

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

Katherine Mills

Signature:

Date: 13th December 2022

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	64 HARTLAND DRIVE RUISLIP	
Development:	Erection of a brick conservatory to rear and demolition of existing garage at rear of garden.	
LBH Ref Nos:	40278/APP/2022/2898	
Drawing Nos:	Block Plan Aerial Photo Location Plan DRW-01 Existing & Proposed Site Plans, Ground Floor Plans and Elevations Site Location Image Conservatory Size Specification	
Date Plans Received:	19/09/2022	Date(s) of Amendment(s):
Date Application Valid:	21/10/2022	

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a mid-terrace dwelling located on the western side of Hartland Drive. The property is attached to 62 Hartland Drive along the northern site boundary and is attached to 66 Hartland Drive along the southern site boundary. To the west, the rear of the site backs onto a service road beyond which are located the rear gardens of 393 and 295 Victoria Road. 61, 63 and 65 Hartland Drive are located to the east, on the opposite side of the road.

1.2 Proposed Scheme

Planning permission is sought for the erection of a brick conservatory to the rear, involving the demolition of the existing 20.77sq.m garage at the rear of the garden.

The proposed conservatory would be 4.6m wide and would extend 3m from the rear of the existing 2.75m deep rear extension; the combined depth of the existing extension and the proposed conservatory would be 5.75m. The conservatory would have a 3.25m high pitched roof with an eaves height of 2.65m. The proposed conservatory would comprise of glazed panels above brickwork and would have a glass roof.

1.3 Relevant Planning History

40278/APP/2017/2630 64 Hartland Drive Ruislip

Conversion of roofspace to habitable use to include a rear dormer and 3 front rooflights
(Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 13-09-2017 Approved

Comment on Planning History

The application property has implemented the Certificate of Lawful Development for a Proposed Development approved under application ref: 40278/APP/2017/2630, dated 13-09-17, for the "conversion of roofspace to habitable use to include a rear dormer and 3 front rooflights."

The neighbouring property 62 Hartland Drive has planning permission for the "erection of a single storey rear/side and front extension (following demolition of existing garage/extension)" under application ref: 27903/APP/2021/4341, dated 21-01-22.

The neighbouring property 66 Hartland Drive has been extended to the rear with a 2.75m deep rear extension and a further 3m deep rear extension. Whilst the two extensions are shown on existing and proposed plans under planning permission ref: 41353/APP/2016/1020, dated 08-04-16, for the "conversion of roof space to habitable use to include a rear dormer and 2 front rooflights (Application for a Certificate of Lawful Development for a proposed Development)", there is no record of planning permission for the two extensions. Whilst the current application is for a similar development, the current application has been assessed under current planning policies set out in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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

Consultation letters were sent to 7 local owners/occupiers. One response was received:
i) Extra care needs to be taken during the digging of foundations as the foul drainage runs parallel to the back of the houses, it's an old clay pipe approximately 1- 5m off back of houses and around 400mm-450mm to top of pipe.

OFFICER RESPONSE:

Technical construction matters concerning foundations and drainage are addressed through the Building Regulations process.

South Ruislip Residents Association:
No response received.

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 surrounding area, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires that new developments achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) requires all development to be designed to the highest standards and incorporate principles of good design, either complementing or improving the character and appearance of the area. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to protect and improve the public realm, including streets.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) 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 requires that there is no unacceptable loss of outlook to neighbouring occupiers.

Part B of Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) sets out specific requirements for rear extensions. Single storey rear extensions on terraced or semi-detached houses with a plot width of 5m or more should not exceed 3.6m in depth. Paragraph A1.7 of the guidance states that "the addition of conservatories or other extensions to buildings that have already been extended will not be permitted" whilst Paragraph A1.8 states that "proposals to extend existing extensions will not be supported". Single-storey extensions with pitched roofs should not exceed 3.4m in height.

Character and Appearance

The proposal would add a 3m deep conservatory onto an existing 2.75m deep rear extension which would result in a 5.75m deep rear extension from the rear wall of the original property. Therefore, the proposal would extend the property more than 5m beyond the original rear building line, thereby exceeding the Council's recommended depth standard set out in Part B of Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), and would result in a secondary extension to an existing extension, contrary to policy guidance. Additionally, the proposed conservatory would extend 2.15m beyond the approved rear extension at 62 Hartland Drive.

