

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 Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

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

Address 5 WINDERMERE AVENUE RUISLIP

Development: Single storey side/rear extension, first floor side extension and porch to front

LBH Ref Nos: **9279/APP/2018/439**

Drawing Nos: Location Plan (1:1250)
 Proposed Block Plan (1:500)
 CP.05.00
 CP.05.04D
 CP.05.07A
 CP.05.05D
 CP.05.03D
 CP.05.06E

Date Plans Received: 05/02/2018 **Date(s) of Amendment(s):** 05/02/2018
Date Application Valid: 12/02/2018 14/06/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey, semi-detached dwelling located on a corner plot and is to the West of Windermere Avenue and to the North of Sunningdale Avenue. The brick and render dwelling is set back from road by 5 metres of soft landscaping. There is space to the side of the dwelling accessed from Windermere Avenue to park two cars within the curtilage of the dwelling house. To the rear lies a garden area which acts as private amenity space for the occupiers of the dwelling house.

The application property is located on a prominent, triangular shaped corner plot and has been built approximately 45 degrees to the other houses along Windermere Avenue. It is attached to No.40 Sunningdale Avenue to the South West and shares a boundary with No.3 Windermere Avenue to the North.

The area is residential in character and appearance and the site lies within the Developed Area as identified within the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application is seeking planning permission for the erection of a part two storey, part single storey side extension, single storey side/rear extension and porch to front. The extension would create an extended and additional bedroom at first floor, and a study, utility, kitchen and garage at ground floor.

The porch would be located by the main entrance and would have a depth of 1.2 metres, width of 2.3 metres and would be characterised by a pitched roof with a maximum height of 3.7 metres.

The side extension would project to the side of the flank elevation by 3.8 metres over both floors. It would be set back from the front elevation by 1 metre and at first floor would span the full width of the dwelling house. At ground floor it would span for a depth of 5.8

metres before tapering out to a maximum width of 7.7 metres and maximum depth of 15.5 metres. It would then wrap around into a rear extension. The rear extension would be located 3.3 metres from the boundary with No.40 Sunningdale Avenue and at this point would have a depth of 2 metres for a width of 2.6 metres where it adjoins the side extension.

The two storey element would be characterised by a hipped roof with a maximum height of 7.8 metres. The single storey element would be characterised by a flat roof with a maximum height of 3.2 metres.

During the determination process the proposal was amended to increase the set back from the front and set down from the ridge.

1.3 Relevant Planning History Comment on Planning History

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

Five neighbouring dwelling houses and the Residents Association were notified of the proposal on 14/02/2018. A site notice was also displayed which expired on 14/03/2018.

No responses were received.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM14 New development and car parking standards.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,

5. MAIN PLANNING ISSUES

The main planning issues for consideration relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the street scene, the impact on the amenity of adjoining occupiers, the provision of acceptable residential accommodation and the availability of parking.

Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) state that new development will only be permitted if it would harmonise with the architectural composition of the original building, existing street scene, and surrounding area.

The Hillingdon Design and Accessibility Statement - Residential Extensions (HDAS) advises on side and rear extensions and porches to dwellings. Sections 4 and 5 state that side extensions should not have a width that exceeds two thirds the width of the original dwelling house. Two storey side extensions should be set back from the front elevation by 1 metre and set down from the ridge by 0.5 metres. The Council requires all residential extensions and buildings of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property for the full height of the building. In situations where the side of the house adjoins a road there may be some scope for flexibility of the set-in, however, return building lines cannot be breached. Section 3 states that single storey rear extensions on semi-detached properties should not exceed 3.6 metres in depth and 3 metres in height if a flat roof is proposed. Section 8.2 states that porches should be individually designed to follow the character of the existing building. They should be subordinate in scale and should not extend past the line of any bay window.

