

Report of the Head of Planning, Sport and Green Spaces

Address 1D KENT GARDENS RUISLIP

Development: Single storey rear extension with glazed roof. Erection of boundary fence and hedging adjacent to eastern boundary.

LBH Ref Nos: 71958/APP/2017/1872

Drawing Nos: Proposed Site Plan with Fence and Hedge - 1136SG_FUL: SH 2 Rev A
Proposed Block Plan - 1136SG_FUL: SH 6 Rev B
Proposed Site Plan - 1136SG_FUL: SH 7 Rev B
Proposed Rear Elevation - 1136SG_FUL: SH 9 Rev B
Proposed Side Elevation and Section AA - 1136SG_FUL: SH 10 Rev B

Date Plans Received: 22/05/2017 **Date(s) of Amendment(s):**

Date Application Valid: 22/05/2017

1. CONSIDERATIONS

1.1 Site and Locality

The site is occupied by a semi-detached three-storey, four bedroom dwelling which has red brick elevation walls with additional render and tile hanging to the front and side aspects. The site occupies a corner plot and the front and side lawns are currently open with the rear garden enclosed by an approximately 1.8 metre high red brick wall. A single-storey red brick, hipped roof building is positioned at the far end of the rear garden and accommodates garages that serve 1D Kent Gardens and the adjoining property. An unauthorised timber picket fence that had been erected along the side boundary of the site has been removed.

The site is located on the edge of a modern development of residential dwellings and small blocks of flats that occupy the former RAF Eastcote site. Buildings consist of a relatively dense arrangement of two and three-storey buildings, a large proportion of which are terraced or semi-detached. Buildings are set back from the road with open lawns to the front and these spaces, along with additional grass verging, help to maintain a degree of openness within the surrounding environment.

1.2 Proposed Scheme

The proposal involves the construction of a conservatory style extension, attached to the rear elevation along with the demolition of the existing red brick rear garden wall and replacement with a new boundary fence and hedge that will extend out to the side boundary, thereby providing an enlarged enclosed rear garden.

The rear extension would be built across the full width of the rear extension and match the neighbouring conservatory extension in terms of projection to the rear and height. The roof of the extension would be mono-pitched and the side elevation would consist of a red brick wall.

The proposed expansion of the rear garden would involve land already within the curtilage

of the dwelling, albeit unenclosed at this time. The size of the plot itself would therefore not be increased as a result. The enlarged garden would be enclosed using existing treatment to the western boundary and a new fence and hedge along the northern and eastern boundary, which flanks Lime Grove. The fence would involve a close boarded element of 1.5 metres in height with an additional timber trellis of 0.3 metres height mounted on top. The fence will be set back from the road and a new privet hedge planted in front of it. Once this hedge has established the fence will be removed and the hedge will be maintained at 1.5 to 2 metres in height.

1.3 Relevant Planning History

10189/APP/2004/1781 Raf Eastcote Lime Grove Ruislip

REDEVELOPMENT FOR RESIDENTIAL PURPOSES AT A DENSITY OF UP TO 50 DWELLINGS PER HECTARE, INCLUDING AFFORDABLE HOUSING, LIVE-WORK UNITS, A COMMUNITY FACILITY AND OPEN SPACE (OUTLINE APPLICATION)

Decision Date: 06-03-2006 **Approved** **Appeal:**

10189/APP/2007/3046 Raf Eastcote Lime Grove Ruislip

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) FOR ERECTION OF 385 RESIDENTIAL UNITS IN COMPLIANCE WITH CONDITION 2 TOGETHER WITH DETAILS OF RESIDENTIAL DENSITY, COMMUNITY FACILITY, SUSTAINABILITY AND ENERGY ASSESSMENT, REFUSE AND RECYCLING STORAGE, SITE SURVEY PLAN, LANDSCAPING, FLOOD RISK ASSESSMENT, SURFACE WATER CONTROL MEASURES AND ACCESS STATEMENT IN COMPLIANCE WITH CONDITIONS 7, 11, 14, 19, 20, 21, 23, 26, 33, 34 & 37 OF OUTLINE PLANNING PERMISSION REF: 10189/APP/2007/3383 DATED 21/02/08 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'

