

# Report of the Head of Development Management and Building Control Committee Report– Application Report

Case Officer: **Daniel Ambrose**

**78928/APP/2024/1952**

Date Application Valid:	<b>18.07.2024</b>	Statutory / Agreed Determination Deadline:	<b>12.12.2024</b>
Application Type:	<b>Householder</b>	Ward:	<b>Ruislip</b>

Applicant: **Mr A Cherukmudi**

Site Address: **47 Fairfield Avenue, Ruislip**

Proposal: **Erection of a single storey side and rear wraparound extension, conversion of garage into habitable space and installation of external steps and patio area within rear garden.**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 2 of the Planning Scheme of Delegation (Member call-in request)**



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

### **1 Executive Summary**

- 1.1 This householder planning application proposes single storey extensions and alterations to No. 47 Fairfield Avenue in Ruislip.
- 1.2 Cumulatively, the proposed extensions comply with the objectives of the relevant planning policies and the proposal would not give rise to any significant harm to the character and appearance of the host dwelling, street scene or the wider local character in which the site is situated.
- 1.3 Subject to conditions, the proposal would have an acceptable impact on neighbouring residential amenity and would not adversely affect highway safety, or cause harm in other respects.
- 1.4 Due regard has been given to residents' objections. However it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken.
- 1.5 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

### **2 The Site and Locality**

- 2.1 The application property is a semi-detached two storey dwelling, located on the southern side of Fairfield Avenue, Ruislip (please refer to Figure 1 below). The property is adjoined to the north-west by its semi-detached paring, No. 45 Fairfield Avenue. Directly east of the application site lies the junction with Grasmere Avenue with the adjoining garage associated with No. 19 Grasmere Avenue abutting the south-western site boundary.
- 2.2 The surrounding area is residential in character with a predominantly uniform design, appearance and semi-detached housing forms. The application dwelling is finished in white render and brick and has a tiled hipped roof, characteristic of the area.
- 2.3 The application property benefits from front and rear gardens, providing off street parking accessed via a vehicular crossover and an attached side garage.

