

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

Case Officer: **Rhian Thomas**

**5235/APP/2025/188**

|                         |                    |  |                     |
|-------------------------|--------------------|--|---------------------|
| Date Application Valid: | <b>27.01.25</b>    | Statutory / Agreed Determination Deadline: | <b>16.04.25</b>     |
| Application Type:       | <b>Householder</b> | Ward:                                      | <b>West Drayton</b> |

Applicant: **Mr Vitalie Anghel**

Site Address: **10 Frays Avenue, West Drayton**

Proposal: **Erection of a single storey rear extension, amendments to side extension roof, extension to existing loft conversion including extension of roof to the rear and formation of crown roof, enlargement of rear dormer window, and installation of 2no. side facing roof lights, and addition of render and insulation to external walls**

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

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



## **Summary of Recommendation:**

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

### **1 Executive Summary**

- 1.1 Planning permission is sought for the erection of a single storey rear extension, amendments to side extension roof, extension to existing loft conversion including extension of roof to the rear and formation of a modest crown roof, enlargement of the rear dormer window, and installation of 2no. side facing roof lights, and addition of render and insulation to external walls.
- 1.2 On balance, the proposed extensions are considered to comply with the objectives of the relevant planning policies and would not cause significant harm to the character and appearance of the Area of Special Local Character or harm the host dwelling.
- 1.3 The proposed development would have an acceptable impact on neighbouring residents' amenities and would not adversely affect highway safety, or cause harm in other respects.
- 1.4 Due regard has been given to objections raised, 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 Committee Report seeks to provide a comprehensive assessment of the householder application and supporting documentation. All material planning considerations have been considered.
- 1.6 It is recommended that planning permission is granted subject to conditions (Appendix 1) by virtue that the development would not have a significant impact on the amenities of neighbouring properties, nor would it harm the character and appearance of the Area of Special Local Character, and it would not have a harmful impact on the highway network. The development has sufficiently overcome all previous reasons for refusal.

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

- 2.1 The application site comprises a detached bungalow situated on the northwest side of Frays Avenue with its principal elevation facing to the East. The site backs onto Frays River. The existing property dates from the mid-20th century. It is a modestly proportioned building set on a small plot. The property features a projecting garage to the front with a gable end roof with timber cladding. The main portion of the property is simple in appearance with a hipped, tiled roof. Over time the property has been subject to a number of alterations including conversion of the roof space, a front and rear facing dormer, porch addition to the front and side and rear additions.

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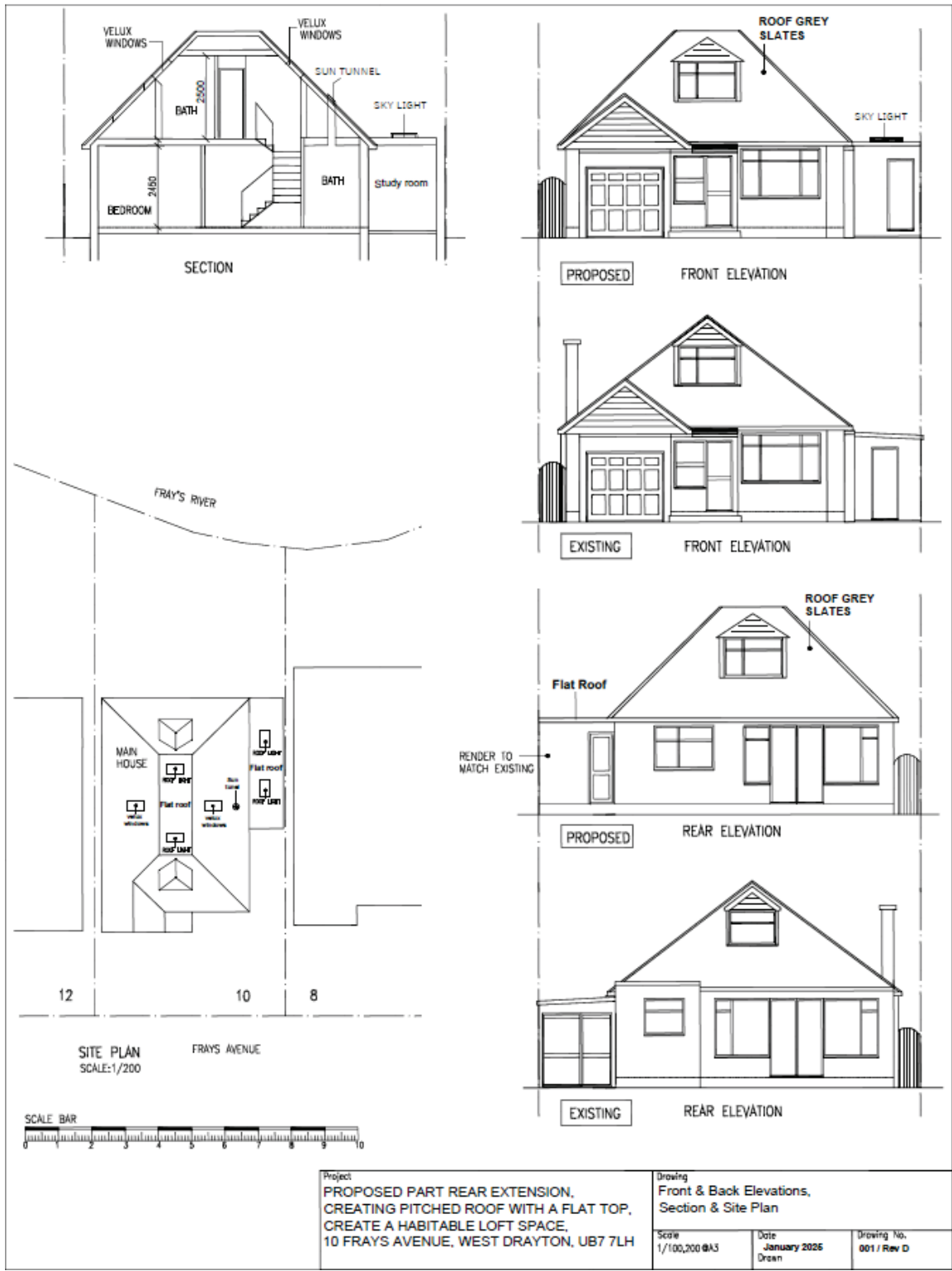




