

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 174 THE FAIRWAY RUISLIP

Development: First floor rear extension

LBH Ref Nos: **49681/APP/2020/3973**

Drawing Nos: Location Plan
 thefairway-174 / 8
 thefairway-174 / 2
 thefairway-174 / 0
 thefairway-174 / 5
 thefairway-174 / 4
 thefairway-174 / 3
 thefairway-174 / 6
 thefairway-174 / 7

Date Plans Received: 01/12/2020

Date(s) of Amendment(s):

Date Application Valid: 01/12/2020

1. CONSIDERATIONS

1.1 Site and Locality

The application property is located on the northern side of The Fairway. The property is characterised by its dual pitched roof profile and mock-Tudor detailing. The property has been extended by a single storey rear extension.

The entire frontage of the application site is laid with block paving providing 2 x off-street parking spaces.

The surrounding area is residential in character. Numbers 172 and 176 The Fairways are located to the West and East of the site, respectively. Number 176 The Fairway has been extended by a single storey rear extension, and number 172 The Fairway contains a rear conservatory.

The application site is not designated within a Conservation Area, nor an Area of Special Local Character. The site does not contain any Listed Buildings. There are no trees subject to a Tree Preservation Order within the site or on adjoining land. The site falls within Flood Zone 1 and is designated within a Critical Drainage Area.

1.2 Proposed Scheme

Planning permission is sought for a first floor rear extension. It is noted that the submitted drawings shows that new windows are being proposed in the side elevations of the host dwelling.

1.3 Relevant Planning History Comment on Planning History

There is no relevant planning history attached to this 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

Six neighbouring properties and South Ruislip Residents Association were consulted on 4th December 2020. The consultation period expired on 26th December 2020. One objection was received from 176 The Fairway and their comments are summarised as follows:

- Overlooking and loss of privacy
- Loss of light, loss of outlook and overshadowing
- Over-dominating form of development
- Over-development of the site
- Negative impact on the resale value of neighbouring properties
- Out of character with the other properties
- Risk of subsidence

Officer response: The concerns raised in regards to design, character and appearance and neighbouring residential amenity will be addressed in the section below titled 'Main Planning Issues'. The point raised about property values is not a planning consideration. Similarly, the concern about the structural integrity of buildings is not a planning consideration and is covered by Building Regulations.

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

DMEI 9 Management of Flood Risk

LPP 3.5 (2016) Quality and design of housing developments

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 size of the rear garden and 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.

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

With regards 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;

v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;

vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;

vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;

viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and

ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

The proposed first floor rear extension would measure 3.2 metres deep, 5.9 metres wide and 7.5 metres high. The proposed extension would extend across the full width of the main original host dwelling at first floor level and match the main ridge line height of the application property. However, it is considered that the half hipped roof profile on the proposed extension would be reminiscent of the existing roof profile application property. This, taken together with its depth, would ensure that the proposed first floor rear extension would respect the architectural composition of the host dwelling, whilst not appearing visually disproportionate to the size and scale of the host dwelling and the overall plot size.

The proposed first floor side windows would be of a similar style to the existing windows fitted in the host property. As such, it is considered that the proposed windows would not detract from the architectural style or appearance of the host dwelling.

On balance, it is considered that the proposal would not cause harm to the character and appearance of the host dwelling and the surrounding area. However, this is

notwithstanding the significant concern about the impact the proposed development would have on the living conditions of the neighbouring occupiers, which is discussed in further detail below.

Residential Amenity:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

There would be a separation distance of approximately 2.3 metres between the flank wall of the proposed development and the original rear wall of No. 172 The Fairway. Given this separation distance, and noting this neighbour's relative orientation to the proposed development, it is considered, on balance, that the proposal would not cause undue harm to the living conditions of No.172, in terms of daylight/sunlight, outlook and overbearing effect.