The proposed rear conservatory would therefore be contrary to the policy requirements of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), would result in a significant increase in depth from the original rear wall of the property and would not appear as a subordinate addition to the property due to its overall depth and significant increase in the footprint of the property. Additionally, whilst the proposed 3.25m high pitched roof of the conservatory would not exceed the recommended height standard set out in Part B of Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), it is considered that the proposed pitched roof, located next to the sloped roof of the existing extension, would create an uneven roof form at the rear of the property and would not appear as a sympathetic

addition to the property. As such, the proposed development would be adhoc and piecemeal, and would fail to be sympathetic or subordinate to the appearance of the original dwelling. This in turn would adversely affect the character of the area.

It is therefore considered that the proposal would have a detrimental impact upon the character and appearance of the application site and the surrounding area and 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 (January 2020).

Residential Amenity

The 3m deep proposed conservatory, combined with the existing rear extension, would result in a total depth of 5.75m along the side boundary of the neighbouring property, 62 Hartland Drive; the conservatory would extend 2.15m beyond the approved rear extension at 62 Hartland Drive. The conservatory would have glazed panels on the side elevation facing 62 Hartland Drive which would directly abut the shared boundary; where the proposed conservatory projects beyond the neighbouring approved extension, the glazed panels would look directly into/adjoin the garden of the 62 Hartland Drive. As such, the proposed development would have an adverse impact on the residential amenity of 62 Hartland Drive through loss of privacy and overlooking.

The proposed conservatory would not extend beyond the rear building line of the neighbouring property, 66 Hartland Drive. However, the neighbour's extension is set in 1.09m from the side boundary with the application property and has glazed windows and doors on the side elevation; the proposed conservatory would be set in 0.66m from the shared side boundary and would have glazed panels on the side elevation. As such, there would be a short separation distance between the windows of the neighbouring extension and the glazed panels of the proposed extension and so the proposed development would result in loss of privacy and overlooking of the two properties, thereby having an adverse impact on the residential amenity of 66 Hartland Drive. Whilst it would be possible to secure obscured glazing along the side elevation facing 66 Hartland Drive through the use of a condition on any consent granted, so as to reduce a sense of overlooking during the day, due to the proximity to the boundary, it would still be possible to observe the presence of people within the conservatory behind the obscure glazing during evenings/nighttimes. It is therefore considered that an obscure glazing condition would not adequately reduce the sense of overlooking from the proposed development.

Notwithstanding the harm identified above, it is not considered that the proposed conservatory would be unduly overbearing or cause harmful overshadowing to nos 62 or 66 by virtue of its glazed nature and degree of projection.

It is concluded that the proposed development would cause harm to the residential amenity of neighbouring properties, and thereby fails to comply with 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 (January 2020).

Other Matters

It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (March 2021).

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) requires developments to provide good quality and useable private outdoor amenity space in accordance with the Council's standards (as per Table 5.2), whilst Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that proposals to extend dwellings retain adequate garden space.

The application property has a rear garden of 75.6sq.m, with a 20.77sq.m garage at the rear of the site. The existing garage would be demolished and 58.94sq.m of external amenity space would be retained. It is considered that the proposed conservatory, combined with the removal of the existing garage, would retain sufficient usable external amenity space for the application property. The proposal thereby complies with Policies DMHB 18 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that developments provide acceptable levels of car parking in line with the Council's Parking Standards (Appendix C Table 1).

The application site has a driveway and a parking area for one vehicle at the front of the property. Whilst the existing garage at the rear of the site would be removed, the existing parking at the front of the site would be retained. It is therefore considered that the proposed development would not impact on parking provision and so would comply with Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed rear conservatory would result in a secondary extension to an existing extension, thereby extending the property more than 5m beyond the original rear building line and due to its overall depth and significant increase in the footprint of the property, the proposal would not appear as a subordinate addition to the existing dwellinghouse. Furthermore, the proposed pitched roof, located next to the sloped roof of the existing extension, would create an uneven roof form at the rear of the property and would not appear as a sympathetic addition to the property. As such, the proposed development would be adhoc and piecemeal, and would fail to be sympathetic or subordinate to the appearance of the original dwelling. The proposal would therefore have a detrimental impact upon the character and appearance of the application site and the surrounding area, 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 (January 2020).

2 NON2 Non Standard reason for refusal

The proposed extension due to the scale, siting and design, which includes non-obscure glazed side windows facing 62 and 66 Hartland Drive would result in overlooking and the loss of privacy to the occupiers of the neighbouring properties. The proposal would therefore cause harm to the residential amenity of neighbouring properties, 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 -

INFORMATIVES

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

Contact Officer: Katherine Mills

Telephone No: 01895 250230