

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 an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

18.	ADVERTISEMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. 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 informative's 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 DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Conversion of roofspace to habitable use including rear dormer roof extension, 2 x front rooflights, hip to gable roof enlargement and 1x side facing window (Application for a Certificate of Lawful Development for a Proposed Development).

Decision: 02-12-2021

Approved

Comment on Planning History

The relevant planning history is listed 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

Three neighbouring properties, London Borough of Harrow, and Eastcote Residents Association were consulted on 18-11-2022.

Neighbour Comments (1):

- No objections to main structure;

- Request that windows be installed in the north-facing walls of the extension which will make the aspect lighter for neighbouring property.

Officer Comments: The above comments are noted and will be discussed in further detail below.

London Borough of Harrow - No objection

Eastcote Residents Association - No comments 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 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMHB 14 Trees and Landscaping

NPPF12 NPPF 2021 - Achieving well-designed places

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, trees and landscaping, flood risk impact and car parking provision.

Character and Appearance:

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 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. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

With regard to side extensions, Policy DMHD 1 requires:

- 1) side extensions should not exceed half the width of the original property;
- 2) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- 3) garages should reflect the size guidelines set out in Appendix C Parking standards;
- 4) 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;
- 5) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- 6) 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.

With regards to rear extensions, Policy DMHD 1 states that:

- 1) 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;
- 2) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- 3) 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;
- 4) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
 - 5) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
 - 6) 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;
 - 7) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
 - 8) 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
 - 9) 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 proposes a porch along the northern boundary. The proposal will measure a depth of 1.5m, a length of 2m and will feature a flat roof height of 2.8m. The proposed porch is modest in terms of scale and design and would not have an adverse impact on the character and appearance of the host dwelling nor the surrounding area.

The application proposes to demolish the existing garage and proposes the erection of a part single and part two storey side extension. The proposed single storey element of the side extension will measure a depth of 3.2m, a length of 13m to the rear and will feature a lean-to roof along the front and side elevation measuring a maximum height of 3.2m. The single storey side element follows a similar front building line as the host dwelling and is set back 0.6m from the side boundary. The first floor side element will measure a depth of 2.7m, a length of 11.45m to the rear and will feature a hipped roof measuring a height of 7.35m. The first floor side element is set back 1m from the front building line, set in 1m from the side boundary and is set down approximately 1.2m from the ridge of the host dwelling.

In terms of Policy DMHD 1, the original dwelling measures a width of 5.6m, as such the width of the ground floor side extension would exceed half the width of the original property by approximately 0.4m. The first floor side would comply with this aspect of the policy. It is acknowledged that the existing garage is extended hard up against the side boundary. As such, despite not complying completely with Policy DMHD 1, the proposed gap to the boundary is a positive to the scheme. Whilst ideally the property should be set back 1m at both ground floor and first floor, and set in 1m from the boundary at both levels, the proposed development would still appear as a subservient addition the host dwelling. There is an effective set down from the ridge levels and the set backs at 1st floor level are considered sufficient to ensure it appears subordinate to the host dwelling.

Turning to the rear, the application proposes a part single and part two storey rear extension. The proposed single storey element will measure a depth of 3.6m, a length of 8.7m and will feature a sloping roof with a maximum ridge height of 3.7m and an eaves height of 2.7m. The proposed first floor rear will measure a depth of 3m, a length of 4.2m, and will feature a pitched roof of 7.3m.

In terms of Policy DMHD 1, the depth of the rear extension complies with Policy DMHD 1. The ridge height of the sloping roof is greater than that prescribed (3.4m), however given the generally low eaves and the fact that it would sit below the first floor ceiling levels; there is no objections to the height of the single storey element. The first floor rear would not extend into the 45 degree line of sight taken from the first floor habitable windows at the neighbouring property.

Cumulatively, it is considered that the proposed works would appear subservient to the host dwelling and would generally respect the architectural composition of the host dwelling. In the event of an approval, a condition will be secured to ensure the proposed materials will match the host dwelling.

It is therefore considered that the proposal would not cause 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 Policy 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.

No. 9 and No. 13 Rusdene Road are the principal properties that need to be considered in terms of residential amenity.

No. 9 is located to the north of the site and comprises the adjoining property. The neighbouring property has not been extended to the rear. The proposed two storey side extension is located on the southern elevation and it is unlikely that No. 9 would be affected by this aspect of the proposal. The proposed single storey rear would abut the shared boundary with No. 9 and would protrude 3.6m from the rear building. The single storey rear would replace the existing conservatory set along this boundary and is unlikely to amount to unacceptable overshadowing or a loss of light. The proposed first floor rear extension is located 4.17m from the shared boundary with the neighbouring property and the proposed plans demonstrate that the proposal would not breach the 45 degree line of sight taking from the first floor rear habitable window. Taking the above into consideration, it is unlikely that the proposal would result in unacceptable overshadowing or a loss of light. There are no windows proposed on the northern elevation which result in overlooking or a loss of privacy.

