

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 9 LEAHOLME WAYE RUISLIP MIDDX

Development: Erection of a two storey side extension and part single, part two storey rear extension and alterations to rear fenestration.

LBH Ref Nos: **64878/APP/2022/2896**

Drawing Nos: OCT21_9LY_01
Location Plan
SEPT22_9LHW_02
Flood Risk Assessment, ref: 1202, May 2022

Date Plans Received: 18/09/2022 **Date(s) of Amendment(s):**

Date Application Valid: 18/09/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the western side of Leaholme Waye in Ruislip. The property comprises an end terraced two storey dwelling. The street scene is residential in character and appearance comprising two storey terraced properties. The site lies within Flood Zone 2, 3, a surface water flood zone and a Critical Drainage Area.

1.2 Proposed Scheme

Planning permission is sought for the erection of a two storey side extension and part single, part two storey rear extension and alterations to rear fenestration.

1.3 Relevant Planning History

64878/APP/2021/3835 9 Leaholme Waye Ruislip Middx

Erection of a two storey side, part single part two storey rear extensions.

Decision Date: 16-09-2022 Refused

Comment on Planning History

64878/APP/2021/3835 Erection of a two storey side, part single part two storey rear extensions. Refused for the following reasons:

1. The proposed two storey side/rear extension, by reason of its size, scale, bulk, width and design would result in an incongruous addition which would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

2. The proposed two storey side/rear extension, by reason of its size, design and proximity, would result in an overly dominant feature that overshadows the adjoining properties at Nos. 98.96,94 and 92 Stowe Crescent and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and

material loss of residential amenity. Therefore the proposal would be contrary to policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part Two (2020).

3. The application site is located within a Critical Drainage Area, an area known for surface water flooding and Flood Zone 2/3. The applicant has failed to demonstrate compliance with Policy DMEI 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which states development proposed in Flood Zone 2 will be required to submit an appropriate Flood Risk Assessment to demonstrate the development is resilient to all sources of flooding. As no details have been submitted the application fails to comply and poses an unacceptable flood risk.

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

The Ruislip Residents Association and 7 neighbouring properties were consulted by letter dated 28-09-22. 5 letters of objection have been received raising concerns about: loss of privacy, overlooking, loss of light, not in keeping, footprint too big, noise and disruption.

Officer comments:

The planning issues will be addressed in the section below. It is noted that in the event of an approvable scheme, construction hours can be addressed by way of an informative.

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

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

LPP D8 (2021) Public realm

DMEI 9 Management of Flood Risk

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF14 NPPF 2021 - Meeting the challenge of climate change flooding

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 and outlook of adjoining occupiers, the impact on private amenity space and impact on

flooding.

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 DMHB 11 of the of the 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 DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

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 is also required that there is no unacceptable loss of outlook to neighbouring occupiers.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) provides guidelines for householder extensions. Part B refers to rear extensions and states that they should not exceed 3.6 metres in depth, and pitched roofs should not exceed 3.4 metres in height. Part C states that side extensions should not exceed half the width of the original property. Two storey side extensions should be set back a minimum of 1 metres behind the front elevation and should be set in a minimum of 1 metre from the side boundary however, it also states that extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded.

The application property is an end terraced house with a modest rear garden and a footway running along the side and rear boundaries. The terrace of properties of 94-82 Stowe Crescent are site to the north at a distance of approximately 12m. The estate has a uniform character of similar terraces of properties.

The application seeks planning permission to fill the gap between the flank wall of the property and side boundary with a two storey side extension which would project beyond the rear wall by 2m with a 2.8m deep single storey rear extension towards the boundary with number 7 Leaholme Way. It is noted this represents a reduction from the previous scheme which proposed a 3m deep rear extension.

Whilst the two storey side extension would not exceed half the width of the original dwelling, it is nonetheless considered that its scale and bulk would unbalance the uniform character of the terrace of which it forms part. The awkward addition would be unbalanced and unattractive, failing to represent good design.