The porch would have a depth of 1.2 metres, a width of 2.3 metres and height of 3.7 metres. It is located to the main front entrance and the size would appear subordinate to the dwelling house. However, the porch would project forward of the existing bay window contrary to HDAS recommendations. However, there are other properties within the area with deep porches which project forward of the bay windows including Nos.36 and 45 Sunningdale Avenue. As such, it is considered that the porch would not appear out of keeping within the street scene.

The two storey side extension would project to the side of the dwelling house by 3.8 metres which is 65% of the width of the original dwelling house, however, the ground floor extension would have a maximum width of 7.7 metres which is 131% of the original dwelling. In addition, the maximum depth that this part of the extension would be 7.8 metres and so the extension would fail to comply with HDAS recommendations. It is considered that this width, in conjunction with the two storey side element, which would have a sufficient set down (0.4 metres) and set back from the front (1 metres), would fail to appear subordinate to the existing dwelling house and the proposed part two storey, part single storey side extension by reason of its siting in this open prominent position, size, scale, bulk, width, height and design would result in incongruous addition which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The two storey extension would be located a minimum of 1.6 metres from the boundary line along Windermere Avenue and a minimum of 7.7 metres from the boundary line with No.3 Windermere Avenue. Although the single storey element would be built up to the shared boundary line it is considered that as the property is located on a corner plot, the extension would not create a terraced effect. However, the two storey side extension would breach the established building line along Windermere Avenue by 2.6 metres and as such, it is considered that it would have a detrimental impact on the visual amenities of the street scene and surrounding area. The applicant has submitted some examples where similar extensions have been built and these included Nos.1 and 2 Beverly Road, No.85 Dulverton Road and No.11 Filey Way. None of these examples are located within the immediate vicinity of the application property but rather a few roads away. In addition some of these are also old developments and the Planning Policy has since changed.

Subsequently, it is considered that the side/rear extension by reason of size, siting, bulk, height, width and depth would fail to appear in keeping with the existing property, street scene and surrounding area. Therefore, it would be contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application property is positioned at approximately a 45 degree angle from the neighbouring property at No.3 Windermere Avenue. As such, the extension would not project rearwards of this property. The side extension would project forwards of this neighbour by 2.6 metres but this would be located 7.7 metres from the shared boundary line. The rear extension would be located 3.3 metres from No.40 Sunningdale Avenue and at this point the extension would have a depth of 2 metres. Although the maximum depth would be 7.8 metres this part would be located on the opposite side of the property to this neighbour. Subsequently, it is considered that the proposal would not have a detrimental impact on the neighbouring properties in regards to loss of light, loss of outlook and sense of dominance. Therefore, it would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

No additional side windows would be installed facing No.40 Sunningdale Avenue. A new first floor window would be installed on the side extension which would face the garden area of No.3 Windermere Avenue. However, this window would be located no closer than the existing first floor rear windows and so it is considered that it would not create any additional overlooking. Therefore, the proposal would comply with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all habitable rooms and those altered by the development would still maintain an adequate outlook and source of natural light. Therefore, the proposal complies with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (2016).

Paragraph 5.13 of HDAS states that sufficient garden space should be retained as a consequence of an extension and a 4-bed dwelling should have at least 100 square metres. Following development approximately 60 square metres of private amenity space would be retained for the proposed 4-bed dwelling and so this would fall short of the HDAS requirements by 40 square metres. It is noted that there are two public open spaces within 400 metres of the application property and the site benefits from a large side/front garden which in part has the potential to create additional private amenity space. As such, it is considered that although not ideal, the shortfall would be difficult to refuse on this reason alone. Therefore, the proposal would comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The parking would not be impacted by the proposal.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed part two storey, part single storey side extension by reason of its siting in this open prominent position, size, scale, bulk, width, height and design would result in incongruous addition which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed two storey side extension, by reason of its siting in this open prominent position, size, scale and projection forward of the recognised established building line along Windermere Avenue, would result in a cramped development which would represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 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 the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard 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 Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The spatial development strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

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