

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

Case Officer: **Becky Smith**

79111/APP/2024/2762

Date Application Valid:	23.10.2024	Statutory / Agreed Determination Deadline:	18.12.2024
Application Type:	Householder	Ward:	South Ruislip

Applicant: **London Borough of Hillingdon**

Site Address: **45 Cavendish Avenue, Ruislip**

Proposal: **Erection of a single storey rear extension**

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

Reason Reported to Committee: **Required under Part 6 of the Planning Scheme of Delegation (the Council is the Applicant)**



Summary of Recommendation:

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

1 Executive Summary

- 1.1 The application seeks planning permission for the erection of a single storey rear extension. The application is brought forward to committee as the Council is the applicant.
- 1.2 The application site forms a semi-detached bungalow situated on the north westerly side of Cavendish Avenue, Ruislip. The front garden of the application site is an area of hard and soft landscaping and to the rear is an enclosed garden which acts as private amenity space. The proposed extension would have a maximum depth from the original rear elevation of 4.51m, a width of 6.201m and would be characterised with a pitched roof with a maximum height of 2.985m and an eaves height of 2.909m.
- 1.3 The overall design, size and scale of the extension would reflect the prevailing local character. It is acknowledged that the overall depth of the extension is greater than policy guidelines; notwithstanding this fact, the proposed extension would not extend beyond the single storey rear extension of the attached neighbouring property at No. 43 Cavendish Avenue. As such, a slight departure from the policy guidelines is acceptable in this instance, as it would not impact the established character along this section of Cavendish Avenue.
- 1.4 The proposal would have an acceptable impact on neighbouring residential amenity and would not adversely affect highway safety, or cause harm in other respects. No representations have been received from the public.
- 1.5 Given the site context, and the overall design and scale of the proposed extension, the proposed development would broadly comply with the objectives of Policies BE1 of the Local Plan part 1 (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Local Plan part 2 (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2023).
- 1.6 The planning application is recommended for approval, subject to conditions set out within Appendix 1.

2 The Site and Locality

- 2.1 The application site forms a semi-detached bungalow situated on the north westerly side of Cavendish Avenue, Ruislip. The front garden of the application

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site is an area of hard and soft landscaping and to the rear is an enclosed garden which acts as private amenity space.

2.2 The surrounding area is predominantly residential in character. However it does adjoin Odyssey Business Park to the northeastern side and rear of the site. Number 43 Cavendish Avenue is located to the southwest of the application site and forms the adjoining semi-detached dwelling.

2.3 The site also lies approximately 320m from RAF Northolt. The site is not designated within a Conservation Area or an Area of Special Local Character. The site does not contain any Listed Buildings. The site does not contain any Trees subject to a Tree Preservation Order. The site does not lie within a Surface Water Flood Zone or Critical Drainage Area.

Figure 1: Location Plan (application site edged red)



Figure 2: Photograph of the Application Site (Front)



Figure 3: Photograph of the Application Site (Rear)



3 Proposal

3.1 The application proposes the erection of a single storey rear extension. The proposed extension would have a maximum depth from the original rear elevation of 4.51m, a width of 6.201m and would be characterised with a slight pitched roof with a maximum height of 2.985m and an eaves height of 2.909m.

Figure 3: Existing and Proposed Ground Floor Plans (please note – larger version of plan can be found in the Committee Plan Pack)