### 3 Proposal

- 3.1 Planning permission is sought for the erection of a single storey rear extension, amendments to side extension within the roof, extension to existing loft conversion including extension of roof to the rear and formation of crown roof, enlargement of rear dormer window, and installation of 2no. side facing roof lights, and addition of render and insulation to external walls
- 3.2 **Figure 3: Proposed Plan** (please note – larger version of plan can be found in the Committee Plan Pack)

Existing and proposed front/rear elevations, section and site plan



Existing and proposed street scene elevation

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Existing and proposed side elevations

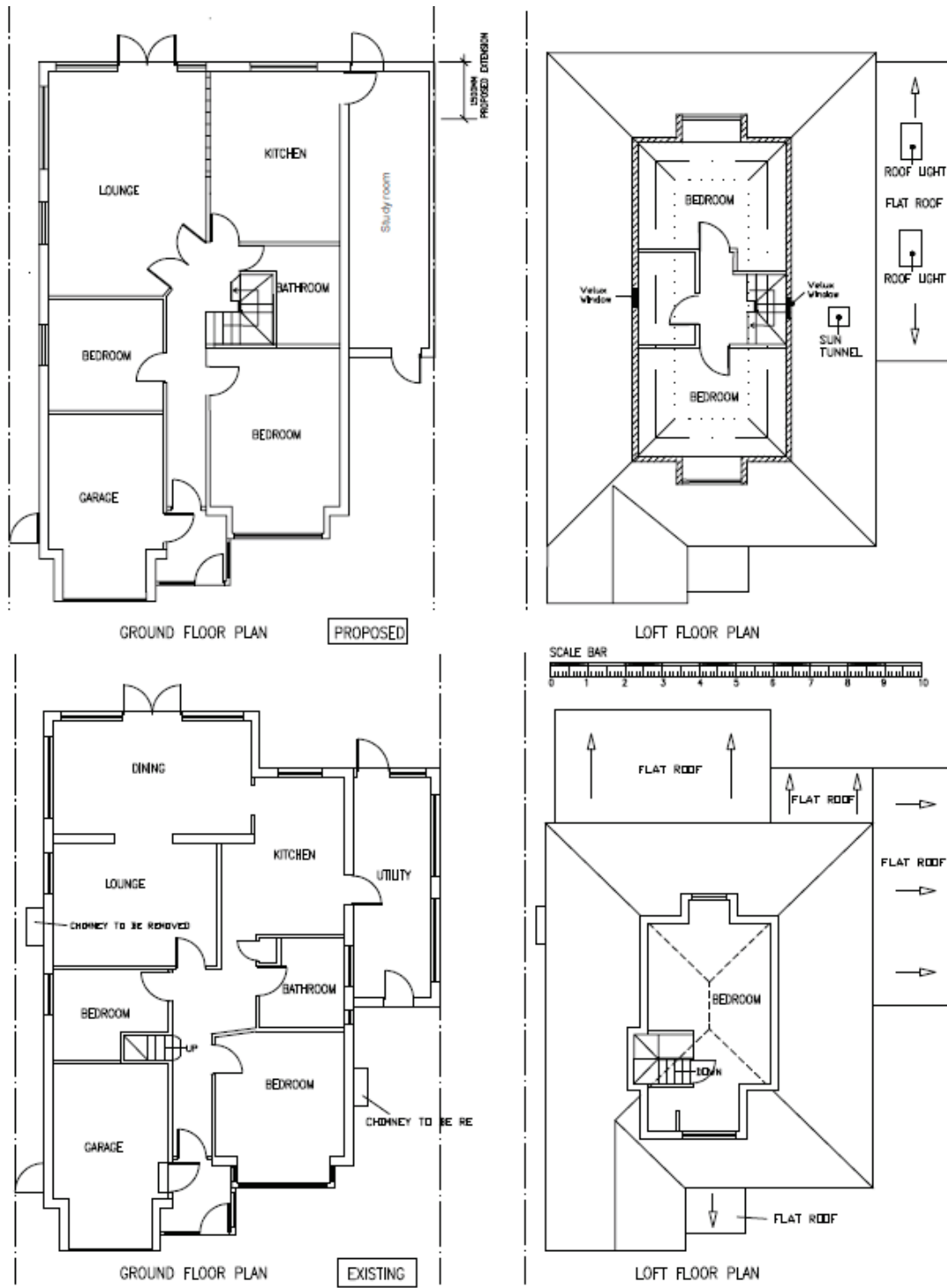
SCALE BAR

|   |                 |             |
|---|-----------------|-------------|
| Project   | Drawing         |             |
| PROPOSED PART REAR EXTENSION,<br>CREATING PITCHED ROOF WITH A FLAT TOP,<br>CREATE A HABITABLE LOFT SPACE,<br>10 FRAYS AVENUE, WEST DRAYTON, UB7 7LH | Side Elevations |             |
| Scale   | Date            | Drawing No. |
| 1/100@A3  | January 2025    | 002 / Rev D |
|   | Drawn           |             |

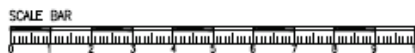
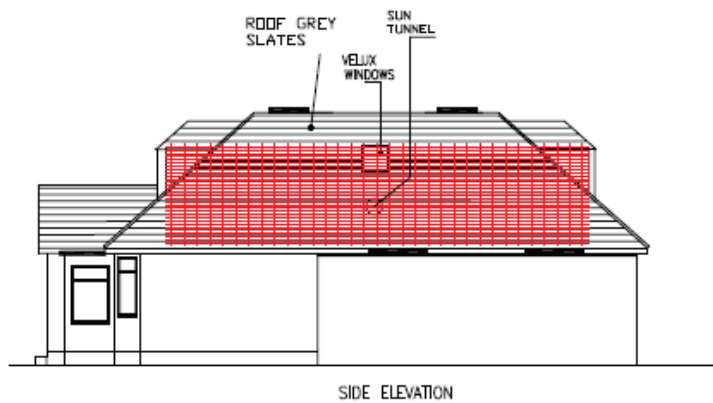
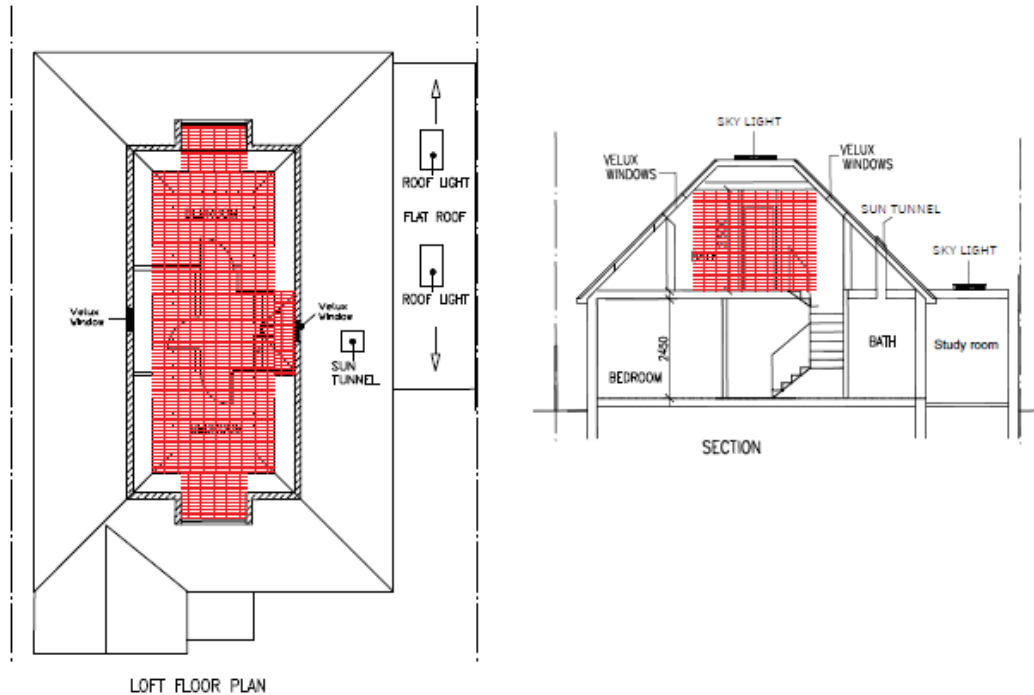
Existing and proposed floor plans