2.4 The site has a Public Transport Accessibility Rating Level of 1a (poor).

**Figure 1: Location Plan (application site edged red)**



**Figure 2: Street View Image of the Application Property.**



**Figure 3: Existing rear elevation of the application site and its relationship with No. 45 Fairfield Avenue.**

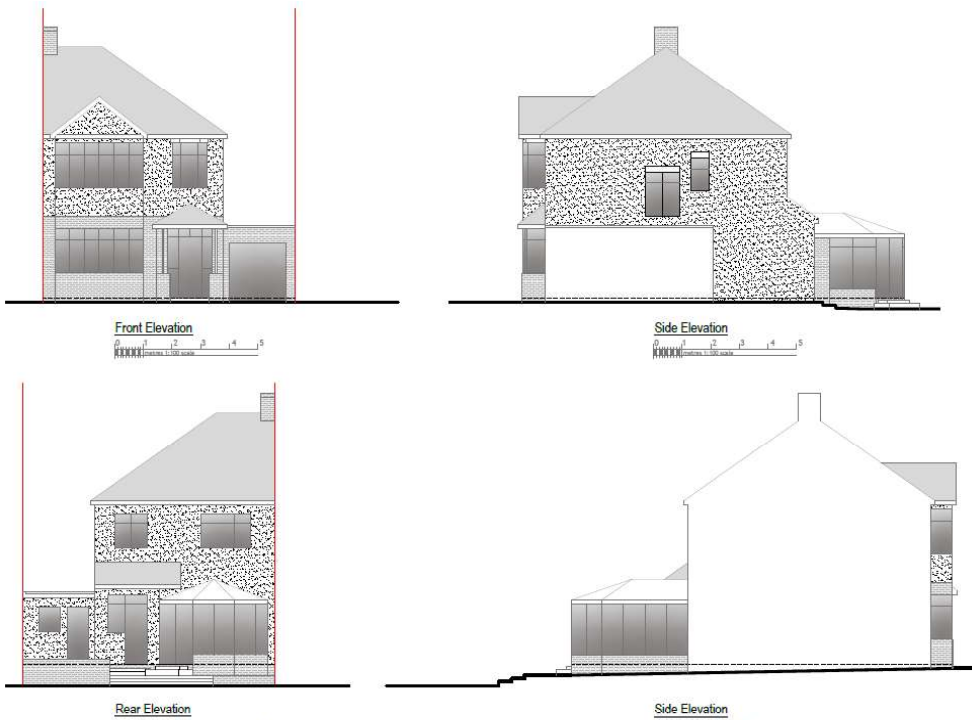


### **3 Proposal**

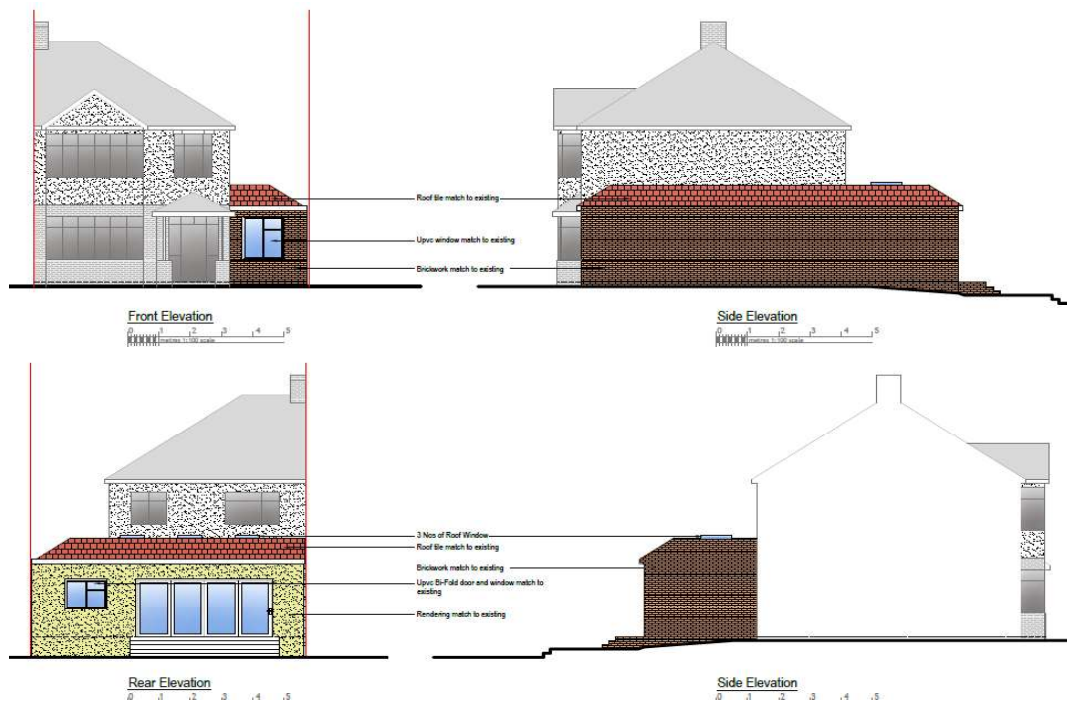
- 3.1 The application proposes the erection of a single storey wraparound extension to the side and rear following demolition of the existing conservatory and conversion of the garage into habitable space. It is also proposed to install external steps from the proposed rear extension down to a small patio and then down to the garden. Please see the proposed drawings shown in Figures 4 and 5.
- 3.2 Amended plans were received during the application process, reducing the depth of the proposed rear extension to 3.6 metres beyond the original rear wall. The amended plans also omitted the front extension where it was originally proposed to integrate the proposed converted garage with the existing porch to create additional floorspace to the front. This is no longer proposed, and the existing garage is proposed to be converted rather than extended further forward.
- 3.3 It was not necessary to re-consult on this final revised plan, due to scale of the proposals being reduced.



