

Report of the Director of Planning & Community Services Group

Address 56 MANOR WAY RUISLIP

Development: Boundary wall to side and rear (Retrospective application.)

LBH Ref Nos: 19650/APP/2009/2604

Drawing Nos: 2738/01 Rev. A
Design and Access Statement
Location Plan at scale 1:1250

Date Plans Received: 02/12/2009 **Date(s) of Amendment(s):**

Date Application Valid: 21/12/2009

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises the side boundary brick wall to No.56 Manor Way which is situated at the corner of Manor Way and Manor Close and has a south west facing rear garden. The site is situated within the Ruislip Manor Conservation Area and a developed area as identified in the policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

1.2 Proposed Scheme

The application seeks planning permission to retain an existing brick wall, partially topped with trellis, running along the Manor Close boundary and a part rendered section continuing along the return boundary with No.12 Manor Close. The wall is approximately 23.9m (l) with a 6m (d) return along the boundary with No.12 Manor Close and has a maximum height of 1.85m (h), but is topped with 650mm (h) trellis for a distance of 16.75m (l) and along 6m (l) return boundary with No.12. The wall comprises an additional number of brick courses raising its original height from 1.475m (h) and includes new sections at either end. The first next to a new side garage extension for No.56 and at the far end bricking up of a former garage entrance adjacent to No.12 Manor Close and a return boundary wall with No.12. The applicant's agent has indicated that closure and the heightening of the wall has been done to improve privacy following the removal of numerous conifers.

1.3 Relevant Planning History

19650/APP/2001/1514 56 Manor Way Ruislip

ERECTION OF A SINGLE STOREY CONSERVATORY

Decision Date: 12-09-2001 **Approved** **Appeal:**

19650/APP/2007/3169 56 Manor Way Ruislip

ERECTION OF A SINGLE STOREY REAR EXTENSION

Decision Date: 17-12-2007 **Approved** **Appeal:**

Comment on Planning History

The unauthorised development has been investigated by an Enforcement Officer but no formal action initiated.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 10th February 2010

2.2 Site Notice Expiry Date:- 10th February 2010

3. Comments on Public Consultations

11 Neighbours and the Ruislip Residents Association consulted 2 replies received principally objecting to the slow erosion of spirit and purpose of the Conservation Area due to a massive and overbearing wall topped with trellis exceeding 2 metres, replacing a screen conifer tree and constructed without the benefit of planning permission.

Conservation Officer:

BACKGROUND

This is a prominent house at the junction of Manor Way and Manor Close in the Manor Way Conservation Area. This is a retrospective application.

COMMENTS

The proposed boundary to the side and rear would be visible from Manor Close. Whilst not ideal, it is felt that the overall height of the proposed side boundary would mitigate the visual impact of the previous side extension with a dummy pitched roof to some extent. The proposed wooden trellis would be appropriate as this would reduce the solidity and visual bulk of the brick wall. It is therefore acceptable. Any new brickwork should match existing and samples of the bricks and mortar should be submitted to the Council for approval.

CONCLUSION: Acceptable, materials subject to condition.

Trees/Landscape Officer:

I refer to the above application, drawing No. 2738/01 and a recent site visit:

THE SITE

The site is a semi-detached house on the south side of Manor Way, at the junction of Manor Close. The house is set behind an established front garden with mature hedging defining the front and side boundaries. The house is situated within the Ruislip Manor Way Conservation Area, a designation which protects trees.

THE PROPOSAL

The proposal is a retrospective application to retain a 1.8 metre high brick wall with timber trellis above, as shown on drawing No. 01 Rev A. The wall defines the rear garden, alongside Manor Close and part of the boundary with house number 12.

During a site visit, the owner explained that climbing plants have been planted within the rear garden which will be trained through the trellis to provide a softer edge to the top of the wall. The wall replaces a conifer hedge which, the owner stated, was gappy and

provided inadequate privacy or security.

KEY LANDSCAPE ISSUE

The visual impact of the wall is reduced because it is on a side boundary. It will also mellow over time and appear 'softer' in the landscape as the climbing plants are trained through the trellis. However, details of the plants and the long-term intention to maintain the plants at this height could be conditioned.