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Proposed plans showing floor to ceiling height



|  |  |                             |                            |
|--|--|-----------------------------|----------------------------|
| Project<br>PROPOSED PART REAR EXTENSION,<br>CREATING PITCHED ROOF WITH A FLAT TOP,<br>CREATE A HABITABLE LOFT SPACE,<br>10 FRAYS AVENUE, WEST DRAYTON, UB7 7LH | Drawing<br>Floor Plan & Section of loft area where floor to ceiling height is 2.5m |                             |                            |
|  | Scale<br>1/100 A3  | Date<br>March 2025<br>Drawn | Drawing No.<br>005 / Rev B |

## 4 Relevant Planning History

4.1 A list of the relevant planning history related to the property can be found in Appendix 2.

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- 4.2 Planning permission was previously refused and subsequently dismissed at appeal under reference 5235/APP/2021/1541 dated 03-09-21 (Appeal reference APP/R5510/D/21/3287789). The application proposed the erection of a 'Single storey rear extension, single storey side extension and raising of roof to allow conversion of roof space to habitable use to include 1 side, 1 rear and 1 front dormer and 1 side rooflight'. The application was refused for the following reasons:
- 4.3 1. The proposed raising of the eaves/roof height and the siting, number, size, scale, bulk and design of the dormer windows would fail to harmonise with the architectural composition of the original and adjoining buildings and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding Garden City, West Drayton Area of Special Local Character. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 5, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policies HC1, D4 and D6 of the London Plan (2020) and the National Planning Policy Framework (2021).
- 4.4 2. The proposed raising of the eaves/roof height, by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupier at 8 Frays Avenue, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 of the London Plan and paragraph 130(f) of the NPPF (2021).
- 4.5 It should be noted that with the appeal decision the Inspector concluded that the development would 'comprise a non-intrusive intervention within the street scene and would therefore preserve the character and appearance of the area and the ASLC). However, the Inspector upheld the view that the proposed side extension would harm the living conditions of the adjoining neighbouring property No.8 Frays Avenue. As such the appeal under reference APP/R5510/D/21/3287789 was dismissed.
- 4.6 The main issue for the current application is whether these reasons for refusal have been overcome.
- 4.7 The proposed application differs from the previously refused scheme in that the development involves a modest crown roof, the side extension is not proposed to be extended forward, rather it would extend to the rear and the side dormer extension has been removed.
- 4.8 Overall, as discussed within the relevant sections of this Committee Report, the proposed development is considered to have overcome all the previous reasons for refusal.

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## 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 6 neighbouring properties were initially consulted on the application by letter dated 06-02-25. During the process of the application the description was amended and revised drawings were received. As such, neighbouring properties and residents who have commented on the application were re-consulted for 14 days. The consultation period expired 25-03-25.

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

**Table 1: Summary of Representations Received**

| <b>Representations</b>  | <b>Summary of Issues Raised</b>  | <b>Planning Officer Response</b>  |
|---|--|---|
| A petition of 25 signatures has been received against the application | 1. The application site is located within an area of flood risk which is critical to the consideration of the proposed development within the Area of Special local Character. | The Environment Agency have been consulted on the application and have confirmed that there is no objection to the proposed development in terms of flood risk subject to the inclusion of an informative note.   |
|   | 2. The rear extension to be built along the party wall is not in keeping with the street scene.  | Discussed at paragraphs 7.2 to 7.7  |
|   | 3. The existing side extension is a temporary lean-to structure, and the existing plans are inaccurate as it shows a solid wall but in fact it is only 4 ½ inch garden wall.   | A site visit confirmed that the existing side structure is made from corrugated materials. However, the proposed development involves amendments to this with a height increase and to change it into a permanent addition. An assessment of this has been made at paragraphs 7.2 to 7.13 |