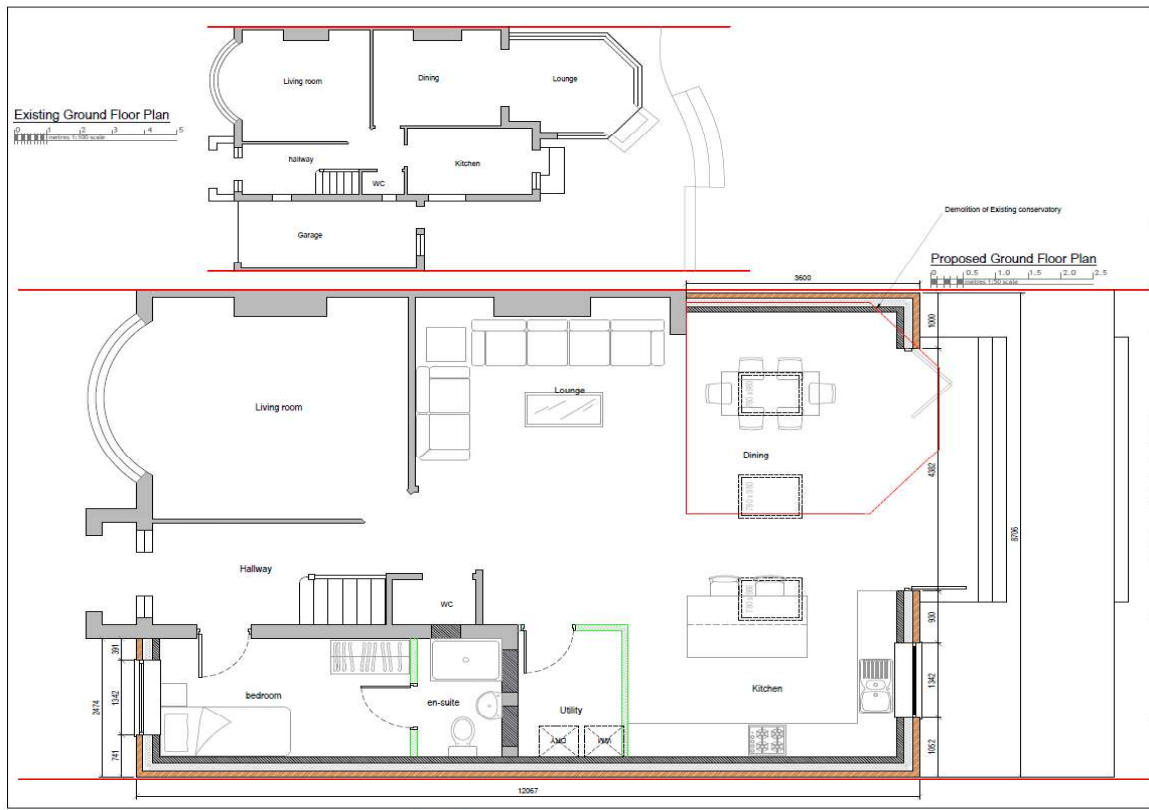
**Figure 3: Existing Elevations** (please note – larger version of plan can be found in the Committee Plan Pack)



**Figure 4: Proposed Elevations**



**Figure 5: Existing and Proposed Plans**



#### **4 Relevant Planning History**

4.1 No relevant planning history.

#### **5 Planning Policy**

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

#### **6 Consultations and Representations**

6.1 Eight neighbouring properties and the Ruislip Residents' Association were consulted on 25th July 2024.

6.2 Representations received in response to public consultation are summarised in Table 1 (below). Internal consultee responses received are summarised in Table 2 (below). Full copies of the responses have been made available to Members.

**Table 1: Summary of Representations Received**

Representations	Summary of Issues Raised	Planning Officer Response
<p>3no. individual letters of objection have been received.</p>	<p>I. Concerns about the stability of the adjoining garage structure and the party wall between the two garages which is not suitable for modern design standards.</p>	<p>Structural integrity is discussed briefly in paras. 7.14 and 7.23.</p> <p>Structural stability of the existing extensions and buildings are not a material planning consideration for this application. These matters would be dealt with under Building Regulations and also the Party Wall Act. An informative would be attached to any grant of planning permission reminding the applicant of the need to comply with other regulations outside the planning assessment.</p>
	<p>II. Will Building Regulation checks take place; concerns regarding structural calculations, demolition of the conservatory, foundations, the lack of architectural drawings associated with the building regs. Concerns regarding shared building services and potential impact on drainage and electrical outages.</p>	<p>The demolition of the conservatory and replacement with a single storey extension is acceptable from a planning perspective and sufficient drawings have been provided to make a recommendation on the planning application.</p> <p>Meeting Building Regulations (BR) is also a statutory requirement that follows after planning permission is received. For the planning assessment, there is no requirement to provide detailed structural drawings, calculations, and foundation details. This would be addressed</p>

