

Report of the Head of Planning & Enforcement Services

Address 62 FAIRACRES RUISLIP

Development: Single storey rear extension, first floor side extension, enlargement of front and rear dormer windows and conversion of garage to habitable space.

LBH Ref Nos: **24895/APP/2010/2170**

Drawing Nos: Location Plan to Scale 1:1250
Block Plan to Scale 1:500
62FA/2
62FA/4
62FA/1
62FA/3

Date Plans Received: 17/09/2010 **Date(s) of Amendment(s):**

Date Application Valid: 17/09/2010

1. CONSIDERATIONS

1.1 Site and Locality

The application site is situated in an early 1960's residential area and comprises a 3 bed-roomed extended detached chalet bungalow, in a 13m (w) plot with a south west facing rear garden, an attached double garage to the side of the property and 5.7m (w) x 5.4m (d) concreted hardstanding to the front. The cul-de-sac access road is not subject to parking restrictions and the site is situated within 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 enlarge the chalet style property with a first floor side extension above a double garage. The chalet profiled pitched roof would be extended at eaves and ridge level over the double garage, elongating the front and rear dormer configurations to provide a first-floor fourth bedroom and en-suite to the rear above and extended ground floor utility. The application also seeks planning permission to convert the 5.45m (w) x 5.8m (d) double garage into a dining room by bricking in the front elevation and installing a 4 pane georgian style casement window. The first floor fourth bedroom would have dimensions of 5.5m (w) x 4.75m (d). The utility would be extended by 2.5m (w) x 1.3m (d) and above that the first floor en-suite at 2.5m (w) x 2.2m (d). The same chalet roof profile would be maintained with existing eaves at 2.5m (h) and ridge at 7m (h). There would be a large 3 paned casement window to the front but none to the rear other than the en-suite window. Materials and external finishes would be to match existing

brick and tiles.

1.3 Relevant Planning History

24895/78/0457 62 Fairacres Ruislip
Householder dev. (small extension,garage etc) (P)

Decision Date: 06-06-1978 Refused **Appeal:**

24895/A/78/1754 62 Fairacres Ruislip
Householder dev. (small extension,garage etc) (P)

Decision Date: 19-12-1978 Refused **Appeal:**

24895/APP/2006/771 62 Fairacres Ruislip
ERECTION OF A SINGLE-STOREY PART REAR EXTENSION, FIRST-FLOOR SIDE
EXTENSION,
AND CONVERSION OF INTEGRAL GARAGE TO HABITABLE ACCOMMODATION.

Decision Date: 01-06-2006 Withdrawn **Appeal:**

Comment on Planning History

None

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

11 neighbours consulted, three replies received objecting to the proposal on the following grounds:

- i) There would be an adverse impact on the quality of life for the occupiers of adjacent properties due to the proximity of the proposed first storey, with resulting adverse effect on outlook, deprivation of sunlight and a loss of privacy if windows were to be inserted at a later date in the rear and flank walls;
- ii) The proposal would be inappropriate development of the site up to the boundaries without in-set at first floor level presenting short and long-term construction and maintenance access issues. Established trees close to the boundary would either have to be cut down or their roots could interfere with the footings and cause subsidence;
- iii) Any works would require scaffolding to be erected on adjacent properties and in the longer term access would also be required for maintenance and repair. Any tiles falling from the roof could land in adjacent properties, where children and animals play;
- iv) The garage should remain solely for the purpose of accommodating motor vehicles.

Officer Comment: With regard to points i), ii) and iv) these have been considered in the main report. With regard to point iii) this is not a material planning considerations.

Ruislip Residents Association: We are writing to express our concerns over the proposed extensions mooted to the above property on behalf of local residents particularly those most immediately affected at nos 63, 65 and 67 Evelyn Avenue. The proposals are

considered to be an overdevelopment of the area, to represent possible overlooking of adjacent properties and would deprive the neighbourhood of valuable garden trees. It is noted that an identical application was submitted in March 2006 but withdrawn in June 2006.

Ward Councillor: Requested that application be presented to Committee.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

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.
BE22	Residential extensions/buildings of two or more storeys.
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.
AM14	New development and car parking standards.
HDAS	Residential Extensions - Sections 3, 5, 6, 7 and 9.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property and wider street scene, the impact upon the amenities of adjoining occupiers, the loss of vehicle parking and its consequent impact to pedestrian safety and traffic flows within the cul-de-sac.

