

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 SILVER BIRCHES TILE KILN LANE HAREFIELD

Development: Part two storey, part single storey side extension, single storey rear extension and conversion of roof space to habitable use to include 2 x front and 6 x rear roof lights involving demolition of existing garage

LBH Ref Nos: **75438/APP/2020/727**

Drawing Nos: 1334-P-2
1334-P-1

Date Plans Received: 02/03/2020 **Date(s) of Amendment(s):**

Date Application Valid: 02/03/2020

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey detached property situated on the western side of Tile Kiln Lane. The property is set beneath a gabled roof and is characterised by a two storey gabled front projection on the southern side of the front elevation. It currently benefits from a large single storey side addition forming a garage. The property is set in a good sized plot with an area of landscaping and a carriage driveway with at least two additional parking spaces to the front and a good sized rear garden.

The area is rural in character and appearance, with the dwelling forming one of a small number of properties along Tile Kiln Lane. The application site lies within the Green Belt as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning consent for the demolition of the existing garage and the erection of a part two storey, part single storey side extension, a single storey rear extension and the conversion of the loft space to habitable use, including a front and rear roof lights.

1.3 Relevant Planning History Comment on Planning History

None.

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

6 neighbours and the Ruislip Residents Association were consulted for a period of 21 days expiring on the 26 March 2020. A site notice was also erected expiring on the 6 April 2020. There was one response raising the following issues:

- There are no detailed plans of the construction or the foundations for the flank wall and there are concerns of encroachment of the foundations encroaching on my property
- Loss of privacy
- Overbearing
- The application states there are no trees or hedges within falling distance of the development, This is incorrect
- The drawings do not give an accurate representation of the proposed extension. The tower looks out of proportion. The development should be within the style, context and scale of the existing property
- Intensification of use in Green Belt areas detracts from the character of the immediate and wider area
- The development plan is being overlooked with large construction projects such as the one approved at Beaufort. There is a cumulative effect on the character of the lane and potentially sets a precedent for further development
- Construction traffic will cause problems for residents on a single width lane
- Noise and disturbance from construction
- Loss of visual amenity
- Potential loss of mature trees/hedges
- The proposed garage should be positioned so that the guttering does not overhang my garden
- It needs to be confirmed that the proposed construction is not over the registered drainage system
- The proposed development would appear to be in breach of covenants affecting Silver Birches

Officer response: Issues relating to work on or near a boundary is a civil matter between the interested parties and not a material planning consideration. Disturbance from construction is considered transitory in nature and insufficient reason for refusal in its own right. Matters of covenants are also civil matters.

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

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

LPP 7.16 (2016) Green Belt

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

NPPF- 13 NPPF-13 2018 - Protecting Green Belt land

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and provision of acceptable residential amenity for the application property.

The NPPF advises inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building would be acceptable.

The Hillingdon Local Plan: Part One Strategic Policy BE1 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 DMEI 4 advises that inappropriate development in the Green Belt will not be permitted unless there are very special circumstances. Extensions will only be permitted where the proposal would not have a greater impact on the openness of the Green Belt than the existing development, having regard to the height and bulk of the existing building on the site; the proportion of the site that is already developed; the footprint, distribution and character of the existing buildings on site and the visual amenity and character of the Green Belt.

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. It should also not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 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. It also required that there is no unacceptable loss of outlook to neighbouring occupiers. Side extensions should not exceed more than half the width of the original house and two storey extensions should be set in a minimum of 1m from the side boundary and back 1m from the main front elevation. Single storey rear extensions should not exceed 4m in depth with a pitched roof not exceeding 3.4m or a flat roof of 3m in height. Extensions to the front of the house must be minor and not alter the overall appearance of the house or dominate the character of the street.

The proposal includes the removal of the existing linked garage extension to the side of the property. This appears to originally have been a detached garage set beneath a pitched roof of 4.8m in height, which has subsequently been added to on the northern side and linked to the main dwelling on the southern side with a flat roof of 2.85m. The proposed two storey side extension measures 4.7m in width (5m when viewed from the front elevation) and 10m in depth, including a gabled front projection of 2.7m, matching the front projection on the other side. The side extension is set beneath a raised (by 0.51m) and extended ridgeline. To the side of this is proposed a single storey side extension of a further 5.7m in width (total width 10.4m) and 11.45m in depth, including a rear projection of 3m in depth. The front garage section of the extension is set beneath a pitched roof of 4.9m and the rearward element beneath a flat roof of 3.1m including a

parapet. The rear extension then returns across the whole of rear elevation (including the proposed two storey side extension) at a depth 4m.

Whilst it is noted that the side extensions sit largely on the footprint of the existing linked garage, this is a substantial addition to the original property. The proposed side extension measures 10.4m in width in comparison to the 11m width of the original dwelling, increasing the height and extending forward of the main front building line. The floor area of the original dwelling and garage was approximately 230sqm. The proposed extension would result in a dwelling with a floor area of approximately 481sqm, over double the size (an increase of 109%). The proposal would therefore fail to appear subordinate to the existing property and would be a disproportionate addition over and above the size of the original building. As such, the development fails to comply with the requirements of Policies BE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DME1 4, DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy 7.16 of the London Plan (2016) and the NPPF..

The two storey side extension would be set between the existing property and the flank wall of the neighbouring property Beaufort, with the single storey extension not projecting beyond the rear of that dwelling. To the other side the extension would sit adjacent to the rear boundary of Merry Acres, which in turn is set back approximately 14.75m from the shared boundary. It is acknowledged that the proposed extension is marginally deeper than the proposed, where it runs along the boundary and increases in height, with a minor increase in the flat roof from 2.85m to 3.1m and an increase from 4.8m to 4.9m on the pitched roof, which is also extended nearer to the boundary. However it is also noted that this is a hipped roof, with the eaves at the boundary just 2.65m, increasing to the full height, where it is set back 17.7m from the rear of Merry Acres and the two storey extension would be separated by 20.55m. Given the degree of separation and that no window are proposed in this side elevation, it is not considered the proposal would significantly impact on the amenity of the occupiers of this property. The principle windows at first floor level would face the front, with the rear window serving an en-suite and will not significantly increase any overlooking and loss of privacy. In terms of neighbouring amenities therefore, the proposal is acceptable.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2016).

Policy DMHD 1 (appendix A, Part A) vi), states that for alterations and extensions to residential dwellings; adequate garden space should be retained. The property benefits from a reasonable sized garden and sufficient garden space retained.

There is no impact on parking provision as a result of this proposal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension by reason of its size, scale, bulk, height and width, would represent a disproportionate change in the bulk and character of the original building and therefore would significantly increase the built up appearance of the site and would be visually intrusive within the street scene and the wider area. The proposal would therefore constitute inappropriate development in the Green Belt, contrary to Policies

BE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMEI 4, DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy 7.16 of the London Plan (2016) and the NPPF.

2 NON2 Non Standard reason for refusal

The proposed two storey side/front extension and single storey side extension, by virtue of its size, scale, bulk and width, including the lack of set back from the front elevation, would fail to appear as subordinate additions and would thus, fail to harmonise with the architectural composition of the original dwelling. As such they would be detrimental to the character, appearance and 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) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

INFORMATIVES

- 1** 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 (2016). 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** 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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

DMEI 4	Development on the Green Belt or Metropolitan Open Land
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DMHB 11	Design of New Development
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.16	(2016) Green Belt
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land

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