

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. 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 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 Interim Director of Planning, Regeneration & Public Realm**

Address 31 BURWOOD AVENUE EASTCOTE

Development: Erection of a first floor side/rear extension

LBH Ref Nos: **22333/APP/2022/1413**

Drawing Nos: IGD 2210 - SV01 to SV04_220425
 IGD 2210 - HPP01 to HPP03_220425
 IGD 2210 - HPP02_220425
 IGD 2210_HHP05
 IGD 2210 - HPP04_FRA_220425
 Design and Access Statement_31_HA5 2RY

Date Plans Received: 29/04/2022

Date(s) of Amendment(s):

Date Application Valid: 29/04/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey, semi-detached dwelling located North West on Burwood Avenue. The dwelling is set back from the highway by an area of hard standing providing two off road car parking spaces. The property has been extended comprehensively from the original dwellinghouse by way of a part single, part two storey side extension as well as a rear extension. The loft has been converted to habitable use also.

The surrounding area is residential in character and appearance. Numbers 33 and 29 are located to the North and South of the site respectively.

The application site is within the Eastcote Park Conservation Area. The site does not contain any Listed Buildings and there are no TPOs on site or immediately adjacent land.

1.2 Proposed Scheme

Planning permission is sought for a first floor rear/side extension.

1.3 Relevant Planning History

22333/APP/2003/1521 31 Burwood Avenue Eastcote

ERECTION OF A PART TWO STOREY SIDE WITH INTEGRAL GARAGE, PART SINGLE STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS (INVOLVING DEMOLITION OF EXISTING GARAGE)

Decision Date: 14-11-2003 Refused

22333/APP/2004/1410 31 Burwood Avenue Eastcote

ERECTION OF A PART SINGLE STOREY, PART TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING REAR DORMER, DETACHED GARAGE AND SHED)

Decision Date: 05-10-2004 Approved

22333/APP/2005/205 31 Burwood Avenue Eastcote

ERECTION OF A PART SINGLE STOREY, PART TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING SIDE DORMER WINDOW, DETACHED GARAGE AND SHED)

Decision Date: 03-05-2005 Approved

Comment on Planning History

Relevant history attached.

22333/APP/2005/205- Approval

ERECTION OF A PART SINGLE STOREY, PART TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING SIDE DORMER WINDOW, DETACHED GARAGE AND SHED)

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 17th June 2022

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

6 neighbouring properties were consulted by letters dated 28-9-21. Both Eastcote and Ruislip Residents Association were consulted as part of the application. A site notice was issued 24-5-22 and was advertised in the press on 25-5-22.

2 objections were received and are summarised below:

- Will result in a cramped form of development.
- Loss of visual gap.
- Harmful to the conservation area
- Out of character

Officer response: The above issues are discussed in the main body of the report.

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

DMHB 4 Conservation Areas

LPP HC1 (2021) Heritage conservation and growth

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) states that new development will be required to be designed to the highest standards and incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.

Policy DMHB 4 of the Hillingdon Local Plan - Part 2 Development Management Policies (January 2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extensions to dwellings should 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;
- 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 application property comprises an attractive red brick semi-detached dwelling located on the north western side of Burwood Avenue which lies within the Eastcote Park Conservation Area. The property has been previously extended to the side by way of a part two storey, part single storey side extension which was allowed at appeal (details above). The application seeks planning permission to erect a first floor above the single storey side extension. It is considered that the loss of the space at first floor level would result in an incongruous addition to the streetscene which is characterised predominantly by semi-detached houses with a good degree of separation to the boundary. The additional bulk to the side would serve to unbalance this pair of semis and would fail to either appear subordinate or respect its architectural integrity. The proposal would fail to preserve or enhance the character and appearance of the property and Conservation Area.

Overall the proposed first floor side/rear extension by reason of its size, scale, bulk and design would fail to harmonise with the architectural composition of the original dwelling, and the pair of semis of which it forms part and would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Eastcote Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies HC1 and D4 of the London Plan (2021) and the NPPF.

Importantly, when allowing the previous appeal, the Inspector noted:

"11. Owing to the orientation of the appeal property on the bend in the road, there is a large gap between it at no29. This allows for views of mature trees that lie beyond. Such views are.... an important feature..... At first floor level the proposal would reduce the space between the buildings and the extent of the view. That said, it would not be altered significantly."

The new addition would result in a significant alteration of the space and gap between buildings. The proposed first floor side/rear extension, by virtue of its proximity to the side boundary, would result in the loss of an important gap at first floor level which would detract from the spacing of development within the area, appearing as a cramped and incongruous addition to the streetscene which lies within the Eastcote Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies HC1 and D4 of the London Plan (2021) and the NPPF.

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.

The property to the south is number 29 Burwood Avenue. Whilst the proposed extension

would close the gap between properties, the projection is such that it would not breach the 45 degree line from rear facing windows and would not result in an unacceptable loss of light, outlook or privacy to the occupants of this property.

Parking and Highway Safety:

The parking arrangements for the site would remain unchanged as part of the proposed development and no additional bedrooms would be created through the proposal. The proposal would therefore be compliant with the objective of Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Private Amenity Space:

In terms of the garden area the development would fulfill the Part 2 Policy DMHD1 appendix A, Part A) vi), which states that for Alterations and extensions to residential dwellings; adequate garden space is retained.

Conclusion:

Given the concerns relating to the visual impact of the proposal and its failure to preserve or enhance the Eastcote Village Conservation Area, the application is therefore recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first floor side/rear extension by reason of its size, scale, bulk and design would fail to harmonise with the architectural composition of the original dwelling, and the pair of semis of which it forms part and would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Eastcote Park Estate Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies HC1 and D4 of the London Plan (2021) and the NPPF.

2 NON2 Non Standard reason for refusal

The proposed first floor side/rear extension, by virtue of its proximity to the side boundary, would result in the loss of an important gap at first floor level which would detract from the spacing of development within the area, appearing as a cramped and incongruous addition to the streetscene which lies within the Eastcote Park Estate Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies HC1 and D4 of the London Plan (2021) and the NPPF.

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.

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:

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
DMHB 4 Conservation Areas
LPP HC1 (2021) Heritage conservation and growth

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