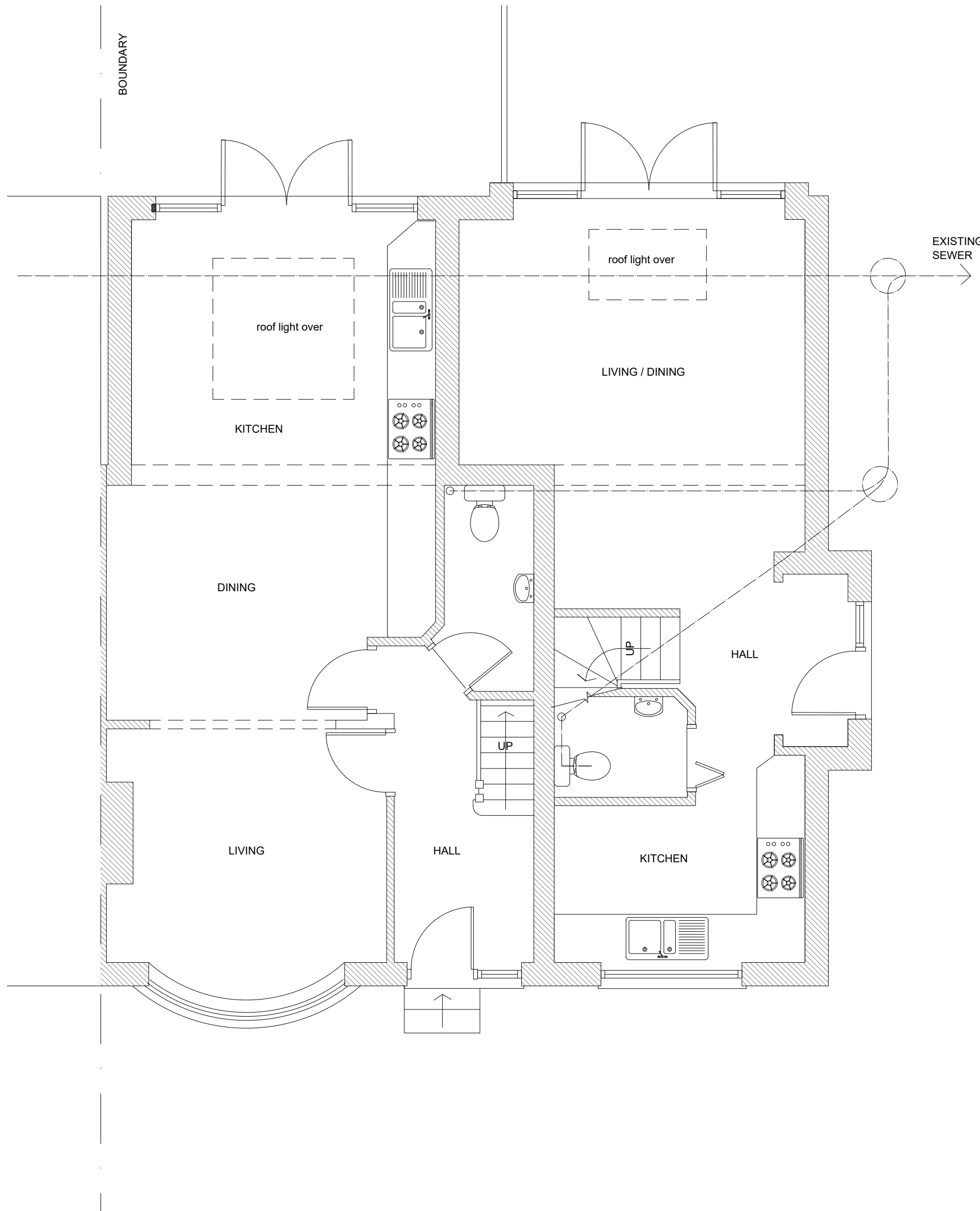
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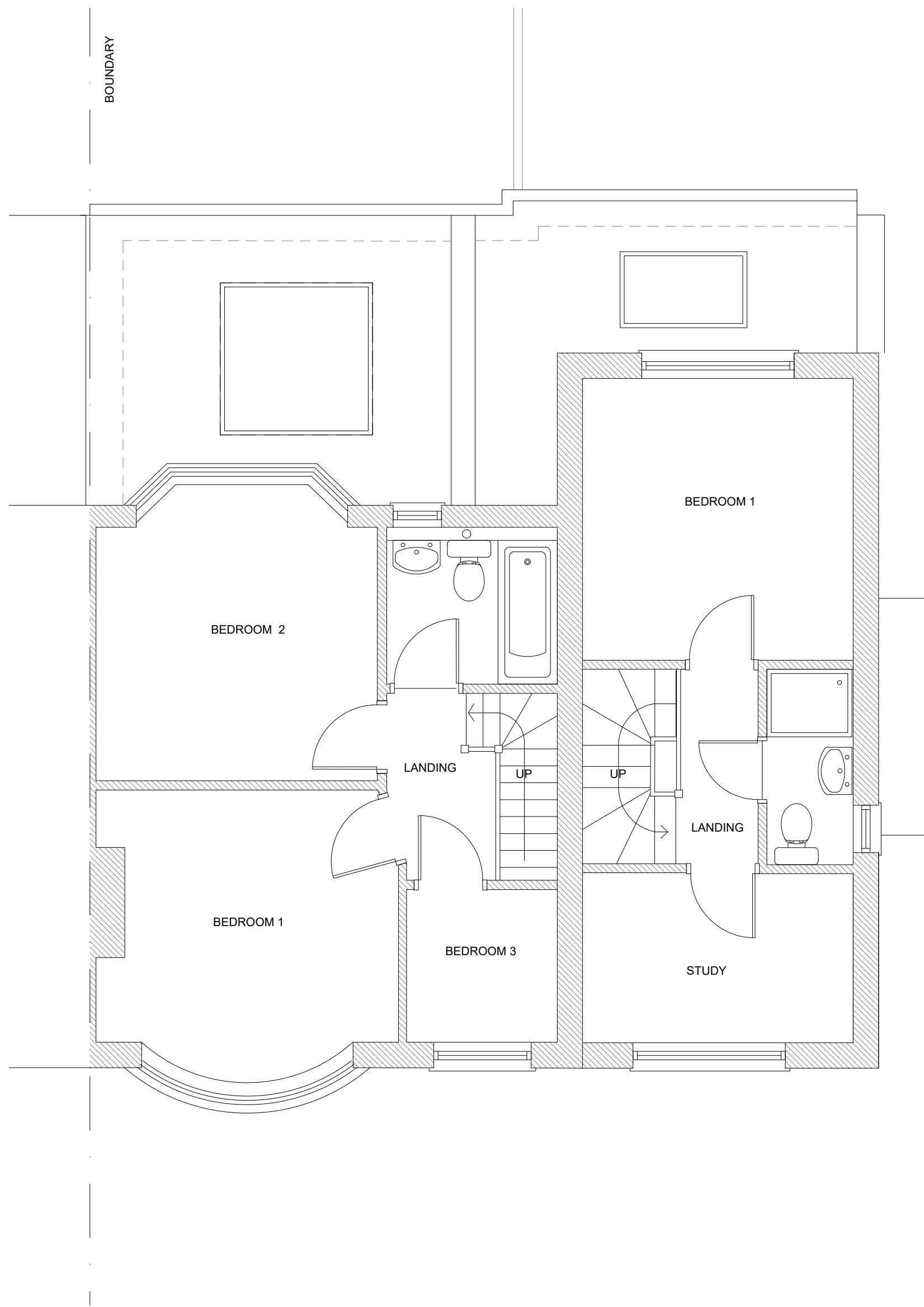
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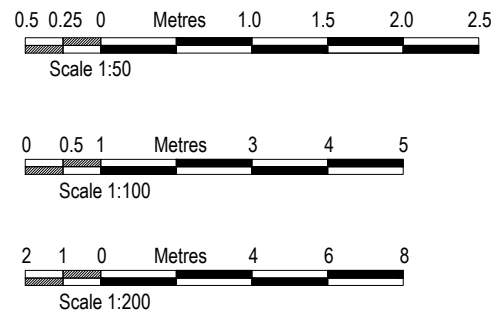
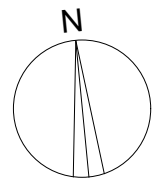
WEST ELEVATION



GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN



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98 BOURNE AVENUE HAYES UB3 1QR
CLIENT
MARTIN QUILLE AND DAVID DORE
DRAWING
PROPOSED PLANS AND ELEVATIONS

DALE VENN ARCHITECTS
Architects, Planners & Surveyors
HIGH HOUSE, HARLINGTON ROAD, HILLINGDON, MIDDLESEX 01895-237345

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