Decision Date: 31-03-2008 **Approved** **Appeal:**

10189/APP/2008/2712 Raf Eastcote Lime Grove Ruislip

PROVISION OF OPTIONAL CONSERVATORIES TO PLOTS 3, 5, 90, 91, 92, 126, 127, 128, 130, 181, 182, 195, 196, 197, 198, 299 AND 300 (APPLICATION TO VARY PARTS OF THE APPROVED LAYOUT UNDER RESERVED MATTERS APPROVAL REF. 10189/APP/2007/3046 DATED 13/03/2008) (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING IN COMPLIANCE WITH CONDITION 2 OF OUTLINE PLANNING PERMISSION REF. 10189/APP/2007/3383 DATED 21/02/2008 'REDEVELOPMENT OF SITE FOR RESIDENTIAL PURPOSES, COMMUNITY FACILITIES, OPEN SPACE AND ASSOCIATED PARKING AND LANDSCAPING'.)

Decision Date: 26-11-2008 **Approved** **Appeal:**

71958/APP/2016/2145 1d Kent Gardens Ruislip

Single storey rear extension

Decision Date: 16-01-2017 **Refused** **Appeal:**

71958/APP/2017/524 1d Kent Gardens Ruislip

Single storey rear extension, installation of timber fence and demolition of existing brick wall (Part Retrospective)

Decision Date: 11-04-2017 **Refused** **Appeal:**

72153/APP/2016/3134 37 Coleridge Drive Eastcote

Single storey rear extension.

Decision Date: 07-12-2016

Refused

Appeal:10-FEB-17

Allowed

Comment on Planning History

Previous applications for a conservatory at the site have been refused due to the amount of rear garden space that would be retained following construction of the conservatory falling below the Council's minimum space standards for rear private, usable amenity space (71958/APP/2016/2145) and the expansion of the rear garden to mitigate against the loss of rear garden being out of keeping due to their effect of enclosure within the surrounding open environment (71958/APP/2017/524).

A recent appeal decision relating to a single-storey extension at a nearby property, 37 Coleridge Drive, was approved despite the remaining amenity space falling below Council SPD standards (Planning reference 72153/APP/2016/3134 - Appeal Reference: APP/R5510/D/16/3166215). The Appeal Inspector, in setting out their reasoning's, stated that the garden area, as built, already fell below SPD standards and that the remaining garden would provide adequate space for outdoor seating, play equipment and a domestic shed. Furthermore, they stated that the increase in the size of the living accommodation as a result of the extension would allow for more flexible living conditions. This interpretation represents a material consideration in determining this application.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 14th June 2017

3. Comments on Public Consultations

A site notice was displayed adjacent to the site and immediate neighbours were also sent a letter notifying them of the proposed development and inviting comments.

No comments from members of the public have been received.

LANDSCAPE OFFICER:

This site is occupied by a recently built two-storey semi-detached house at the junction of Lime Grove and Kent Gardens. The plot is larger than that of the neighbouring property. However, there is a brick garden wall set well back from the boundary which leaves the residents with an extremely limited area of private garden /amenity space. Most of the garden space lies outside the boundary wall where it is perceived to be public open space. This is difficult to control or maintain by the owner for whom it provides no direct benefit.

The application follows pre-application discussions with James Rodger and a meeting on site, when I met the owner to review the situation. The submission proposes a compromise whereby the the brick wall is removed and replaced by a timber fence which will incorporate most of the space as private garden for the benefit and enjoyment of the occupants. The fence will be set back slightly from the footway and kerb and an evergreen hedge planted and maintained by the owner. This will continue to benefit the public realm - in accordance with the original design intention. The increased size of the rear garden also accommodates the proposed conservatory while leaving a reasonable area of usable private garden.

The proposal reflects the outcome of pre-application discussions with the applicant. No objection subject to conditions.

(OFFICER COMMENT): Recommended condition has been added.

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.

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.

LPP 7.4 (2016) Local character

LPP 7.6 (2016) Architecture

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

5. MAIN PLANNING ISSUES

VISUAL IMPACT:

The proposed conservatory would be single-storey in height and modest in other dimensions and would therefore be partially screened from view within the street scene by site boundary treatment. It would also not appear overly prominent within the street scene due to its modest dimensions and the fact that it would be stepped in from side boundary of the site which borders Lime Grove. In any case, a rear extension of this size is considered to be a feature that would be expected within a residential setting and examples of similar extensions are indeed present at surrounding plots, including the adjoining property, 1C Kent Gardens.

