

DELEGATED 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

Report of the Head of Planning, Sport and Green Spaces

Address 134 FAIRHOLME CRESCENT HAYES

Development: Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.6 metres, and for which the height of the eaves would be 2.65 metres

LBH Ref Nos: **12643/APP/2016/60**

Drawing Nos: Block Plan (1:500)
Location Plan (1:1250)

Date Plans Received: 07/01/2016 **Date(s) of Amendment(s):**

Date Application Valid: 07/01/2016

1. RECOMMENDATIONS

1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the proposed development would unduly detract from the amenities of the adjoining occupier, at 136 Fairholme Crescent by reason of visual intrusion, overdominance, overshadowing, loss of daylight, loss of sunlight and loss of outlook.

This determination is based on your submitted plans. All measurements are taken from existing ground level.

2.0 Planning Considerations

The application property is an inter-war semi-detached dwelling house located on the northern side of Fairholme Crescent. The wider area is residential in character comprising similar properties, the rear of the property however, abuts onto green open space known as Belmore Playing Fields. There are no existing extensions to neither the application property nor the adjoining neighbour. Both however, have detached garages located on the rear boundary and accessed from the rear of the properties.

The site falls within the Developed Area, as defined in the Hillingdon Local Plan Part Two: saved Policies.

This application seeks confirmation that prior approval is not required to erect of a single storey rear extension which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.6 metres, and for which the height of the eaves would be 2.65 metres.

Neighbouring properties sharing a boundary have been consulted in accordance with the

Order and one neighbour has submitted representation in respect of the proposed extension within the 21 days notice period. The proposed development would not therefore constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A (g) of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior Approval is required.

3.0 Relevant Planning History

12643/APP/2015/4024 134 Fairholme Crescent Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.6 metres, and for which the height of the eaves would be 2.65 metres

Decision Date: 04-01-2016 Refused

4.0 Any Neighbour Objections

2 neighbours were consulted by letter, nos 132 and 136 Fairholme Crescent, 11-01-16. One objection to the proposal was received before the expiration of the consultation period on 01-02-16.

Neighbour Objections received?
YES

Objection received by no.134 Fairholme Crescent as follows:

- My property shares a party wall with 134 fairholme crescent,
- I have still not seen any details on how they intend to join the extension from that wall.
- the boundary fence is my responsibility, there is also a drain and gutter downpipe, which I had to replace, mounted on that wall. I do not want the fence being replaced with their extension wall as this would effect any future extension I or any future resident of my property to build.
- there is also the fact that there is two different families currently living in 134, my feeling is that this extension could just be the start of a future plan to make two separate dwellings, once again I say that without seeing any detailed plans for this extension.

5.0 Assessment of Impact on Neighbours

Paragraphs 3.1 and 3.7 of HDAS states that single storey rear extensions in the case of semi-detached properties should not project for a depth of more than 3.6m as they might block out daylight and sunlight received by neighbouring properties. Furthermore lean to roof should not exceed 3.4m high for the same reasons.

Details submitted indicate a single storey rear extension that would project to a depth of 4.0m and would with pitched roof covering measuring 2.65m to the eaves and 3.8m to the overall height of the proposal. The proposed extension would not comply with HDAS depth guidance.

Policy BE20 seeks to ensure development does not result in an undue loss of the direct sunlight and daylight to neighbouring properties. The rear elevation of the neighbouring property (No.136 Fairholme Crescent) contains a large lounge window adjacent to the shared boundary with the application property. The rearward outlook from the properties is oriented due north and the attached neighbouring property is situated on the western side of the two semi-detached properties. It is likely therefore that direct sunlight and daylight would be lost to this window as a result of overshadowing, and at a 4m depth the extension would result in a considerable change in the outlook from the neighbouring

property lounge window. The proposed development is considered to be in contrary to the policies BE20, BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions (2006)

There is a gap of about 2.5m between no.132/134 Fairholme Crescent. It is unlikely that this neighbour would be affected by the development proposal.

Policy BE21 states that permission will not be granted for extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity. The proposed development exceeds the 3.6m depth guidance set out in HDAS:EXT. The proposed development is considered to be large and bulky and poorly sited in relation to the adjoining no.136 Fairholme Crescent. The neighbouring property will experience loss of residential amenity due to significant change in outlook. The proposed development is not considered to comply with policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions (2006).

There is no indication that new windows are proposed within the side elevation of the proposed extension. The proposed development would not result in a loss of privacy due to overlooking. The proposed development therefore, conforms with policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions (2006).

The development is considered to be detrimental to the residential amenity of the neighbouring property due to a loss of light and detrimental change in outlook due to its bulk and proximity to a ground floor habitable room window. The proposed development is considered to be contrary to policy BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions (2006).

Objectors Comments

The Neighbour Consultation scheme does not require the applicant to submit technical details about the proposed extension, but encourages the applicant to share such details with their neighbour prior to submission. In any case, the technicalities of the construction is not a material consideration.

The application proposal is not for a change of use to multiple occupation. This point was not taken into consideration.

For the reasons outlined the recommendation for this application is Refuse.

6.0 ALL CLASSES

If Semi or Terrace - does exceed 6m? NO

Is the dwelling a flat or a maisonette?
NO

Is there a planning condition removing permitted development rights?
NO

Is the building listed/in a Conservation Area?
NO

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