

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 62 FAIRACRES RUISLIP

Development: Alterations to games room to form home office/gym and single storey rear extension

LBH Ref Nos: **24895/APP/2021/3803**

Drawing Nos: 02
 Location Plan (received 29-11-2021)
 01
 Block Plan (received 26-11-21)
 03 Rev B

Date Plans Received: 11/10/2021 **Date(s) of Amendment(s):** 29/11/2021

Date Application Valid: 11/10/2021 26/11/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application site is situated in an early 1960's residential area, in Ruislip. The property is characterised by its hipped roof profile, side gable feature, front bay window and its brick finish. The property comprises a 3 bed-roomed extended detached chalet with a south west facing rear garden, an attached double garage to the side of the property with a concreted hardstanding to the front.

Number 65 Evelyn Avenue and 63 Evelyn Avenue are located to the north of the site. Number 61 Fairacres is located to the south of the site. Number 65 is a two storey semi-detached dwelling and number 63 is a detached bungalow. Number 61 Fairacres, a detached two storey dwelling is of a similar architectural style to the application property.

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. The property is not covered by Tree Preservation Order nor does this site fall within a flood risk area.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a 2.1m x 2.89m rear extension to create a utility room. External alterations to the front elevation are also proposed to replace a garage door with a window and a second front door to this house. Internal alterations are proposed to create a home office/gym and shower room.

1.3 Relevant Planning History

24895/78/0457 62 Fairacres Ruislip
 Householder dev. (small extension,garage etc) (P)

Decision Date: 06-06-1978 Refused

24895/A/78/1754 62 Fairacres Ruislip
 Householder dev. (small extension,garage etc) (P)

Decision Date: 19-12-1978 Refused

24895/APP/2006/771 62 Fairacres Ruislip

ERECTION OF A SINGLE-STOREY PART REAR EXTENSION, FIRST-FLOOR SIDE
EXTENSION,
AND CONVERSION OF INTEGRAL GARAGE TO HABITABLE ACCOMMODATION.

Decision Date: 01-06-2006 WD

24895/APP/2010/2170 62 Fairacres Ruislip

Single storey rear extension, first floor side extension, enlargement of front and rear dormer
windows and conversion of garage to habitable space.

Decision Date: 24-11-2010 Refused

24895/APP/2011/1573 62 Fairacres Ruislip

Demolition of existing converted garage and erection of two storey side extension incorporating
front and rear dormers windows

Decision Date: 13-09-2011 Approved

Comment on Planning History

The planning history for the site is outlined above.

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

Eight neighbouring properties and the Ruislips Residents Association were consulted on 15th October 2021. Re-consultation was carried out on the 2nd December 2021 for revised plans that were submitted due to incorrect location and block plans. The consultation period expired on 16th December 2021. Four comments were received from one neighbour by the end of the consultation period.

The neighbours comments have been summarised as follows:

1. Location and block plan are incorrect
2. The proposed window (with opening) would open directly into neighbours garden

Planning Officer Comments:

1. Location and block plans have been corrected and reconsulted.
2. Discussed in section 7

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 D6	(2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene 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 would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

The proposed single storey extension is located to the rear of the dwelling and garage/games room. However, it would technically attach to the side elevation of the original house and therefore the policies concerning the design of single storey side extensions is considered most appropriate.

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

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
- iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- vii) in Conservation Areas, single storey side extensions may be required to be set back.

The proposed single storey extension measures 2.89 metres in width, 2.14 metres in depth and 2.8 metres in height. The depth of the extension would align with the

original/principal rear wall of the house. At the front elevation a dummy pitch would be installed making the height 3.4m at the front. It is therefore considered that the proposed extension would be a subordinate addition, in terms of scale to the host building and being located to the rear of the property and constructed of matching materials.

It is therefore considered that the proposed single storey extension proposed at the rear of the site would not caused harm to the character and appearance of the host dwelling and the surrounding area, in accordance with Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

When considering the proposed alterations to the front elevation there are concerns. There are no other examples of second front doors within the street, with each property having one entrance door to the dwelling. Conversely, the proposal would install a second front entrance on the front elevation. This would be harmful out of keeping with the appearance of other dwellings in the street.