The proposed revisions to the siting and appearance of the enclosure screening for the rear garden would result in a hedge and fence being positioned adjacent to the highway at Lime Grove in places, thereby removing a portion of the existing open lawn area to the side of the dwelling. It should be noted that this particular external amenity area is not included in land managed by the estate company. The owner of the property therefore is responsible

for the upkeep of the land, albeit it is not within their garden. This is atypical of the wider estate where almost all amenity areas outside garden boundaries are maintained by the estate management company (this matter has been verified through the title deeds for the property).

A previous scheme involving a similar expansion to the rear garden area was refused under application 71958/APP/2017/524. However, a revised scheme has been submitted, following consultation with the Council's Highways and Landscape Officers. The proposed scheme involves the erection of a temporary fence which will be positioned to the rear of new hedge planting. Once the hedging is established, the fencing will be removed and the hedging will be maintained at a sympathetic height. A condition will be attached to any approval to secure these works. The overall outcome will involve the loss of part of the open green area to the side of the dwelling but this will be mitigated against through the use of hedging which will possess a verdant and natural quality as boundary treatment and therefore avoid the presence of more urbanised features close to the highway.

It is therefore considered that the proposed development is in accordance with Policies BE 13 and BE 19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.4 and 7.6 of the London Plan (2016).

RELATIONSHIP TOWARDS EXISTING BUILDING:

The proposed extension, due to its modest footprint and single-storey height, will appear visually subservient towards the existing dwelling. It will be built across the full width of the rear elevation and, as such, will not impact upon the symmetry of the building. Its roof top will be set below first floor window sill height so as to prevent an awkward or cramped appearance to the rear elevation. The red brick plinth and flank elevation walls will replicate the appearance of the elevation walls of the existing building, strengthening visual integration.

It is therefore considered that the proposed development satisfies Policy BE 15 of the Local Plan and Policy 7.6 of the London Plan.

IMPACT UPON NEIGHBOURING RESIDENTS:

The proposed extension is a single-storey structure that will adjoin an existing conservatory at 1C Kent Gardens and be of a similar height and depth. As such, it is not considered that it would appear overbearing towards neighbouring residents nor would it result in any undue increase in overshadowing. Views from ground floor windows will not look directly towards any habitable room windows at neighbouring properties and, in any case, will be interrupted by site boundary treatment. It is therefore not considered that any unacceptable overlooking impact will arise. It is therefore considered that the proposed development satisfy the requirements of Policies BE 20 and BE 21.

The proposed boundary fencing will be positioned adjacent to the road and not directly impact upon any adjoining properties. The proposed development is therefore in accordance with Local Plan Policy BE 24.

IMPACT UPON OCCUPANT AMENITIES:

The proposal involves expanding the area of the rear amenity space through the repositioning of enclosure treatment. The enlarged garden area, not including the footprint

of the proposed extension, will be approximately 75 m², which will remain below SPD standards which stipulate that a 4 bedroom dwelling should be provided with 100 m² of private amenity space. The existing garden is 60 m² in area and, as such, already below standard. There are clear parallels with the case at 37 Coleridge Drive, as described in depth in section 1.3, where the inspector found that an under provision of amenity space was not reason enough to refuse planning permission given that the site is originally developed failed to meet the standards and there would be adequate space for domestic activities. It is therefore considered that the proposed development, which involves a net gain in private amenity space, would provide acceptable living standards for future occupant and that the aforementioned appeal decision informs and justifies this position.

The proposed development is therefore considered, on balance, to satisfy the requirements of Local Plan Policy BE 24.

HIGHWAY IMPACT:

The proposed fencing will not extend as far as the front of the site and will therefore not obstruct visibility splays at the junction between Kent Gardens and Lime Grove. It is therefore not considered that the proposal would result in any highway safety concerns.

It is therefore considered that the proposed development would be in accordance with Local Plan Policy AM 7.

It is therefore recommended that the application is approved, subject to relevant conditions

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 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 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [] and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 COM9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

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

2. Details of Landscape Maintenance

2.a Landscape Maintenance Schedule.

2.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

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 BE 13 and BE 38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

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 BE 13 and BE 38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 T4 Temporary Building - Removal and Reinstatement

The timber fence hereby permitted shall be removed and the land restored to its former condition on establishment of the privet hedge or after a period of 5 years, whichever is the earlier.

REASON

The fencing, by reason of its appearance is not considered suitable for permanent retention in order to prevent a long term impact on the character and appearance of the

surrounding area in accordance with Policies BE 13 and BE 19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.4 of the London Plan (2016).