		through the Building Regulation process. As part of a BR application, this would deal with drainage and location of existing services associated with the existing dwelling. An informative would be attached advising the applicant of the need to meet these regulations.
	III. Fence of No. 45 will need to be removed, and access sought through their garden.	This is not a material planning consideration. Access over other people's land to construct the development is a civil matter subject to agreement between the affected parties.
	IV. Loss of light to No. 45	Discussed at paragraphs 7.19– 7.21 of this report.
	V. Loss of privacy / overlooking to neighbouring properties.	Discussed at paragraphs 7.20– 7.22 of this report.
	VI. Concern about construction impact in terms of hours and noise/disturbance to the neighbours. The length of time to conduct the works was also raised as a concern.	Construction works would be required to adhere to all regulations to limit potential impacts on neighbours. The normal construction working hours would need to be complied with. An informative is also attached advising the applicant of these requirements.
	VII. Clarity on the number of site visits from building control and planning officer.	The site has been visited by the Planning Officer who has assessed the property in the context of the planning merits. The frequency of building control inspections is not a consideration under the planning assessment.



<p>This application has been 'called-in' by a Ward Councillor.</p> <p>The following summarised comments have also been provided.</p>	<p>My attention has been drawn to a planning application at a property at the end of Fairfield Avenue Ruislip involving the creation of a habitable living space in one of two joined garages, the other belonging to the residents in 19 Grasmere Avenue.</p> <p>The garages were built some years ago and there are concerns about the construction impact on the garage which is not being developed for the foundations and the retention of its structural integrity.</p> <p>There are concerns too over the proposed drainage arrangements and how they might impact on the other garage.</p> <p>Other concerns include potential loss of amenity to the garage which will remain as the owner sometimes loses power tools, and is concerned that if there will be in effect, a bedroom adjoining his garage, it will lead to complaints and pressure to cease the use of his garage for its usual function.</p>	<p>Structural integrity is discussed briefly in paras. 7.14 and 7.23.</p> <p>The structural impacts from construction work are not a material planning consideration for the purpose of this application. A Building Regulations application would consider structural integrity. Drainage matters would also be captured within a Building Regulations application.</p> <p>Any damage to the attached garage would be a civil matter between the relevant neighbours. The proposal may also require a Party Wall Agreement.</p> <p>The conversion of the attached garage to habitable accommodation is a typical householder application. Whilst the comments on noise are duly noted; it would be the applicant's responsibility to ensure that the new habitable space is fully insulated thereby mitigating any noise concerns. Again, insulation of a new room is ordinarily captured through the Building Regulation process. Also, the use of garage would not be commercial, but limited to domestic use.</p>
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**Table 2: Summary of Consultee Responses**

Consultee and Summary of Comments	Planning Officer Response
<p><b>Highways Officer</b></p> <p>The site is located within a predominantly residential catchment in Ruislip and is occupied by a semi-detached property with a garage located to the side and further parking availability on the frontage. Extension to the build is proposed necessitating the loss of the garage.</p> <p>The roadway is devoid of on-street parking restrictions and the address exhibits a public transport accessibility level (PTAL) rating of 1a which is considered 'very poor' thereby potentially increasing dependency on private car ownership and use.</p> <p><b>Parking Provision</b></p> <p>Hillingdon Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.</p> <p>London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.</p> <p>However, these standards are not directly applicable to residential properties which are to be extended /altered with (or without) an increase in the number of habitable rooms on the strict proviso that the site envelope is not subject to a full replacement 'single tenure' build or conversion to multiple housing units.</p> <p>This is further reflected within the local parking standard for 'dwellings with curtilage' which equates to a maximum of 2 on-plot spaces which is irrespective of floorspace or bedroom numbers. This approach is also broadly maintained within the regional standard.</p>	<p>Noted.</p> <p>Highway matters are discussed at paragraphs 7.27-7.28 of this report.</p>

Therefore, in summary, the proposed extension and loss of garage are not expected to materially alter the parking scenario at this address given the remaining parking provision on the frontage which reduces the likelihood of undue parking displacement onto the neighbouring public highway.

Notwithstanding the above, although the proposed extension does not trigger a parking requirement, it is considered reasonable by the Highway Authority (HA) to impose an obligation to provide Electric Vehicle Charging Points (EVCP's) in line with the regional plan consisting of 1 'active' space. The applicant has not confirmed this aspect hence this should be remedied by way of suitable planning condition.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Management Plan (2020) - Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021).