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|---|---|--|
|   | 4. Concerns over neighbouring foundations due to the proximity to neighbouring property.  | This is not a material planning consideration.   |
|   | 5. The side Velux rooflights will result in a loss of privacy to neighbouring properties  | An assessment of the proposed development on the impact to neighbouring properties has been made at paragraph 7.13 & 7.14  |
|   | 6. Guttering details are not shown on the proposed drawings and there would be no means of maintaining guttering unless access it provided through the neighbouring property. | Guttering details for a proposal of this nature would not be shown on planning drawings for assessment and are not material to the determination of this application.<br><br>The relevant informative note has been added regarding encroachment on neighbouring land. |
|   | 7. No other properties along Frays Avenue have been built over the boundary (party wall).   | This has been discussed at paragraph 7.2 to 7.13   |
| 4 individual letters of objection have been received from a total of 2 households.<br><br>(Please note that where multiple letters of objection have been received from the same person during different consultation periods; this has been counted as one | i. The drawings are inaccurate as it shows a permanent structure along the shared boundary whereas it is a temporary structure.   | This has been covered within the above planning officer's response to point 3 of the petition comments. The drawings are considered accurate in that the side structure is shown on the existing drawings, however its existing materials are not shown.               |
|   | ii. Concerns over loss of privacy due to Velux side roof lights.  | An assessment of the proposed development on the impact to neighbouring properties has been made at paragraph 7.2 to 7.13  |

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|  |  |  |
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| representation. All representations have been taken into consideration). |  |  |
|  | III. A party wall agreement will need to be in place at the cost of the applicant. | This matter is separate to the planning process. |

**Table 2: Summary of Consultee Responses**

| <b>Consultee and Summary of Comments</b>   | <b>Planning Officer Response</b>  |
|--|---|
| <p><b>Conservation and Urban Design Officer comment:</b></p> <p>The proposed crown roof is not appropriate to the character of the Special Area of Local Character and fails to comply with the policy related to crown roofs. It is also considered the dormer windows would be visually prominent from up and down the street. Therefore, we object to this application.</p> | <p>The comments made by the Conservation Officer are noted, however the front dormer extension is existing and front dormer extensions are common along Frays Avenue. In addition to this, crown roof development are also seen along Frays Avenue namely at Numbers 17 and the newly constructed dwellings at Number 40 Frays Avenue approved under reference 3650/APP/2019/3036</p> <p>A full assessment of the impact of the development on the Area of special Local Character has been made at paragraphs 7.2 to 7.7</p> |
| <p><b>Environment Agency:</b></p> <p>No objection, informative note required.</p>  | <p>This is noted and the informative has been added.</p>  |

|   |  |
|---|--|
| <p><b>West Drayton Conservation Area Advisory Panel:</b></p> <p>We note the proposed alterations are removing the chimney stacks, which we regret, but otherwise we have no objections to this application.</p> | <p>The application property is not a listed building or within a Conservation Area, the removal of the chimney stack may be permitted development but has been noted in the assessment anyway.</p> |
|---|--|

## 7 Planning Assessment

### Principle of Development

- 7.1 The site is located 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 The proposed development involves the erection of a single storey rear extension, amendments to the existing side extension, with removal of chimney and extension of existing loft conversion, including extension of roof to rear and formation of crown roof, enlargement of rear dormer window and installation of rooflights with the addition of render insulation to external walls.
- 7.3 The application site is located within the Garden City, West Drayton Area of Special Local Character. The surrounding area is residential in character comprising of mix of property types and styles, ranging from two storey properties to bungalows. Most of the properties along Frays Avenue are detached. Many of the properties benefit from large extensions and alterations including a number with front facing dormer extensions. Properties along the street vary in character with varying roof forms and heights and a mix of external materials. As such there is limited uniformity between properties that would warrant protection. Whilst properties within this street have been extended the bulk, scale, mass and design of the original properties varied from single storey bungalows to two storey dwellings. Furthermore, the properties benefit from permitted development rights and where these have been utilised it has resulted in a further deterioration of the established pattern of the development. The assessment therefore is whether the proposed extensions would appear significantly harmful within the context of the existing character.
- 7.4 Policies\_D3 of the London Plan (2021), BE1 of the Hillingdon Local Plan Part 1 – Strategic Policies (2012), DMHB 5, DMHB 11, DMHB 12, DMHD 1 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, and in summary, seek to secure a high quality of design that enhances and contributes to the area and Area of

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Special Local Character 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. These aims are also supported by the NPPF (2024) within Chapter 12.