6 HO4 Materials

The materials to be used in the construction of the external walls of the extension 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 BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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) 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.
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.
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

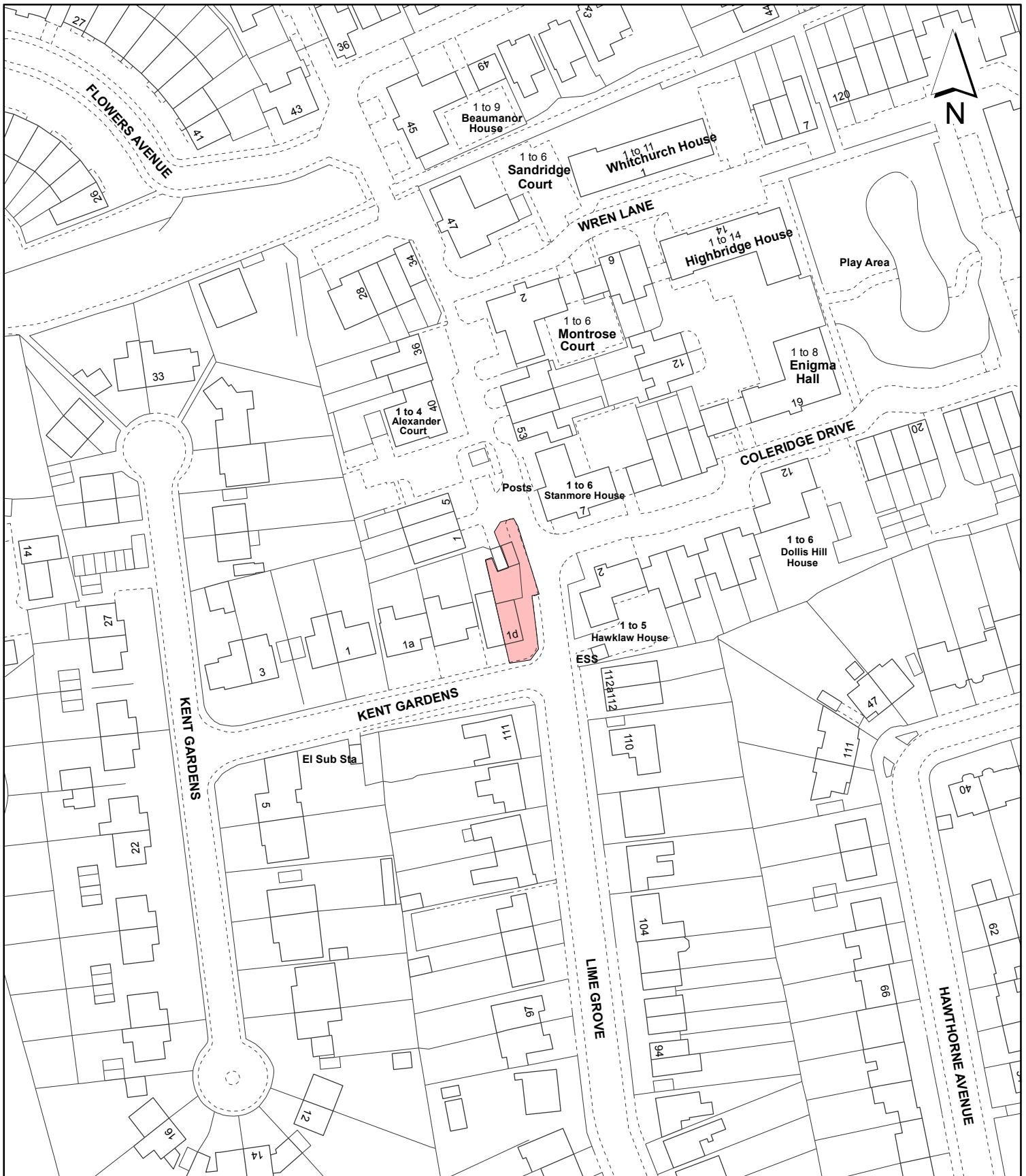
- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning 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: James McLean Smith

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 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.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

1d Kent Gardens

Planning Application Ref:
71958/APP/2017/1872

Planning Committee:
North

Scale:
1:1,250

Date:
June 2017

LONDON BOROUGH OF HILLINGDON
Residents Services Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
 LONDON