## 7 Planning Assessment

### Principle of Development

- 7.1 The proposal is for extensions and alterations to an existing residential dwelling. As such, the principle of development is supported by national, regional and local planning policies, subject to the considerations set out below.

### Design/Character and Appearance

- 7.2 Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.
- 7.3 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

- 7.4 Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extension of dwellings should not have an adverse cumulative impact on the character and appearance of the street scene and should appear subordinate to the main dwelling.
- 7.5 Policies DMHD 1 referenced above relate specifically to the extension and alteration of residential dwellings. This policy sets out detailed criteria for such developments (please refer to pages 4-6 of the Committee Report Part 3 - Policy Appendix document).
- 7.6 As part of the proposal, the existing rear conservatory which measures a depth of 4m to the deepest point would be demolished. This would be replaced with a single storey rear extension that would have a depth of 3.6m beyond the rear elevation and extend the full width of the rear elevation. It would also wraparound to the side, infilling the area between the existing rear wall of the garage and the original flank wall of the property. This would create a wraparound extension from the rear to the side.
- 7.7 The proposed rear extension has been reduced in depth during the course of the application, so that it complies with the policy requirement (Policy DMHD 1 - Local Plan Part 2: 2020) of not exceeding 3.6m for semi-detached dwellings. This depth would be slightly less than the existing conservatory and as such would ensure that the extension as a whole would not appear overly bulky when viewed from the rear garden and the neighbouring properties. Following conversion of the garage, the side extension would extend off the converted garage to a matching policy compliant width of 2.47m, extending to the same depth as the rear extension, culminating in a wraparound extension as proposed.
- 7.8 The proposed single storey side and rear extension would be characterised by a hipped roof which varies in height (as measured from ground level) due to the level changes within the site. It is noted that the rear garden level is lower than the existing floor level. As such, the overall height of the existing ranges from approximately 3.7m to the top of the roof along the side to 4/4.3m from the rear garden. The height of the extension where it meets the main rear wall would not be too dissimilar to the original mono pitched structure that currently projects into the rear garden. Sufficient visual space would be maintained between the top of the roof and the sills of the first-floor windows thereby ensuring the extension is of a suitable scale and subordinate in design.
- 7.9 The proposed extensions by virtue of their size and scale would still harmonise with the character and appearance of the original dwelling, and in regard to their position, being at the rear they would not be visible from the main road and therefore would have a negligible impact on the character of the street scene. The overall proposal wraps around the side and rear elevations and whilst this

introduces an element of bulk to the existing dwelling, given that similar extensions and side/rear extensions are common in the vicinity, the proposed development would respect the architectural character and appearance of the existing dwelling and the surrounding area along this part of Fairfield Avenue.

- 7.10 The roof of the extension would contain three roof lights set in a sufficient distance from the perimeter of the roof. These rooflights would provide additional lighting to the kitchen/dining space without compromising the overall design finish to the extension. In terms of materials, along the flank the proposed wall would comprise brickwork matching the existing brickwork of the dwelling house. The rear wall serving the extension would be finished in render as is the case of the existing rear elevation. Roof tiles would also match the existing tiles. These matching materials would be secured by Condition 3.
- 7.11 Access to the rear garden would be served by a set of sliding doors with external steps directly outside these doors providing access to a small patio area. The steps down into the garden emphasize the level changes between the finished floor level and the garden. This level change directly outside the sliding doors would be approximately 0.75m between the lower garden and finished floor level. The steps would also be set in 1m from the boundary with No. 45 Fairfield Avenue which would mitigate any impacts on the amenity of this neighbour. A condition has also been included requiring details of a privacy screen at the side of the steps adjacent to this boundary with No. 45 Fairfield Avenue. The steps provide access down to a lower patio level which would be approximately 0.4m above the garden level. This patio height is just slightly above what is allowed under permitted development. Given the site already contains a patio area and due to its modest nature, it would not cause harm to the design finish or the character and appearance of the local area.
- 7.12 In regards the front of the property, amendments received have omitted a front extension. Initially the plans proposed to include a garage conversion and front projection whereby the new extension would integrate with the porch creating a larger front extension element. This has been removed and the proposal to the front would involve the conversion of the garage by removing the door and replacing with windows and associated brickwork and a roof structure that would match the existing façade and dwelling.
- 7.13 The proposed garage conversion is considered to align well with the architectural character of the host dwelling. Several similar examples exist in the vicinity albeit not on this section of the road, but it is a common conversion across the borough. Consequently, it is anticipated that the garage conversion would not have a negative impact on the visual amenity of the site or the surrounding area.
- 7.14 Concerns have been raised through the consultation process regarding the structural stability of the existing garage and the implications that the proposed works would have on the attached neighbouring garage which serves No. 19 Grasmere Avenue. Whilst these concerns are duly noted by Planning Officers, the structural integrity of the existing garage and its relationship with the adjoining