- 7.5 The existing property comprises a detached bungalow with front and rear facing dormer extensions with an integrated garage. The property has single storey side and rear extensions. Historic street view imagery shows the existing side extension/lean to structure to have been in place for over 10 years meaning it is exempt from enforcement action. The existing side structure has been built directly along the shared boundary with No.8 Frays Avenue and is set back from the front elevation by approx. 4.5m.

Figure 4 – October 2022 Street view imagery showing side structure in place at site



- 7.6 The proposed development would include a single storey rear extension of 1.5m in depth. As the property is a bungalow the existing roof form would be extended to incorporate the modest rear extension that would extend the full width of the property. It would also include a new crown roof to the dwelling with amended front and rear roof dormers. Although Policy DMHD 1 of the Local Plan Part Two discourages development within the loft area to the front and side, DMHB 11 requires development to be in keeping with the existing character. As previously mentioned, front dormer extensions are common along Frays Avenue and as such the amended design would not appear out of character. Although crown roofs are not generally accepted, it should be noted that crown roofs are featured along the street scene namely at number 17 Frays Avenue and the newly built dwellings at Number 40 Frays Avenue approved under reference 3650/APP/2019/3036. In addition to this, properties along the road vary in style, height and roof form and as such the introduction of a modest crown roof would not be detrimental to the character and appearance of the street scene, original property nor the Area of

Special Local Character. The proposed new roof form would be no higher than the existing pitched roof, however the angle would be slightly steeper, and the dormer extensions set down from the ridgeline. Drawing 004/Rev A shows the proposed street scene elevation and how the development would integrate with the surrounding properties. As shown on this drawing, the dwelling would not appear out of character given the varying roof forms and design of properties along the street.

- 7.7 The amendments to the existing side extension would see a 1.5m extension to the rear, removal of existing side and rear window, amendments to the front door placement and a change in roof type from a pitched roof to a flat roof measuring 3m in height with two rooflights. The amendments would formalise the existing structure. It should be noted that the existing side structure has been built along the shared boundary with No.8 Frays Avenue and as explained above has been in place for over 10 years. Unlike the previous application, which was refused, the side structure would not be extended forward, rather it would be extended to the rear and the slight increase in height would be minimal (0.3m). As such, the proposed development although built along the shared boundary would maintain its character and would not be detrimental to the Area of Special Local Character as it would not appear substantially different to the existing built structure. It should also be noted that other properties within the surrounding area have built along the shared boundary, namely Numbers 3 and 14 Frays Avenue (see below figures) as such the increase in depth along the shared boundary (1.5m) would not harm the character of the surrounding area. The moving of the front door would not require the benefit of planning permission.

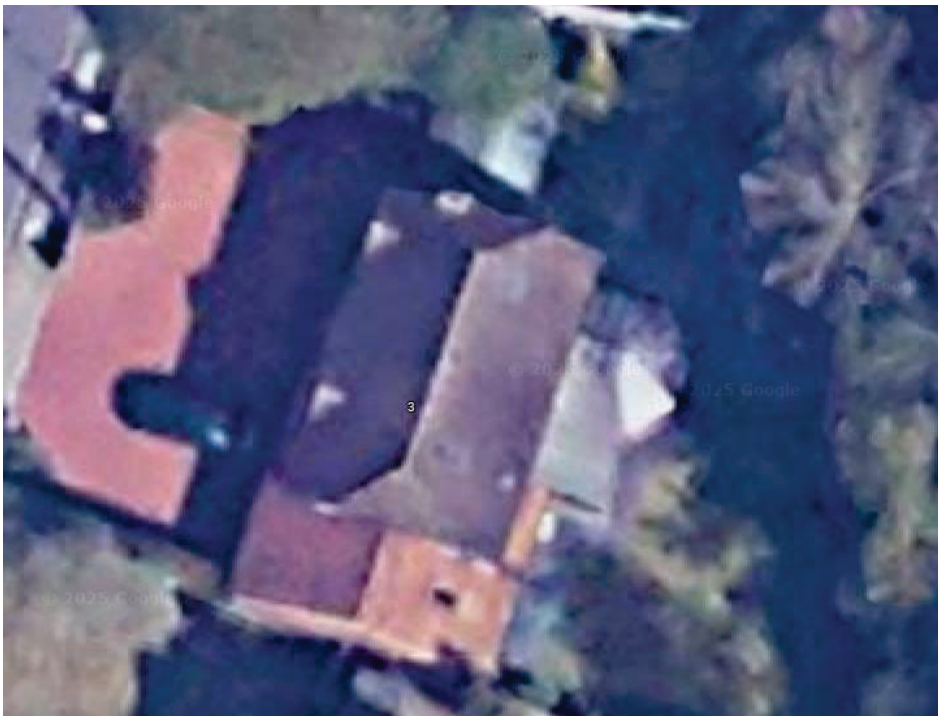
Figure 5 (Number 14 Frays Avenue):



