

## Report of the Head of Planning, Sport and Green Spaces

**Address** 150 EASTCOTE ROAD RUISLIP  
**Development:** Installation of fencing (Part Retrospective)  
**LBH Ref Nos:** 71162/APP/2015/3138  
**Drawing Nos:** Block Plan  
150ER/1  
Location Plan

**Date Plans Received:** 19/08/2015                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 03/11/2015

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application relates to a detached bungalow located on Eastcote Road. The external walls of the property are covered by a hipped roof. The area to the front of the property, within the curtilage of the dwelling, provides space to park 1 vehicle. The property also consists of a detached garage to the rear.

The site is located in a developed area as identified in the Hillingdon Local Plan (November 2012).

#### 1.2 Proposed Scheme

The application seeks planning permission for the installation of fencing (Part Retrospective

#### 1.3 Relevant Planning History

##### Comment on Planning History

There is an outstanding enforcement investigation regarding this fencing.

### 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

3 neighbouring occupiers along with the Ruislip Residents Association, were consulted on the application on 5th November 2015. By the close of the consultation period on 26th November 2015, 3 objections were received from the neighbouring properties that share a boundary with the application property, as well as an objection form the Ruislip Residents Association.

Comments raised from the objections are summarised in bullet point format below:

- The proposed fence is aesthetically at odds with the area
- The fence and proposed fence is higher than the permitted development allowance and would set a precedent
- The fence would be unnecessary and a prominent eye sore
- The fencing is of solid metal panels and is more of a hoarding fence not for domestic use

The application was called-in for consideration by the committee by a ward Councillor.

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

#### **5. MAIN PLANNING ISSUES**

The main issues for consideration in determining this application relate to the impact of the fence and proposed fence would have on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, and the impact on the residential amenity of the neighbouring dwellings.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The retrospective element of the fence is positioned to the side boundary of no.144 Eastcote Road runs along the rear half of the side boundary, and there is one panel next to the rear of the house. The existing side boundary between no.150 and no.144 consists of a privet hedge which varies in height from 2.00m to 2.30m. The proposed fence consists of 5no. 90mm x 90mm posts with spherical finials at top. The fence is to be built on the applicant's land, inside the hedgeline, and does not encroach onto any land belonging to the occupiers of no.144. The height of the panels is to be approximately 2.08m with a maximum height of 2.23m.

With regard to the side boundary between no.150 and no.152 Eastcote Road, there is an existing hawthorn hedge which has an approximate continuous height of 2.30m. The proposed fence will consist of 7no. 90mm x 90mm posts with spherical finials. The panels will measure approximately 2.28m and the maximum height of the fence will be approximately

2.45m.

The objections received raise concerns that: the proposed fence is aesthetically at odds with the area; the fence would be unnecessary and a prominent eyesore; and the fencing is of solid metal panels and is more of a hoarding fence not for domestic use.

With regard to these objections: the proposed fence will not be significantly visible to the adjoining properties, as it will be screened by a privet hedge (on the boundary between no.144) and a hawthorn hedge (on the boundary between no.152). Furthermore the fence will not be considerably higher than the existing hedges on the boundary.

There will be no detrimental impact upon the residential amenity of the neighbouring occupiers in terms of loss of light, loss of outlook or overshadowing, as the rear of no.144 Eastcote Road is set approximately 3.92m from the shared side boundary with no.150, and the rear of no.152 Eastcote Road, is set approximately 6.69m from the side boundary shared with no.150 Eastcote. The development is therefore in accordance with policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Other issue raised as an objection is that the fence and proposed fence would be higher than the permitted development allowance and would set a precedent locally. The applicant could construct a 2.0m fence under permitted development and it is considered that the additional 0.23m (on the boundary between no.150 and no.144) and 0.45m (on the boundary between no.150 and no.152) fence height, is not sufficiently out of keeping with the character and appearance of the site and surroundings as to warrant a recommendation for refusal. As such the proposal is considered to accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposal would not have any impact upon parking or private amenity space provision.

Therefore, it is recommended that this application be approved.

## 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, number: 150ER/1.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part

Two Saved UDP Policies (November 2012) and the London Plan (2015).

## INFORMATIVES

- 1 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 2 On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## 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) 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 (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.  
BE15 Alterations and extensions to existing buildings  
BE19 New development must improve or complement the character of

the area.