In terms of design and appearance, it is important that all new development complements or improves the character and appearance of the area in which it is proposed. To avoid detracting from the general street scene and spoiling the amenity and privacy of adjoining houses, new development should ensure that its cumulative effects do not damage the character and amenity of established residential areas. Consequently the scale and character of new development in relation to existing development is a material consideration in determining applications.

The proposed extension would be to a detached property and thus a 1m inset from the

front elevation nor a 500mm drop in the ridge line would be required. However, the proposed first-floor side extension at 5.5m wide would be 78% of the width of the existing property and so would exceed two thirds of the width of the original house resulting in an extension which would not appear subordinate to the property.

The proposed first floor element of the side extension would not be inset 1.5m from the side/rear boundary with No. 63 Evelyn Avenue, but this is not so critical where there is not a need to maintain a gap between the flank walls of adjacent properties to avoid coalescence. In this case there are only the rear garden boundaries of properties in Evelyn Avenue and so no material conflict with the requirements of Policy BE22 of the adopted UDP (Saved Policies September 2007) would arise.

Whilst the profile would reflect that of the existing chalet bungalow, it is considered that the proposed first-floor side extension would result in a dominant extension that with an unduly bulky, awkward and unsympathetic appearance, would be neither subordinate, nor accord with the traditional character and appearance of the house or the area. The proposed first-floor side extension would, therefore, appear disproportionate to No. 62 Fairacres and would appear incongruous causing unacceptable harm to the character and appearance of the street scene contrary to Policies BE13, BE15 and BE19 of the adopted UDP (Saved Policies September 2007) and Section 5 of the Supplementary Planning Document HDAS: Residential Extensions.

The proposal also includes the front and rear dormers being extended and the resultant size, scale and bulk would result in disproportionate, incongruous and unsympathetic additions, failing to appear subordinate to the scale, form and appearance of the roof within which they are set and detrimental to the character and appearance of the original house, the street scene and the visual amenities of the surrounding area generally, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the Section 7 of the adopted Supplementary Planning Document HDAS: Residential Extensions.

The relatively minor ground and first floor rear extensions, however, would be consistent with HDAS guidance satisfying Sections of the Supplementary Planning Document HDAS: Residential Extensions.

The proposed development of the garage and replacement of its large double door with a 3 paned casement window above a shallow brick wall would not result in a particularly conspicuous or visually intrusive development, with any consequent harm to the street scene nor cumulatively damage the existing character of the streetscape and surrounding neighbourhood. The provision of an internal door from the main dwelling house would ensure that the conversion, being physically linked, would form an integral part of the existing house. In terms of visual impact, the garage conversion would not cause unacceptable harm to the character and appearance of the property and the street scene in general.

It is considered that all the proposed habitable rooms, and those altered by the proposals, would maintain an adequate outlook and source of natural light, therefore complying with Policy 4A.3 of the London Plan (2008).

With respect to the impact upon the amenities of the occupiers of adjoining properties, the neighbouring property (No.61 Evelyn Avenue) shares the same front building line and neighbours opposite at Nos. 1, 2 and 3 Fairacres would be separated by the combined

depth of front gardens and the highway, meeting the 21 metres standard required between facing habitable room windows. None of them would, therefore, experience any significant adverse impact due to the loss of light and outlook or any deterioration in their level of privacy.

Viewed from the side the proposed first-floor side extension would, however, be within a 45° line of sight from the nearest ground floor window of the neighbouring property No.63 Evelyn Avenue (a detached bungalow with rear conservatory) so there would inevitably be a material change in the outlook from the rear windows of the conservatory to the property.

A judgement, therefore, has to be made as to whether the proposed first-floor side element of the proposed extension to No. 62 Fairacres would be of such a size as to be unacceptably intrusive. No.63 Evelyn Avenue is set some 14m from the proposed side elevation of No. 62 Fairacres and the rear windows to the conservatory of No.63 Evelyn Avenue are approximately 11.5 metres and whilst the proposed first floor element of the side extension to No. 62 Fairacres would not meet the required distance of 15m, which is partially as a consequence of No.63 being extended, it should also be noted that the proposed extension is situated in such a position as to not unduly impact on the habitable room windows of this property. Furthermore, the proposed extension has a maximum height of 7m, but given the slope of the roof its visibility would be limited. It should also be noted that the extension would be screened to some extent by existing landscaping within the rear gardens of properties in Evelyn Avenue. Thus, it is not considered that a refusal on the grounds of loss of outlook to these properties would be justified.