RECOMMENDATION

No objection subject to conditions TL5, TL6 and TL7.

A Ward Councillor has requested that the application be reported to Committee given the potential impact of the proposal on the Conservation Area.

4. **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Residential Extensions - Section 10
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

5. **MAIN PLANNING ISSUES**

The main considerations are design and impact on the character of the existing property, the street scene in Ruislip Manor Conservation Area, impact upon the amenities of adjoining Manor Close residents and impact on the highway.

In terms of design and appearance its impact on existing property and contribution to the Ruislip Manor Conservation Area street scene, it would appear that new sections have been added to an original boundary brick wall to a domestic property. Whilst not readily visible from Manor Way the wall is prominent within Manor Close particularly the southeastern end section for those residents occupying properties Leaholme and Hadlea

opposite. In addition, with an increased height from 1.475 to 1.85 metres alongside the highway boundary the wall exceeds the Permitted Development limit.

However, in terms of scale, design, layout and appearance with the use of similar bricks to the mellow stocks of the original wall its overall contribution to the street scene and Conservation Area is such that it is not considered that the development seriously harms the overall character and appearance of Manor Close or the area in general. Moreover, the overall height of the boundary wall, to some extent, helps to mitigate the visual impact of the side extension to the property which has a dummy pitched roof and the wooden trellis would also be appropriate as this would reduce the solidity and visual bulk of the brick wall. Although, because of its newness the trellis does appear slightly incongruous, once it has weathered and performs as a support for climbing plants its overall impact will diminish. As such it is, therefore, considered that the side boundary wall and trellis would not be detrimental to the preservation of the character and appearance of the Conservation Area thereby complying with Policies BE4, BE13, BE15, and BE19 of the adopted UDP (Saved Policies September 2007) and Section 10 of the SPD HDAS: Residential Extensions.

With regard to the impact upon the amenities of adjoining occupiers, essentially the wall is higher than previously but not particularly dominant due mainly to the mellow appearance of the stock brick used in its construction matching with the predominant original wall. Moreover, it cannot be considered to be so objectionable as to seriously impact on the visual amenity of the occupiers of Leaholme and Hadlea nor as a side boundary return wall to the occupiers of No.12 Manor Close. Due to its newness, the trellis above the wall appears to have a substantial frame and does appear stark in contrast to the mellow brick but it is not particularly unattractive and its newness would, nonetheless, diminish with weathering. Moreover, it is intended to support climbing shrubs and provide privacy rather than as a security deterrent and would achieve this same effect were it to be lowered. Overall the retention of this extended wall would be unlikely to permanently compromise the visual amenity enjoyed by the occupiers of the overlooking properties. It is, therefore, considered that they are unlikely to experience any significant long term loss of outlook, light or privacy. The proposal would thereby comply with the objectives of Policies BE20, BE21 and BE24 of the adopted UDP (Saved Policies September 2007) and Section 10 of the SPD HDAS: Residential Extensions.

In terms of highway safety with regards to visibility, there would be no significant change from the foregoing situation as the return wall along the side boundary of No.12 Manor Close would not impair visibility from the driveway of No.12 Manor Close situated at the southern end of their frontage. Manor Close itself is a cul de sac comprising a short section of roadway with a turning head. The extended brick wall would not in itself, impede the free flow of traffic onto the highway, thereby complying with Policy AM7(ii) of the adopted UDP (Saved Policies September 2007).

There would be no reduction to the rear garden area and, therefore, the proposals comply with Policy BE23 of the adopted UDP (Saved Policies September 2007) and Section 10 of the SPD HDAS: Residential Extensions.

6. RECOMMENDATION

APPROVAL subject to the following:

1 TL5 Landscaping Scheme - (full apps where details are reserved)

A landscape scheme providing full details of soft landscaping works shall be submitted to the Local Planning Authority within 6 months of the date of this approval and shall be approved in writing by the Local Planning Authority and the works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 TL6 Landscaping Scheme - implementation

All soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

4 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE4, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

Standard Informatives

- 1 The decision to GRANT 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 GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
Policy No.