The proposed two storey side/rear extension, by reason of its size, scale, bulk, width and design would result in an incongruous addition which would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of houses of which it forms a

part and to the visual amenities of the street scene and the surrounding area, where there are no examples of similar two storey extensions. Therefore the proposal would be contrary to Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Whilst it is noted the side extension is now set back 1m from the front elevation, the infilling of the gap between the flank wall and the side boundary would also have a significantly detrimental impact upon the character and appearance of the area. The gap to the side is an important component of the planned estate. Gaps between terraces are modest and the reduction in this gap will appear cramped and the extension would appear as an incongruous addition to the streetscene. The proposed two storey side/rear extension by reason of its size, scale, bulk, height, depth, width and proximity to the side boundary, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance.

The proposal would therefore 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 Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Neighbouring Residential Amenity:

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.

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: i) a satisfactory relationship with adjacent dwellings is achieved; and ii) there is no unacceptable loss of outlook to neighbouring occupiers.

Significant concerns are also raised in terms of the impact that the two storey side/rear extension will have on the occupants of numbers 98, 96 and 94 Stowe Crescent to the north which have relatively short rear gardens and achieve a back to flank separation distance of approximately 12m. The proposed two storey side/rear extension, by virtue of its scale, bulk and siting, would result in an unacceptably oppressive and overbearing outlook to the occupants of these properties in conflict with Policies DMHB 11 and DMHD 1.

Concerns have been raised by the occupants of a neighbouring property in Ladygate Lane to the west about loss of privacy to their rear gardens. The rear facing window proposed at first floor level would however overlook the less private rear end of the garden and would not result in a significant loss of privacy over that which currently exists. A refusal reason cannot be justified in this case.

External amenity space:

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3, which requires two- and three-bedroom houses to have at least 60 square metres of private amenity space.

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 an adequate garden.

The proposal would result in the provision of additional bedroom and would reduce the existing modest garden by approximately 14 square metres. The retained garden area of approximately 32 square metres would be substandard. The proposed extension would, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, result in over-development of the site detrimental to the residential amenity of the existing occupiers. The proposal is therefore contrary to Policies DMHD1 and DMHB18 of the Hillingdon Local Plan - Part Two (2020).

Flood risk/drainage:

With regards the management of flood risk, Policy DMEI 9 states: A) Development proposals in Flood Zones 2 and 3a will be required to demonstrate that there are no suitable sites available in areas of lower flood risk. Where no appropriate sites are available, development should be located on the areas of lowest flood risk within the site. Flood defences should provide protection for the lifetime of the development. Finished floor levels should reflect the Environment Agency's latest guidance on climate change. B) Development proposals in these areas will be required to submit an appropriate level Flood Risk Assessment (FRA) to demonstrate that the development is resilient to all sources of flooding. E) Proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

The application site is located within a Flood Zone 3. The applicant has submitted a Flood Risk Assessment, which sets out flood risk mitigation that accords with the EA's standing advice, which in the event of an approval could have been secured by condition.

In addition the site lies in a Critical Drainage Area (CDA) and an area known for surface water flooding as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. In the event of an approval an informative would have been attached with the following guidance: The applicant should minimise the water from the site entering the sewers. Hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission.

In this regard, the resubmission would address reason for refusal 3 of 64878/APP/2021/3835 and complies with Policy DMEI 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Conclusion:

The resubmission scheme does not overcome the previous reasons for refusal 1 and 2 of 64878/APP/2021/3835. The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed two storey side/rear extension, by reason of its size, scale, bulk, width and

design would result in an incongruous addition which would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020). Policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed two storey side/rear extension, by reason of its size, design and proximity, would result in an overly dominant feature that overshadows the adjoining properties at Nos. 98, 96 and 94 Stowe Crescent and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity. Therefore the proposal would be contrary to Policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part Two (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.

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
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
DMEI 9	Management of Flood Risk
LPP D3	(2021) Optimising site capacity through the design-led approach
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding

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