The neighbouring detached property at No. 176 The Fairway benefits from a single storey rear extension. The original first floor rear building line at No.176 has not been extended. Due to its close proximity, coupled with its depth, bulk, scale and height, the proposed first floor rear extension would be unacceptably imposing, result in a loss of outlook and have an overbearing effect for neighbouring property at No.176 and their private amenity space. The rear access path that sits between the proposed first floor rear extension and the mutual boundary shared with No.176 would not mitigate the identified harm to the residential amenity of the occupiers at No.176.

The submitted drawings show that the proposed development would not breach the 45 degree line taken from the centre point of the nearest first floor window at No.176. However, as stated in paragraph A1.24 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), "the '45 degree rule' is only a general rule of thumb and the Council may, on occasion, consider an extension to be unacceptable, even if it appears acceptable on paper". Whilst there is the potential to be some limited impact on light during the mornings for No.176, noting its relative orientation to the proposal, it is considered that the impact, in terms of loss light, would not be so materially harmful to this neighbour's living conditions to justify a refusal on this ground. However, this does not override the issues raised in the previous paragraph in respect to oppressive impact, loss of outlook and overbearing effect.

It is noted that first floor rear extensions have been constructed at No. 154 and 160 The Fairways. However, these extensions were constructed in the seventies and eighties. It is therefore considered that these extensions are not comparable examples and should only be given limited weight. Notwithstanding this, each planning application should be assessed on its own individual merits.

Although it is noted that drawing includes an annotation stating that the new bedroom window would include a 'left hand opener' this is not considered to be sufficient to prevent issues arising in regards to loss of privacy and overlooking for the occupiers at No.176. If permission were to be granted, a condition would be secured requiring all of the proposed first floor side windows, including the bedroom window, to be obscure glazed and non-

opening up to 1.8 metres from the finished floor level.

In light of the above, it is considered that the proposed first floor rear extension would cause unacceptable harm to the living conditions of the occupiers at No.176 The Fairway, contrary to the NPPF (2019), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Standard of Accommodation for Existing Occupiers:

To prevent any issues with loss of privacy and overlooking, a condition would be secured requiring the proposed first floor side windows to be obscure glazed and non-opening up to 1.8 metres from the finished floor level. It is acknowledged that one of this windows serves a bedroom. However, bedrooms are primarily used for sleeping and can therefore be differentiated from the primary living accommodation which is located at ground floor level. Furthermore, this would be the only bedroom within the property that would have no outlook. It is therefore considered, on balance, that the overall quality of internal amenity space that would be afforded to the existing occupiers at the application site would be acceptable, and not unacceptably prejudice by the imposition of the condition.

External Amenity Provision:

The private amenity space at the site would not be impacted as a result of the proposed development, given that the proposal relates to a first floor rear extension. The proposed development would therefore not undermine the provision of external amenity space for the occupants at the host dwelling, in accordance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Parking and Highway Safety:

The proposal would provide an additional bedroom within the property. However, there is sufficient space on the front forecourt of the site to accommodate up to two off-street car parking spaces. It is therefore considered that the proposal would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Flood Risk:

The application site lies within a Critical Drainage Area. Given that the proposal relates to a first floor rear extension, it is unlikely that the proposal would significantly exacerbate the surface water flood risk at the site over and beyond the existing circumstances, in accordance with DMEI 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Conclusion:

The proposed development would cause unacceptable harm to the living conditions of the neighbouring occupiers at No.176 The Fairway. The proposal would therefore conflict with the NPPF (2019), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). It is therefore recommended that the application be refused.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first floor rear extension, by virtue of its rearward projection, scale, bulk, height and proximity, would have a harmful impact on the living conditions and external amenity space of the occupiers at number 176 The Fairway, in terms of loss of outlook, sense of enclosure and overbearing effect. The proposal would therefore be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (2019).

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.

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:

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
DMEI 9 Management of Flood Risk
LPP 3.5 (2016) Quality and design of housing developments

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