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Figure 6 (Number 3 Frays Avenue):



7.8 In terms of its external appearance, the property would be finished in insulating render with grey roof tiles. The existing property is finished in a render material and as such this would not appear out of character within the street scene. Although the grey roof tiles would not match the existing red/brown roof tiles on the property, there are other properties along the street which benefit from grey

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tiles and as such the change would not appear out of character, nor would it harm the Area of Special Local Character.

- 7.9 The proposed development would also include the removal of chimney stack; this is not considered to harm the character and appearance of the host property nor the Area of special Local Character.
- 7.10 Taking into consideration the above, it is considered that the proposal would respect the character and appearance of the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies DMHB 5, DMHB 11, DMHB 12 and DMHD 1 of the Local Plan: Part Two - Development Management Policies (2020), as well as relevant design guidance contained within the London Plan (2021) and NPPF (2024).

#### Heritage

- 7.11 Although the site is located within an Area of Special Local Character this is not a designated heritage asset. It is not located within a Conservation Area nor within any reasonable distance to a Listed Building. The character and established pattern of the development within the ASLC has been considered in the assessment of the proposal as set out in this report.

#### Residential Amenity

- 7.12 Number 8 Frays Avenue is located north of the application sit and is separated from the host property. It is noted that an existing side structure has been built along the shared boundary with this neighbouring property which has been in place for over 10 years. The proposed development would involve a further 1.5m deep extension to the rear of the property located along the shared boundary. There are no side facing windows within this neighbouring property that would be impacted by this rear extension and the development would not extend past the rear building line of this neighbour.
- 7.13 A site visit has confirmed that the closest neighbouring window to the side structure is a study room. The side structure would not project forward of its current position, however there would be a slight increase in height of approx. 0.3m to create a flat roof. This would not cause significant loss of light, loss of outlook or overshadowing to this neighbouring room. The slight change in roof angle would also not cause harm to the amenities of this neighbour given the separation distance and the fact there is no increase in eaves height or overall roof height. Regarding the side facing roof lights, these would serve a stairwell and as such there would be no harmful overlooking or loss of privacy, in addition to this, the rooflights would largely create upwards views. A condition could be added to ensure this side facing rooflight was obscurely glazed to prevent overlooking into the neighbouring roof space.

#### Figure 7 - Existing Rear and Side Elevation



- 7.14 Number 12 Frays Avenue is located south of the application site and is separated from the application dwelling. The proposed rear extension would not project past the rear elevation of this neighbouring property and given the separation distance there would be no harmful loss of light, overshadowing, loss of outlook, nor would it be overbearing. There would be one ground floor side window facing this neighbour; however, this would be in a similar position as an existing window and therefore would not cause further loss of privacy or overlooking. The proposed side rooflight would provide upwards views and would not create a loss of privacy to this neighbour. The increase in roof angle would not harm the amenities of this neighbour.
- 7.15 Overall, the proposed development complies with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Quality of Residential Accommodation (Internal and External)

##### *Internal*

- 7.16 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).
- 7.17 Drawing 005/Rev B shows that over 75% of the first-floor rooms would have a floor to ceiling height of 2.5m complying with Policy D6 of the London Plan (2021). It is acknowledged that there is a ground floor bedroom facing the boundary treatment,

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however there was an existing bedroom in this location and as such on balance this is considered acceptable.

#### *External*

- 7.18 Table 5.3 of Policy DMHB 18 requires 4-bedroom properties to have a minimum of 100sqm of private, well located external amenity space. Approx. 120sqm of garden space is retained to the rear according with this standard.