garage would not represent a material consideration in the assessment of this application. The conversion of the garage to a habitable room is a standard planning application and these have been successfully converted in the past without causing structural issues with adjoining properties. Were the proposal to be considered acceptable, it would also be subject to other regulations that deal more specifically structural issues including Building Regulations and the Party Wall Act (if applicable).

- 7.15 Overall, the current proposal is considered to satisfactorily integrate with the appearance of the original dwelling and taking into account the surrounding context of neighbouring development it would not harm the character, appearance and visual amenities of the area. As such, the development proposal would accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local plan - Part Two (2020).

#### Residential Amenity

- 7.16 Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.
- 7.17 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.18 The property is adjoined to the north-east by No. 45 Fairfield Avenue, a semi-detached two storey dwelling which currently has no existing extensions to the rear. Directly to the south and the southwest of the site, the site abuts the rear gardens of Nos. 19-27 Grasmere Avenue. It is also noted that the existing garage shares a party wall with the garage serving No. 19 Grasmere Avenue.

#### *Extensions*

- 7.19 The proposed rear extension would be of a modest policy compliant depth of approximately 3.6m, ensuring no undue overbearing or overshadowing impact upon adjoining No. 45 Fairfield Avenue, the adjoining neighbour. As discussed in earlier sections, the depth has been reduced and would now be less than the maximum depth of the existing conservatory which extends along this boundary with No 45 Fairfield Avenue. This ensures that the extension when built would have an at least commensurate relationship along the boundary with No. 45 Fairfield Avenue. Given the policy compliant depth, Officers are satisfied that there would be no adverse impact over and above the existing situation to this neighbouring property.



- 7.20 It would also ensure that the extension would not lead to a sense of enclosure or loss of outlook. The nearest window serving No. 45 Fairfield Avenue would continue to receive sufficient outlook to their rear garden. There would be no harmful loss of privacy to No. 45, as the relationship would be similar to the existing situation and a planning condition (Condition 4) has been included to prevent the insertion of side facing windows in the rear extension in the future without express planning permission.
- 7.21 The external steps down from the extension into the rear garden would also be set in 1m from the common boundary to ensure this rear garden of this neighbour is protected from any adverse overlooking. These steps would be for access only and not of sufficient size to be used as an additional private amenity space. To further mitigate against potential overlooking, Condition 6 has been included requiring the submission of a privacy screen to the side of the highest steps adjacent to the boundary with No. 45. In terms of the lower patio level, this would be of modest height from ground level at 0.4m (just above what is allowed under permitted development 0.3m). The site arrangement already benefits from a similar patio area. It is not considered that the patio arrangement would cause to significant harm to the neighbours' private amenity space over and above the existing site circumstances.
- 7.22 To the south, the application site adjoins the residential garden boundaries of Nos. 19 to 25 Grasmere Avenue. The building separation distances would be sufficient to prevent any harmful overbearing or overshadowing effects from the proposed extensions. There are no concerns with the proposed ground floor rear fenestration as this would have a similar relationship to neighbouring properties as existing and would be acceptable.
- 7.23 Concerns were raised about the structural integrity of the garages, one belonging to No. 19 Grasmere Avenue. However through discussions with the agent/architect it is understood that no building work will take place on any walls or structural part of the neighbour's garage and party wall agreements will be put in place.
- 7.24 For the reasons outlined above, it is concluded that the proposal would have an acceptable impact on neighbouring residential amenity in compliance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

*Residential Amenity – Application Property*

- 7.25 It is considered that all the proposed habitable rooms, and those altered by the proposed development, would maintain an adequate outlook and source of natural light, therefore complying with the requirements of Policy D6 of the London Plan (2021).