With the northerly orientation of Nos. 63 and 65 Evelyn Avenue the overshadowing assessment indicates that the rear gardens of Nos. 63 and 65 Evelyn Avenue, would be affected to some extent by additional overshadowing from the proposed extension at No. 62 Fairacres. At no time, however, does the additional shadow touch the rear of the houses (Nos. 63 or 65) or the amenity area immediately adjacent to the rear of the houses. Furthermore, the additional overshadowing, at its maximum, results in only parts of the garden of 65 Evelyn Avenue being overshadowed. With regard to the conservatory to No. 63, Evelyn Avenue, at 3.1 metres deep, this would not be affected by the additional overshadowing.

Although the first floor side elevation would also be less than 21 (d) metres from the rear elevation of the conservatory to No. 63 Evelyn Avenue, with no overlooking side windows proposed there would be no loss of privacy for the occupiers of either property. It is, therefore, considered that neither overshadowing nor privacy would be materially worsened satisfying Policies BE20 and BE24 of the adopted UDP Saved Policies September 2007.

In terms of the combined rear garden area, at least 100m² of rear garden should be retained for properties with 4 bedrooms to provide adequate amenity space. The proposed rear extension and first floor extension providing a 4 bed-roomed property would result in an existing external amenity space of approximately 80m², which would be below the Council's standards. However, there appear to be examples of other properties which have been extended and resulted in a reduction in the amenity space. Furthermore, a large number of the properties in Fairacres are characterised by fairly small rear gardens and thus the amenity space provision for the application property is in character with the area. This being the case it is considered that a refusal based on the size of the amenity area would be difficult to justify.

Car parking space for 2+ vehicles is already available on the existing hard standing in the front garden, consequently, the proposal would comply with Policy AM14 of the adopted UDP (Saved Policies September 2007).

There is a Cherry and Silver Birch close to the south-western corner and boundary of the property but a tree survey and arboricultural implication assessment to BS5837:2005 has not been provided to inform whether it is feasible to accommodate the development without having a detrimental impact on the valuable trees close to the site which would be in proximity to the proposed development or during its construction. In the absence of such details, Policy BE38 of the adopted UDP (Saved Policies September 2007) would be compromised.

There is, therefore, a potential threat to the trees along the south-western boundaries that development could damage their branch canopies unless extreme care was used in its execution. The application does not propose any measures to protect the tree roots and canopies from development and whilst there may be a solution to resolve this issue, until a tree survey has been undertaken, it would be inappropriate to recommend approval. It is considered, therefore, that the proposed development would seriously affect the integrity of the trees thereby compromising Policy BE38 of the adopted UDP (Saved Policies September 2007).

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first-floor side extension would result in a disproportionate, incongruous and unsympathetic addition, failing to appear subordinate to the scale, form and appearance of the original house and detrimental to the character and appearance of the original house, the street scene and the visual amenities of the surrounding area generally. The development is, therefore, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed front and rear dormer windows by reason of their siting, size, scale and bulk would result in disproportionate, incongruous and unsympathetic additions, failing to appear subordinate to the scale, form and appearance of the roof within which they are set and detrimental to the character and appearance of the original house, the street scene and the visual amenities of the surrounding area generally. The development is, therefore, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The information submitted with the application does not indicate the proximity of the neighbouring trees and absence of a comprehensive tree survey (including protection, services, trees retained/removed, species) and arboricultural implication assessment to BS5837: 2005 to inform whether it is feasible to accommodate the development and its construction without having a detrimental impact on the valuable trees close to site. It is

considered that the proposed development would have the potential to cause unacceptable harm to the integrity of valuable trees near the application site contrary to Policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

Standard Informatives

- 1 The decision to REFUSE 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 REFUSE 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.


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.
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CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

Contact Officer: Peter Unthank

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address	
62 Fairacres Ruislip	
Planning Application Ref:	Scale
24895/APP/2010/2170	1:1,250
Planning Committee	Date
North	November 2010

**LONDON BOROUGH
OF HILLINGDON**

**Planning, Environment
& Community Services**

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



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