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must

be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission

does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

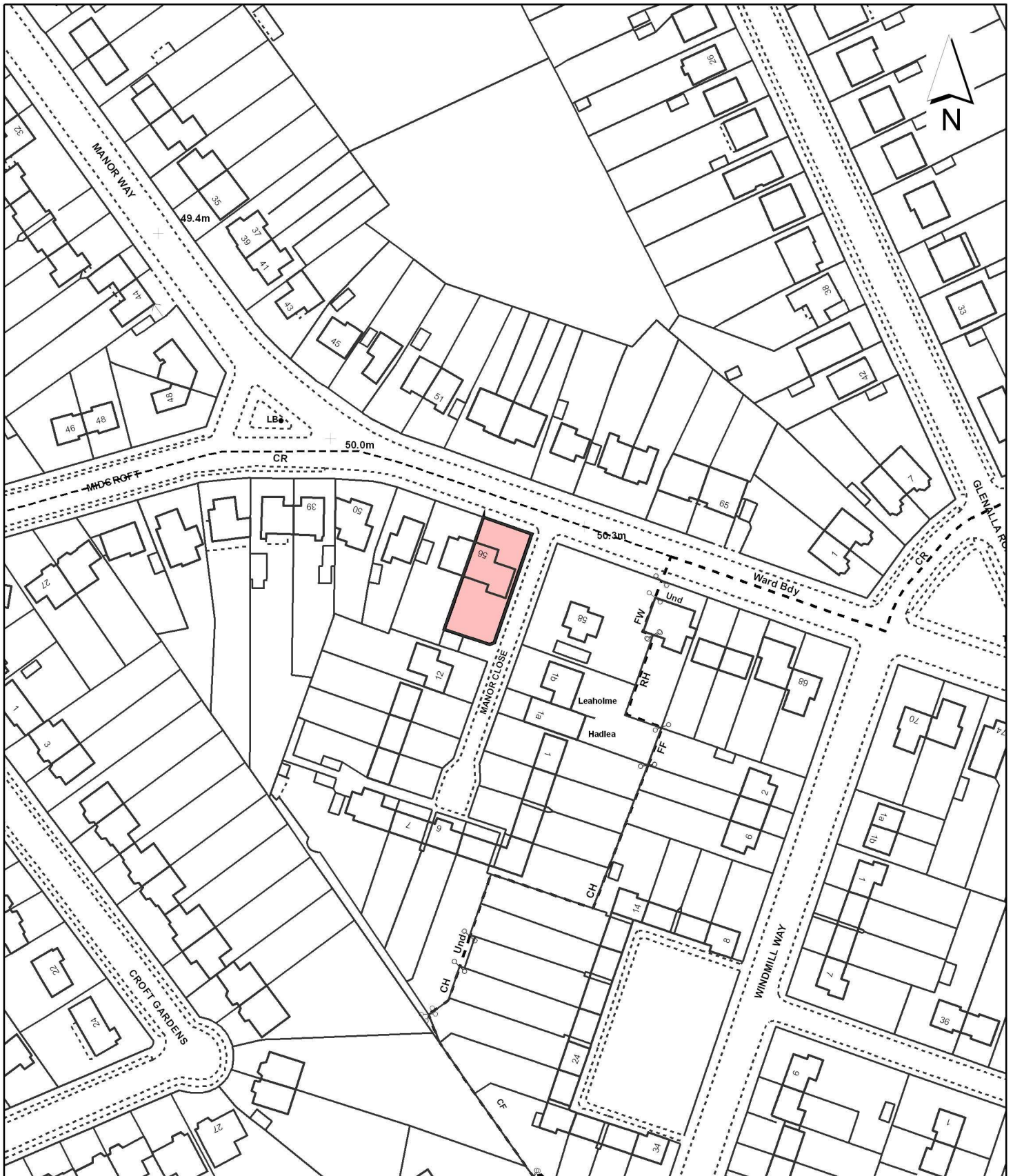
D) No bonfires that create dark smoke or nuisance to local residents.



You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Peter Unthank

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p align="center">56 Manor Way, Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p align="center">Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">19650/APP/2009/2604</p>	<p>Scale</p> <p align="center">1:1,250</p>	 <p align="center">HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">January 2010</p>	