- 7.26 Sufficient private amenity space would be retained post development to meet the standards set out in Table 5.3 (Private Outdoor Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). The proposal, therefore, would not undermine the provision of external amenity space, in accordance with Policy DMHB 18 and Policy DMHD 1 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

#### Highways and Parking

- 7.27 Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 to facilitate sustainable development and address issues relating to congestion and amenity.
- 7.28 The existing driveway would be retained to accommodate at least one vehicle. In accordance with adopted Council parking standards, additional parking provision would not be required as adequate parking remains. It is noted that the Highways Officer has commented on imposing Electric Vehicle Charging Points within the site. This would be a modest sized householder extension that would not attract a significant increase in vehicular parking. The extension and alterations represent improvements to the existing house rather than lead to additional parking. The site would continue to provide the required amount of off-street parking. In this instance Planning Officers do not consider it necessary in planning terms or reasonable to request Electric Vehicle Charging Points.

#### Trees and Landscaping

- 7.29 The proposal would maintain the existing use of the site frontage for parking provision. As such, the 25% soft landscaping stipulation in Policy DMHD 1 of the Hillingdon Local Plan Part 2 (2020) would not be appropriate to impose as a planning condition in this case.
- 7.30 The existing site benefits from a large rear garden with mature vegetation and the proposed extensions are within existing hard standing areas with no existing landscaping being affected. No other significant issues are raised in respect of trees and landscaping.

#### Air Quality

- 7.31 The site does not lie within the Hillingdon Air Quality Management Area, nevertheless the proposal raises no significant issues in this regard due to the nature of the proposed development (householder development).

#### Drainage

- 7.32 The site is not identified as at particular risk from flooding or drainage issues. Drainage would be satisfactorily controlled through the Building Regulations in this case.

## **8 Other Matters**

### Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

### Local Finance Considerations and CIL

- 8.3 Not applicable. The proposed development is not CIL liable.

## **9 Conclusion / Planning Balance**

- 9.1 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

## **10 Background Papers**

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk).

# **APPENDICES**

## **Planning Application**

**78928/APP/2024/1952**

## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 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 plans numbered:

PL-01 Rev A

PL-02 Rev A

PL-04 Rev A

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

#### 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 DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

#### 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 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).

**5. HO7 No roof gardens**

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

**REASON**

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

**6. SUS8 Details of Privacy Screen**

Prior to the commencement of any works on site above damp proof course level, details of a privacy screen at the top of the stairs adjacent the shared boundary with No. 45 Fairfield Avenue, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first domestic use of the steps and patio, and shall be permanently retained for so long as the development remains in existence.

**REASON**

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

**Informatives**

**1. I47 Damage to Verge - For Council Roads:**

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**2. I70 LBH worked applicant in a positive & proactive (Granting)**

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 Local Plan Part



1, Local Plan Part 2, 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.

### **3. 115 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](http://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.

### **4. 12 Encroachment**

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 may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

### **5.**

The applicant is advised that the Building Regulations are legal requirements that apply to building work and are aimed at achieving minimum standards of construction to ensure the health and safety of people in or around buildings, including fire safety. Approval under the Building Regulations is a requirement and you are advised to seek advice of the Council's Building Control Service or an Approved Inspector prior to the commencement of works.

For more information on Building Regulations requirements and the Council own service please visit the following weblink below

<https://www.hillingdon.gov.uk/article/1025/Planning-and-building-control>

## **6. 13 Building Regulations - Demolition and Building Works**

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).

## **7. 15 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.

## **8. 16 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.

## 153 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 2021 and national guidance.

PT1.BE1(2012) Built Environment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4(2021) Delivering good design

LPP D6(2021) Housing quality and standards

LPP D8(2021) Public realm

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

**Appendix 2: Relevant Planning History**

### **Appendix 3: List of Relevant Planning Policies**

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

Part 1 Policies:

PT1.BE1           (2012) Built Environment

Part 2 Policies:

DMHB 11           Design of New Development

DMHB 12           Streets and Public Realm

DMHD 1           Alterations and Extensions to Residential Dwellings

LPP D4           (2021) Delivering good design

LPP D6           (2021) Housing quality and standards

LPP D8           (2021) Public realm