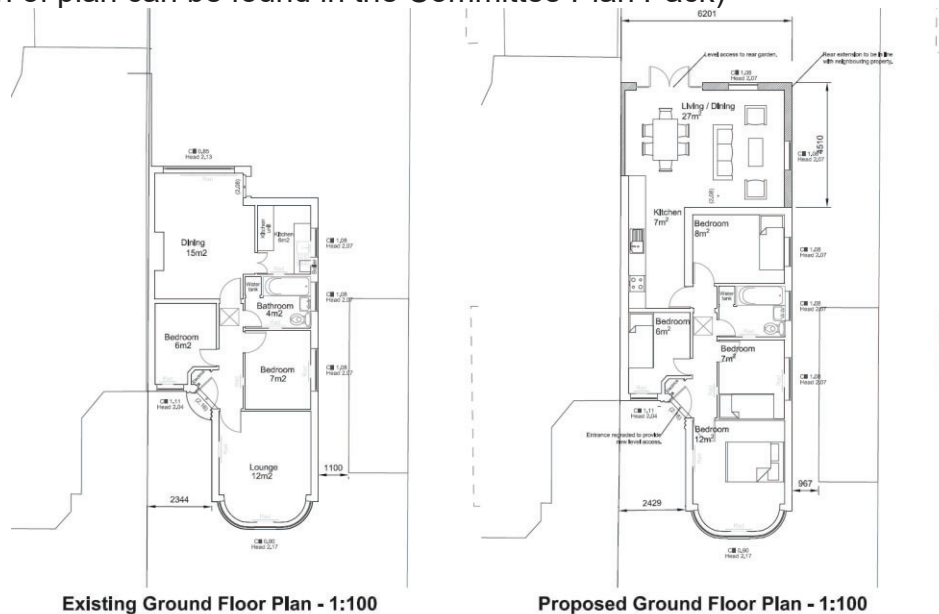
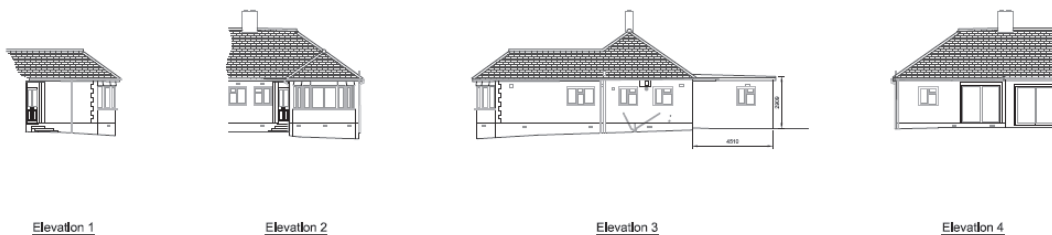


Figure 4: Proposed Elevations (please note – larger version of plan can be found in the Committee Plan Pack)



Proposed Elevations - 1:100

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 Three neighbouring properties as well as South Ruislip Residents Association were consulted by letter dated 25th October 2024. The consultation period ended on 15th November 2024. No representations were received.
- 6.2 Further consultation letters were sent to an additional nine occupiers in the Odyssey Business Park on 12th November 2024. The consultation is due to end on 3rd December 2024. Any comments received will be reported to the Planning Committee.

7 Planning Assessment

Principle of Development

- 7.1 The site is in the developed area of the Borough, where the extension and alteration of an existing residential property is acceptable in principle, subject to compliance with other relevant policies as set out in this report.

Design / Impact on the Character and Appearance of the Area

- 7.2 Policies BE1 of the Hillingdon Local Plan Part 1 – Strategic Policies (2012), Policies DMHB 11, DMHB 12, DMHD 1 and DMHD 2 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, In summary, these policies seek to secure a high quality of design 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 DMHD 1 referenced above specifically relates to the extension and alteration of residential dwellings. This policy sets out detailed criteria for such development. Please refer to pages 4-6 of the Committee Report Part 3 – Policy Appendix document. However, in summary for single storey rear extensions on this site, the proposed depth should not exceed 3.6m. The maximum height should not exceed 3m for a flat roof, and 3.4m for a pitched roof.
- 7.4 The application proposes the erection of a single storey rear extension. The proposed extension would have a maximum depth from the original rear elevation of 4.51m, a width of 6.201m and would be characterised with a pitched roof with a maximum height of 2.985m and an eaves height of 2.909m.

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- 7.5 With a maximum depth from the original rear elevation of 4.51m, the proposed extension would exceed the depth set out within Policy DMHD 1 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020). Despite this, given the existing original stepped rear elevation, it would have a depth of 3.35m from the rear elevation adjacent to No. 43 Cavendish Avenue. In addition, it would not extend beyond the depth of the existing extension at this neighbouring property. Given this site context, the depth of the proposed extension is considered acceptable in this instance.
- 7.6 In terms of width and height, the proposal would meet the requirements of Policy DMHD 1 and given neighbouring precedent for larger rear extensions, the proposed extension is considered a subordinate addition to the host dwelling. The adjoining semi-detached dwelling No. 43 Cavendish Avenue benefits from a rear extension which was approved in 2011 under application ref. 68066/APP/2011/2295. As noted above, the rear elevation of the proposed extension would align with this neighbouring extension.
- 7.7 Other examples of larger rear extensions within the street scene include at No. 19 Cavendish Avenue, approved in 2020 under application ref. 40571/APP/2019/4121 and at No. 14 Cavendish Avenue, refused under application reference 7041/APP/2018/2458 but later allowed at appeal under ref. APP/R5510/D/18/3216072.
- 7.8 The proposed fenestration is considered appropriate, and the materials would match the existing materials thereby ensuring the extension blends in with the existing dwelling.
- 7.9 Overall, from a design perspective, it was clear from the site inspection that there is a variety of extensions to the rear of the properties along this section of Cavendish Avenue. The adjoining neighbouring property at No. 43 Cavendish Avenue has an existing single storey rear extension. This neighbouring extension projects a similar distance into the rear garden than what is proposed under the current application. The proposed depth would therefore not appear at odds with the immediate local character and despite the slight departure in the overall depth from the policy, it would retain a subordinate appearance in the context of the existing dwelling and the wider local character. Given the surrounding context, the proposed rear extension is considered a subordinate addition to the host dwelling which would not result in any undue harm to its character or appearance.
- 7.10 Sited solely to the rear of the dwelling, the proposed extension would not be visible from any public vantage points and would therefore not result in any undue harm to the character, appearance or visual amenity of the street scene.
- 7.11 As such, the proposed development would broadly comply with the objectives of Policies BE1 of the Local Plan Part 1 (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Local Plan part 2 (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2023).

