

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: 3D PERRY CLOSE HILLINGDON

Development: Retention of an external canopy with timber posts, decking and corrugated roof sheeting (Retrospective application)

LBH Ref Nos: 78093/APP/2024/183

Drawing Nos: 240116-01
 240116-02
 240116-03
 240116-04

Date Plans received: 23-01-24 **Date(s) of Amendments(s):**

Date Application valid 23-01-24

1. CONSIDERATIONS

1.1 Site and Locality

This application relates to a site that is located on the North East side of Perry Close, Uxbridge. The front garden is covered in hardsurfacing and grass and forms an area of off-street parking.

The application site falls under no heritage or policy constraints.

1.2 Proposed Scheme

The application seeks retrospective permission for the erection of a roof canopy over part of the rear garden.

1.3 Relevant Planning History

78093/APP/2023/1677	3D PERRY CLOSE HILLINGDON
Erection of roof canopy over part of rear garden (Retrospective application)	
Decision: 31-08-2023	Refused

Comment on Planning History

It is noted that planning permission was refused for an identical proposal under application reference 78093/APP/2023/1677 for the following reason:

The existing canopy, by reason of its size, scale, bulk, height, width and design, would represent an

incongruous form of development which would be detrimental to the architectural composition of the existing dwelling and would fail to harmonise with the local context to the detriment of the visual amenities of the street scene and the character and appearance of the wider area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020)

An appeal was subsequently submitted but turned away by the Planning Inspectorate as invalid due to being outside of the appeal period.

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

6 neighbouring properties were consulted by letter dated 30.1.24.

One objection was received during the statutory 21 day consultation period.

Neighbour Objection:

- Canopy appears as an eyesore and has been built of scrap materials;
- Excessively high for a canopy;
- Located right on the boundary and is highly visible from my dining room and back garden seating area;
- Metal roof is extremely noisy when it rains and is adjacent to my bedroom window; and
- Shed has been painted in garish stripes.

four letters of support have also been received.

Officer's Response:

- The above concerns will be addressed within the character and appearance and impact on residential amenity section of this report.

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

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and the surrounding area it forms part of, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Policy Context:

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

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

Assessment

Character and Appearance:

The canopy is existing and this application seeks retrospective permission. The canopy has a maximum height of 2.89M and covers an area of approx. 20.47sqm. Neighbour concerns regarding the height were noted within the public consultation. Given that permitted development requires outbuildings to be of a maximum height of 2.5M, the canopy is not considered to be subordinate in height, scale and mass to the shed in which its attached to. Furthermore, the roof projects 2.43M from the roof of the shed and is considered an incongruous addition which does not respect the character and design of the host dwelling. The application represents a discordant addition that fails to respect the architectural composition of the original dwelling and would be detrimental to the character and appearance of the host dwelling and wider area, by reason of its cumulative size, scale, bulk and design.

Residential Amenity:

Due to the positioning of the proposal it is considered that the development would not have a significant detrimental impact on neighbouring amenity, in terms of loss of outlook and loss of light or be an overbearing addition impacting on habitable rooms or private amenity spaces of neighbouring occupiers.

Highways:

The existing parking provision would not be impacted by the proposal.

Conclusion:

This application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The existing canopy, by reason of its size, scale, bulk, height, width and design, would represent an incongruous form of development which would be detrimental to the architectural composition of the existing dwelling and would fail to harmonise with the local context to the detriment of the visual amenities of the street scene and the character and appearance of the wider area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020)

INFORMATIVES

1. On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.
2. 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 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a resubmission of a previously refused scheme, where the Officers Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

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 Polices

PT1.BE1 (2012) Built Environment

Part 2 Polices:

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

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