BE20

Daylight and sunlight considerations.

- 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, Environment and 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, Environment and Community Services Reception, 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.

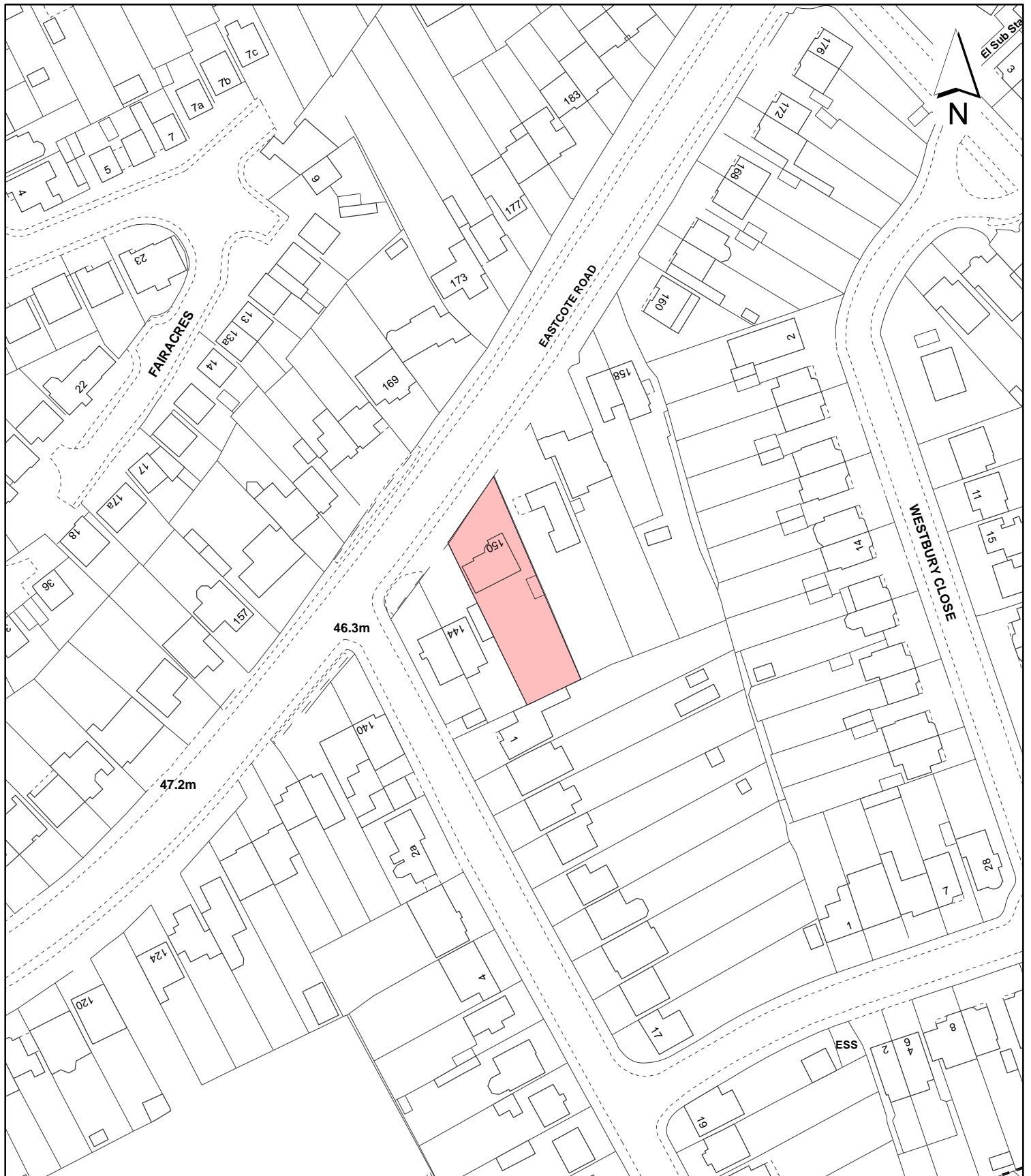
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the 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:** Ayesha Ali

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**150 Eastcote Road  
 Ruislip**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:

**71162/APP/2015/3138**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**January 2016**



**HILLINGDON**  
 LONDON