#### Highways and Parking

- 7.19 The existing dwelling benefits from a vehicle crossover and area of hardstanding to provide off street parking. This would remain in place and as such there would be adequate parking for the dwelling complying with Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Trees and Landscaping

- 7.20 The application site is not located within an area covered by a Tree protection order nor would the proposed development impact any onsite trees. As such, the proposed development would comply with Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Air Quality

- 7.21 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

- 7.22 Part of the rear of the application site lies within Flood Zone 2 and 3 as the Fray's River is sited directly to the rear of the property, however the proposed 1.5m deep rear extension would not extend into this. The applicant has submitted a Flood Risk Assessment (FRA), whilst it is acknowledged that the assessment relates to the previous application, the mitigation measures would still be applicable in this instance and the development does not extend deeper than that under the previous submission. As such it is considered relevant. The FRA concludes that the threat of surface water flooding is very low and that there is sufficient permeability within the superficial deposits that soakaways could be used for run off from the extensions. The report identifies flood resilience measures and an evacuation plan to mitigate the potential of flooding.

- 7.23 The Environment Agency have been consulted on the application and concludes that there is no objection to the proposed development, subject to the inclusion of an informative note which have been added. The informative reminds the applicant that a permit is to be obtained for any activities which will take place within 8m of a main river, 8m of a flood defence, excavation work within 16m of a main river,

flood defence or culvert or within a floodplain more than 8m from the riverbank, culvert or flood defence structure.

- 7.24 As such, the development complies with Policy DME1 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Biodiversity Net Gain

- 7.25 The proposed development is exempt from providing a Biodiversity Net increase as it is a householder submission, as such, no further information is required.

### **Other Matters**

## **8**

#### 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@hillington.gov.uk](mailto:planning@hillington.gov.uk).

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# **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 Drawing Numbers:

Location Plan

001/Rev D

002/Rev D

003 Rev C

004/Rev A

005/Rev B

#### 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**

Unless stated on the proposed drawing, 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 facing numbers 8 and 12 frays Avenue.

## REASON

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

### 5. HO6 Obscure Glazing

The roof light facing No. 8 Frays Avenue shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level 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).

### 6. 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).

### 7. NONSC Flooding

The proposed development shall be carried out in accordance with the Flood management and resilience measures set out in the submitted Flood Risk Assessment dated 1 October 2020. Once carried out, the flood management and resilience measures shall be maintained/retained and adhered to throughout the lifetime of the development.

## REASON

To ensure that the residents of the new dwelling are protected from flood risk and that the development has no adverse flooding impact in compliance with DMEI 9 of the Hillingdon Local Plan Part 2 (2020) and the NPPF (2024).

## 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.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

## 3. 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.

## 4. 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.

#### **5. 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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of 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.

#### **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.

|         |   |
|---------|---|
| DMEI 9  | Management of Flood Risk                            |
| DMHB 11 | Design of New Development                           |
| DMHB 12 | Streets and Public Realm                            |
| DMHB 14 | Trees and Landscaping                               |
| DMHB 18 | Private Outdoor Amenity Space                       |
| DMHB 5  | Areas of Special Local Character                    |
| DMHD 1  | Alterations and Extensions to Residential Dwellings |

|            |   |
|------------|---|
| DMT 6      | Vehicle Parking   |
| LPP D3     | (2021) Optimising site capacity through the design-led approach                 |
| LPP D6     | (2021) Housing quality and standards  |
| LPP SI12   | (2021) Flood risk management  |
| NPPF12 -24 | NPPF12 2024 - Achieving well-designed places                                    |
| NPPF14 -24 | NPPF14 2024 - Meeting the challenge of climate change, flood and coastal change |

## Appendix 2: Relevant Planning History

5235/A/83/1167                      10 Frays Avenue West Drayton

Householder dev. (small extension,garage etc) (P)

**Decision:** 08-09-1983      Approved

5235/APP/2020/2411                10 Frays Avenue West Drayton

Single storey front extension, single story side/rear extension and conversion of roof space to include 2 side dormers and conversion and extension of rear of roof from hip to gable end

**Decision:** 03-12-2020      Refused

5235/APP/2021/1541                10 Frays Avenue West Drayton

Single storey rear extension, single storey side extension and raising of roof to allow conversion of roofspace to habitable use to include 1 side, 1 rear and 1 front dormer and 1 side rooflight

**Decision:** 03-09-2021      Refused                      **Appeal:** 08-04-2022      Dismissed

### **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
- PT1.EM6 (2012) Flood Risk Management

#### Part 2 Policies:

- DMHB 5 Areas of Special Local Character
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 18 Private Outdoor Amenity Space
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMEI 9 Management of Flood Risk
- DMT 6 Vehicle Parking
- LPP SI12 (2021) Flood risk management
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP D6 (2021) Housing quality and standards
- NPPF12 -24 NPPF12 2024 - Achieving well-designed places
- NPPF14 -24 NPPF14 2024 - Meeting the challenge of climate change, flood and coastal change