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Residential Amenity

Impact on neighbours

- 7.12 Policy DMHB 11 of The Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.13 The surrounding area is predominantly residential in character; however, the site adjoins Odyssey Business Park to the side and rear. No. 43 Cavendish Avenue is located to the southwest of the application site and forms the adjoining semi-detached dwelling. To the northeast of the application site lies part of the car park for Odyssey Business Park.
- 7.14 No. 43 Cavendish Avenue benefits from a single storey rear extension which would have a depth the same as the proposed rear extension. Due to this, there would not be any harm to the amenity of this neighbour, in terms of access to daylight, sunlight, outlook, loss of privacy or an overbearing effect.
- 7.15 The Car Park of Odyssey Business Park is located to the northeast of the application site and therefore it is considered that there are no other neighbouring occupiers that would be impacted by the proposal.
- 7.16 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).

Quality of Residential Accommodation

Internal accommodation

- 7.17 The proposed development would involve internal alterations including two new bedrooms at ground floor level. One of the new bedrooms would have an internal floor area of 12 sqm and the other new bedroom would have an internal floor area of 8 sqm. These bedrooms would meet the minimum floor space standards for one additional double occupancy bedroom and one additional single occupancy bedroom respectively.
- 7.18 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).

External accommodation

- 7.19 Following the proposed internal changes, the proposed development would result in the creation of a 4-bedroom property which would require at least 100sqm of private amenity space. Over 100sqm of private amenity space would be retained

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post development within the rear garden 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

- 7.20 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.
- 7.21 The existing property does not benefit from off street parking, and therefore the parking arrangement at the site would remain unchanged by the proposed single storey rear extension. Whilst it is recognised that the proposed extension would facilitate an additional two bedrooms for this family dwelling, it is not considered that this would lead to further parking stress or highway safety concerns. The development would therefore be consistent with Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
- 7.22 Given the modest scale of the household extension, it is not considered necessary for a construction logistics management plan to be conditioned. However, the relevant informative note has been added which directs the applicant's attention to The Control of Pollution Act 1974 which covers nuisance from demolition and construction work.

Trees and Landscaping

- 7.23 The development would maintain current landscaping to the front garden which contains several plants and a level of soft landscaping. To the rear, the garden would maintain a generous amenity space. Given the modest size of this domestic extension, it would not be reasonable to include a landscaping plan by way of condition. No other significant issues are raised in respect of trees or landscaping.

Air Quality

- 7.24 The site lies within the Hillingdon Air Quality Management Area. However the proposal raises no significant issues in this regard due to the nature of the proposed development (householder development).

Drainage

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

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8 Other Matters

8.1 Human Rights

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.

8.2 Equality

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.

8.3 Local Finance Considerations and CIL

Not applicable. The proposed development is not CIL liable.

9 Conclusion / Planning Balance

9.1 The main body of the report demonstrates that, on balance, the proposed development complies with the objectives of the relevant policies set out in the Local Plan and no material considerations indicate that a contrary decision should be taken. It is therefore concluded, taking all matters into account, that planning permission should be granted 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.

APPENDICES

Planning Application

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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

The development hereby permitted shall not be carried out except in complete accordance with the details shown on drawings numbered:

11003-00-1120-S3.B - Site Location Plan

11003-00-3100-S3.B - Proposed Block Plan

11003-ZZ-0221 REV S3.C - Existing & Proposed Elevations

11003-00-0121 REV S3.E - Existing & Proposed Ground Floor Plans

11003-01-0121 REV S3.D - Existing & Proposed Roof Plans

11003-ZZ-0321 REV S3.C - Existing & Proposed Sections

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 on the existing dwelling on site 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. 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 policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

Informatives

1. 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 (2021). 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.

2. 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. 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.

4. 147 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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

5. 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.

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).

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:

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D6 (2021) Housing quality and standards

NPPF12 -23 NPPF12 23 - Achieving well-designed and beautiful places