No. 13 Rusdene Road is located to the south of the site and comprises a two-storey semi-detached property. The neighbouring property benefits from a recent planning permission (Planning Application Reference: 32287/APP/2022/2394 - allowed on appeal) for the erection of a single storey extension to the front, side and rear following demolition of the existing garage. The development has not commenced, as such the impact on the amenity of the neighbouring property will be based on the neighbouring property as existing. The neighbouring property sits in front of the application site due to the staggered building line. It currently comprises a garage on the northern elevation which abuts the application site. The proposed ground floor side extension will be located 0.6m from the shared boundary with the neighbouring property, and the first floor will be set in 1m from the shared boundary. It is noted that No. 13 has two windows on the first floor northern elevation serving the landing and bathroom. Given the windows on the side elevation do not serve habitable rooms, it is unlikely that the proposed two storey would result in overlooking or a loss of privacy.

The proposed part single part two storey rear would extend approximately 6.4m beyond the rear building line at No. 11. The ground floor element will be located 0.6m from the shared boundary and

the first floor will be located 1m from the shared boundary. The proposed rear extension would be located approximately 3.3m from the rear flank wall of the property. The proposed development would not breach the 45 degree line taken from the first floor rear habitable window. It is acknowledged that the nearest first floor window at No. 13 serves a bathroom. Whilst it is noted that the proposal does extend quite significantly from the rear building line at No. 13, by virtue of the separation distance, and the east facing nature of the garden, it is unlikely that the proposal would result in unacceptable overshadowing or a loss of light.

There are 2 no. windows proposed on the ground and first floor facing No. 13. The proposed are small and high level. In the event of an approval, a condition will be secured to ensure the windows are obscurely glazed and non-opening below 1800mm to protect the amenity of the neighbouring property.

The proposed windows on the rear elevation would provide views into the private rear garden of the application site. Whilst views may be achieved to the rear gardens of neighbouring properties, these would not be dissimilar to the views achieved from the existing windows and it is therefore not considered that the proposal would result in unacceptable overlooking.

Having regard to the above, it is considered that the proposal would not cause undue harm to the living conditions of neighbouring occupiers in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Furthermore, it is considered that all the proposed habitable rooms, and those altered by the proposed development, would maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

Trees and Landscaping:

Policy DMHB 14 states that:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.
- D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

There is a mature oak tree at the end of the rear garden which is protected by TPO 614, T7 on the TPO schedule. There is no tree survey submitted and no trees are indicated on the plan, however, according to aerial photographs the tree is a safe distance from the footprint of the proposed extension. In order to contain and control the spread of the work during construction, temporary fencing should be erected across the rear garden to keep all construction activity away from the root protection area of the tree.

In the event of an approval, a condition will be secured to submit details of the proposed tree protection measures. Subject to the above condition, it is considered that the proposal would comply with Policy DMHB 14.

External Amenity Space Provision:

The proposed development would retain sufficient rear garden space. This would be in accordance with the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). As such, it is considered that the proposal would not undermine the provision of external amenity space for the existing occupiers at the site, in accordance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Parking and Highway Safety:

The proposal would result in the loss of one parking space via the existing garage. However, the site benefits from hardstanding outside the front of the property with enough space for two cars. It is therefore compliant with the recommended parking standards set out in Table 1 of Appendix C, it is considered that the proposal is unlikely to significantly exacerbate the pressure for street parking or prejudice highway safety. The proposal therefore accords with the overarching objectives of policy DMT 6 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

Conclusion:

The main body of the report demonstrates that the proposal complies with the overarching objectives of 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 granted subject to conditions.

6. RECOMMENDATION

APPROVAL subject to the following:

1. HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 3364/AP/01 and 3364/AP/04 received by the Local Planning Authority on 14-11-22.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby

permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

4. HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 9 and 13 Rusdene Road.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5. HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

6. HO6 Obscure Glazing

The windows on the southern elevation serving the en-suite shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

7. HO9 Tree Protection

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval.

No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and Policies G5, G6 and G7 of the London Plan (2021).

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 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Part 1 Polices

PT1.BE1 (2012) Built Environment

Part 2 Polices:

DMHB 11	Design of New Development
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMHB 14	Trees and Landscaping
NPPF12	NPPF 2021 - Achieving well-designed places

Contact Officer: Niamh McMenamin **Telephone No:** 01895 250230