It is also noted that externally the double garage is wide, with a width / proportions that is comparable to the width of the main dwelling. It is also noted that it is proposed to replace the garage door with not only a second front door, but also a large bay window similar to the main front ground floor windows for the dwellings on this street. In combination with the second front door, the large bay window and the width of the front elevation, the proposed development would have the appearance of a poorly integrated separate unit rather than a subordinate part, or even part of, the application dwelling. This would harm the appearance of the main dwelling, the visual amenity of the street scene and the character of the area. Therefore, it fails to comply with Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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, amongst other matters, 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.

Number 65 Evelyn Avenue, 63 Evelyn Avenue and Number 61 Fairacres are the principal neighbouring properties that must be considered in this case, given that they are the nearest dwellings to the application site.

Number 61 Fairacres is on the southern side of the application site, as such, the development has not unduly impacted the residential amenity of the neighbouring property to the south of the site at No.23 Cleveland Road, in terms of daylight/sunlight, outlook and overbearing effect.

The application site is to the rear of 63 Evelyn Avenue as such, the development has not unduly impacted the residential amenity of the neighbouring property to the south of the site at No.23 Cleveland Road, in terms of daylight/sunlight, outlook and overbearing effect.

The application sites' games room is positioned to the side of the garden of Number 65 Evelyn Avenue. Currently, 62 Fairacres have obscured glass blocks facing the garden of No.65 (as shown in the photos). The proposed alterations consist of the replacement of these glass blocks with obscured glazed opening windows which faces directly in neighbours garden.

The proposed obscured opening (inward) window would allow for ventilation for the proposed gym and shower room. However, the proposed windows would have non-obscured views of No.65's private garden once opened, which is intrusive to No.65's garden privacy and would affect their amenities.

It is noted that there is an outbuilding on No. 65 adjacent to the windows. However, there is no obligation for the neighbour at No. 65 to retain this outbuilding in its current location, and it is noted that representations have been received to this effect. Consequently, as the windows would directly abut the boundary with No. 65 these opening windows would be unneighbourly, and would result in a real and perceived loss of privacy and visual intrusion to the amenities of No. 65.

It is also noted that while there are glass blocks currently in the games room, these are not windows. There are no openings from these glass blocks, and they are obscured. These are essentially obscured glazed bricks. There would be a significant difference with the proposed windows, and the intrusion these would present to the neighbours. As such, the proposal would result in substantial harm to the amenities of the occupiers at no.65 Evelyn Avenue, contrary to policy DM HD1 of the Local Plan.

It is considered that all the resulting habitable rooms, and those altered by extension, maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

External Amenity Space Provision:

A sufficient amount of private amenity space will be retained to meet the minimum standards set out in Table 5.3 (Private Outdoor Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). Therefore it would not undermine the provision of external amenity space, in accordance with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Parking and Highway Safety:

The proposal seeks alteration to the front elevation removing the garage door, however internally the garage is currently a games room. In addition the dwelling can accommodate up to two cars on the hardstanding outside. Therefore the proposal would be in accordance with Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Conclusion:

The main body of the report demonstrates that the proposed development fails to comply with the relevant policies set out in the Hillingdon Local Plan: Part One Strategic Policies (2012) and Part Two - Development Management Policies (2020). It is therefore concluded, taking all matters into account, that planning permission should be refused.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed second door on the front elevation, in combination with the proportions and appearance of the front elevation would be visually incongruous with and insubordinate to the appearance of the subject dwelling and those within the area, harming the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed gym and shower room windows, by reason of their siting and design, would result in an unneighbourly development that would be detrimental to the amenities of the occupiers at 65 Evelyn Avenue, by reason of visual intrusion and real and perceived loss of privacy. As such, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1 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.

a), b) or c) to be added depending on the refusal circumstances:

a) 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.

b) In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

c) In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable. However, the amendments required to make the application acceptable are substantial and would materially change the development proposal. They would require further consultation to be undertaken prior to determination which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider the submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

2 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 (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part

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
LPP D6	(2021) Housing quality and standards

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