

DELEGATED HOUSEHOLDER DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: 37 FAIRHOLME CRESCENT HAYES

Development: Retention of single storey rear extension (Retrospective application).

LBH Ref Nos: 20685/APP/2023/2201

Drawing Nos: PA-2341-00
PA-2341-01
PA-2341-02
PA-2341-03
PA-2341-04
PA-2341-05
PA-2341-06
PA-2341-07
PA-2341-08
PA-2341-09

Date Plans received:

Date(s) of Amendments(s):

Date Application valid

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey mid-terrace property located on the western side of Fairholme Crescent. The property has a large single storey rear extension which is subject to this application. To the front is an area of hardstanding and to the rear is a large enclosed rear garden which acts as private amenity space.

The surrounding area is residential in character comprising mainly of semi detached and terraced properties.

1.2 Proposed Scheme

Retrospective planning permission is sought for the retention of single storey rear extension

1.3 Relevant Planning History

Comment on Planning History

There is no planning history for the site.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: Not applicable

2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

Four neighbouring properties were consulted on the application by letter dated 31-07-23. The consultation period expired 21-08-23. No representations were received during the consultation period.

4. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

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

NPPF12 NPPF 2021 - Achieving well-designed places

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality, the impact upon the amenities of adjoining occupiers, the reduction in car parking provision.

Character and Appearance:

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.

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. It should take into account aspects including the scale of the

development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which requires for development proposal to be well integrated with the surrounding area.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

With regard to rear extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet.

The retrospective development consists of a single storey rear extension which has been attached to an existing extension at the property. The cumulative extension measures 8.8m deep and varies from 2.6 to 2.9m in height. It is noted that the previous single storey rear extension does not appear to have planning permission.

The retrospective extension which planning permission is sought for would result in a cumulative extension which is significantly over the depth allowed under Policy DMHD 1. Due to its excessive depth and bulk the extension has caused harm to the original dwelling house by substantially increasing its original footprint and forming a visually disproportionate addition.

As the extension is sited solely to the rear of the property and is not visible from any public vantage points it is considered to cause no harm to the appearance of Fairholme Crescent.

Notwithstanding the above, the development would be harmful to the established urban grain of the area, as whilst extensions exist within the area, they are not as deep as the structure constructed at the development site and the resulting development results in a dwelling with a uncharacteristically large (footprint and depth) when compared with neighbouring dwellings. The proposal has therefore caused some harm to the areas character.

Overall it is considered that due to the substantial depth, the existing extension would cause harm to the character and appearance of the existing dwelling and area. It therefore fails to comply with Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

It is noted that a retrospective application at no. 49 Fairholme crescent was allowed at appeal under application ref 5350/APP/2013/1132 (Appeal reference: APP/R5510/D/13/2207593). However the relationship with the neighbouring properties differs within this application, the extension is not the same in terms of design and planning policy has changed since the decision was made. The

decision is therefore not considered to weigh in favour of this development.

Residential Amenity:

Paragraph 130 (f) of the NPPF (2021) states 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.

No.39 Fairholme Crescent is located north of the application site and forms part of the row of terraced properties. The property does benefit from a small single storey rear extension. The retrospective extension constructed at the development site projects approx 5.80m deeper than the rear building line of this neighbour. Due to its combined height and depth the extension has caused overshadowing and a significant loss of light to the habitable rooms within this neighbouring property. Due to the depth of the extension, it would appear as over dominant and overbearing to this neighbour. It has also caused a unacceptable enclosing impact.

No. 35 Fairholme Crescent is located south of the application site and forms part of the row of terraced properties. This neighbour benefits from a single storey rear extension. The existing development extends approx. 3.80m deeper than this neighbours extension. It is considered that there would be some overshadowing to the closest habitable room, however this would not be significant enough to warrant refusal.

As such, the proposal, would cause unacceptable loss of light, overshadowing and be overbearing to the adjoining neighbour no.39 Fairholme Crescent. Therefore the proposal would not comply with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Internal amenity for new and existing residents

it is considered that the existing habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan.

External Amenity Space Provision:

The existing development would retain sufficient rear garden space. This would be in accordance with the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). As such, it is considered that the proposal would not undermine the provision of external amenity space for the existing occupiers at the site, in accordance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Parking and highway safety:

The parking provision would remain unaffected by the proposal, in accordance with Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Conclusion:

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The rear extension, by reason of its cumulative size, scale, bulk, design and depth from the original rear elevation of the building represents an oversized, incongruous and visually disproportionate form of development that is detrimental to the character and appearance of the original dwellinghouse and area, contrary to Policies DMHD 1, DMHD 11 and DMHD 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

2. NON2 Non Standard reason for refusal

The rear extension, by reason of its cumulative size, scale, bulk, depth and position is detrimental to the amenities of the neighbouring occupier at 39 Fairholme Crescent, by virtue of overdomination, overshadowing, loss of light and loss of outlook contrary to Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as paragraph 130 (f) of the NPPF (2021).

INFORMATIVES

1. The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
2. The decision to REFUSE 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 NPPF (2021).

DMHB Design of New Development
11

DMHB Streets and Public Realm
12

DMHB Private Outdoor Amenity Space
18

DMHD 1 Alterations and Extensions to Residential Dwellings

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

LPP D6 (2021) Housing quality and standards

NPPF12 NPPF 2021 - Achieving well-designed places

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

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

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