

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	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

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	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
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.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

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

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

Item No.	Report of the Head of Development Management and Building Control		
Address:	123 CHARVILLE LANE HAYES		
Development:	Conversion of roof space to habitable use including erection of 6 no. dormers and erection of a single storey rear extension with habitable roof space. Fenestration changes to rear and side elevations (amended drawings)		
LBH Ref Nos:	8692/APP/2023/2858		
Drawing Nos:	Location Plan PL/01 PL/02 Rev C PL/03 Rev D PL/04 Rev D		
Date Plans received:	29-09-23	Date(s) of Amendments(s):	12-01-24
			12-01-24
Date Application valid	29-09-23		12-01-24

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a bungalow located on the north side of Charville Lane, Hayes. The property is set back from the road with a spacious front driveway. To the rear is an enclosed garden which acts as private amenity space.

The surrounding area is predominantly residential in character comprising a mix of property types.

The application site is located within the Greenbelt and a critical drainage area.

1.2 Proposed Scheme

Planning permission is sought for the conversion of roof space to habitable use including erection of 6no. dormers and erection of a single storey rear extension with habitable roof space alongside fenestration changes to rear and side elevations

1.3 Relevant Planning History

8692/APP/2021/1802

123 CHARVILLE LANE HAYES

Enlargement of a dwellinghouse by construction of an additional storey (Prior Approval)

Decision: 28-06-2021

Refused

Comment on Planning History

The planning history for the site is listed above.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: 8th November 2023

3. Comments on Public Consultations

A site notice was displayed 11-10-23 and expired 08-11-23.

A press notice was advertised 18-10-23 and expired 08-11-23.

10 neighbouring properties were consulted on the application by letter. During the course of the application, revised drawings were sought. The consultation period expired on 29-01-24. One objection was received and is summarised as:

- The dwelling is likely to be built and used as a HMO
- The proposed development will lead to overlooking and loss of privacy to neighbouring properties
- The existing side extension has been erected directly on boundary line without permission

OFFICER COMMENT:

- It is noted that this application is not for a change of use to a HMO and a small HMO use can be used without planning permission.
- Comments regarding neighbouring amenity will be discussed in the below report.
- The application is for the erection of rear extensions and dormers therefore the side extension cannot be taken into consideration.

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 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMEI 4	Development on the Green Belt or Metropolitan Open Land
NPPF13	NPPF 2021 - Protecting Green Belt Land
LPP D6	(2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenities of the neighbours, parking/highway safety.

IMPACT TO THE CHARACTER AND APPEARANCE OF THE AREA:

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) 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) states that new development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

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

With regards to rear extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part 2 (2020) states that:

- i) 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;
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) 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;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) 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;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) 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
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

With regards to roof extensions Policy DMHD 1 of the Hillingdon Local Plan: Part 2 (2020) states

that:

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

The proposed development would include a rear extension with habitable roof accommodation and 6 dormer extensions (1x front, 2x right side, 2x left side, 1x rear). The rear extension would measure approx. 4m beyond the original rear building line, span the full width of the rear of the property and match the ridge height of the existing dwelling. It would replace an existing conservatory at the site.

Although the height of the proposed rear extension would not comply with Policy DMHD 1, it is considered that as it is located to the rear of the dwelling and its depth is modest it would not cause harm to the character and appearance of the dwelling and surrounding area.

Throughout the process of the application, revised drawings have been sought requesting the dormer extensions to be reduced in number and size. The revised drawings show 1 large front dormer, 1 large rear dormer, 2 right side dormers and 2 left side dormers. Due to the excessive number and size of the proposed dormer extensions, it is considered that they would cause a top heavy, disproportionate and cluttered addition that would over dominate the original bungalow. The development could not be built under permitted development. Dormer extensions are seen within the immediate surrounding area, however these are proportionate to the size of the dwellings and do not appear incongruous. As such, the proposed additions would cause significant harm to the character and appearance of the original dwelling and street scene.

The dividing wall of the bedrooms within the loft intersects the front and rear dormer windows, presenting an undesirable relationship to the appearance of the fenestration when viewed from the street.

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 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.

It is considered due to the detached nature of the property and separation distance with the neighbouring properties, the proposed rear extension would not cause any harm to the

neighbouring properties in terms of loss of light, overshadowing, loss of outlook, nor would it be overbearing.

The proposed development would include 2 side facing dormers that would face no. 121 Charville Lane and 2 side facing dormers facing no. 135 Charville Lane. These dormers would serve bathrooms and it is therefore considered that these could have a condition added to be obscurely glazed and non openable to ensure there is no loss of privacy or overlooking to the neighbouring properties. The proposed front and rear facing dormers would not cause any harm to neighbouring properties given the separation distance.

Overall, it is considered that the proposed development would not adversely effect the amenities of neighbouring occupiers, in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

ACCESS, PARKING AND HIGHWAY SAFETY:

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway, junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C, Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The parking arrangement would remain unaffected by the proposed development. Therefore the proposal would be in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies T6 and T6.1 of the London Plan (2021).

LIGHT AND OUTLOOK:

The proposed front and rear bedrooms at first floor level would only be served by one front and one rear dormer which share a window. The level of light and outlook would be shared with one window with a surface area of approx. 1.26m².

The first floor bedrooms are also narrow which would exacerbate the issue further as it would be hard for light to penetrate the rear of the rooms. It is therefore considered that there would be an unacceptable level of light and outlook to the first floor bedrooms causing unacceptable living conditions for current and future occupiers, contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D6 of the London Plan 2021.

EXTERNAL AMENITY SPACE:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3.

Table 5.3 states that houses with four bedrooms or more should provide a minimum of 100 square

metres of private usable amenity space. More than a sufficient amount of external amenity space would be provided at the site to comply with this requirement. It is therefore considered that the proposal would provide future occupiers with an adequate provision of external amenity space, in accordance with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

GREEN BELT ASSESSMENT:

Policy DMEI 4 of the local plan (2020) states that:

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
- ii) the proportion of the site that is already developed;
- iii) the footprint, distribution and character of the existing buildings on the site;
- iv) the relationship of the proposal with any development on the site that is to be retained; and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

The NPPF (2023) paragraphs 152-155 state that:

- Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
 - a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - e) limited infilling in villages;
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

It is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing dwelling. Although the footprint of the property would be increasing, the ridge height and character of the building would remain. The extension to the rear of the property would not impact the visual amenity of the green belt and it is considered the addition of dormers would not cause harm as similar extensions are seen within the immediate surrounding area.

CRITICAL DRAINAGE:

The application site lies within a critical drainage area. If approved the relevant information will be added to ensure water runoff is minimised.

CONCLUSION:

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the character of the area

Due to the cumulative number, size, bulk and massing of the dormer extensions, the proposed development would appear as an incongruous addition failing to respect the original roof form and architectural composition of the dwelling. The positioning of the dividing wall within the loft bedrooms also intersects the dormer windows, which is considered to be poor design.

Consequently, the proposal would cause significant harm to the character and appearance of the host property and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2023).

2. NON2 Non Standard reason for refusal

The proposed first floor front and rear bedrooms would have an insufficient level of light, ventilation and outlook due to the shared windows within the front and rear dormer extensions. Consequently, the proposal would impact the living conditions of current and future occupiers of the dwelling adversely, contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D6 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 the 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. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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 Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance..

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMEI 4	Development on the Green Belt or Metropolitan Open Land
NPPF13	NPPF 2021 - Protecting Green Belt Land
LPP D6	(2021) Housing quality and standards

Contact Officer: Rhian Thomas **Telephone No:**