

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.	ADVERTISMENT 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: 11 STUART CLOSE HILLINGDON

Development: Erection front porch and single storey rear extension

LBH Ref Nos: 15309/APP/2024/326

Drawing Nos: A001 P1

A010 P1

A011 P1

A012 P1

A013 P1

A020 P1

A021 P1

A030 P1

A800 P1

A90 P1

A100

A101 P1

A102 P1

A103 P1

A200 P1

A201 P1

A300 P1

A400 P1

A401 P1

Date Plans received: 07-02-24

Date(s) of Amendments(s):

Date Application valid 15-02-24

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a two storey, semi detached property located on Stuart Close. The site benefits from a vehicle crossover and two off-street car parking within the curtilage of the site and an existing conservatory and a small store outbuilding in the rear garden. The surrounding area is predominantly residential in character, comprising two storey detached and semi-detached properties.

The application site is not designated within a Conservation Area, nor an Area of Special Local Character. The site does not contain any Listed Buildings. There are no trees that are subject to a Tree Preservation Order within the site.

1.2 Proposed Scheme

Planning permission is sought for the erection front porch and single storey rear extension.

1.3 Relevant Planning History

15309/APP/2022/2339	11 STUART CLOSE HILLINGDON
Erection of a two storey rear extension and alteration to front and side roof form	
Decision: 22-09-2022	Approved
15309/APP/2022/572	11 STUART CLOSE HILLINGDON
Erection of a single storey rear extension with green roof and front porch extension.	
Decision: 10-05-2022	Approved
15309/APP/2021/4301	11 STUART CLOSE HILLINGDON
Erection of a front porch and a single storey rear extension	
Decision: 08-02-2022	Refused
15309/APP/2021/3515	11 STUART CLOSE HILLINGDON
Conversion of roof space to habitable use to include a rear dormer, 5 front roof lights, 1 rear roof light and conversion of roof from part hipped, part crown roof to gable end (Application for a Certificate of Lawful Development for a Proposed Development)	
Decision: 17-11-2021	Approved
15309/A/88/2645	11 STUART CLOSE HILLINGDON
Erection of a single-storey rear extension to form a conservatory	
Decision: 29-12-1988	Approved

Comment on Planning History

The planning history is listed above.

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

PUBLIC CONSULTATION:

4 neighbours and Pastures Mead Residents Association were consulted on 20-02-24. One letter of objection was received citing the following concerns summarised below:

- Planning history and incremental development
- The proposal is similar to the refused extension
- Works have started, bricks do not match the existing.
- Overlooking from two large windows
- Abuse of spirit of the planning system.

OFFICER COMMENTS:

The comments made by the resident are noted and the matters raised have been considered in full as part of the planning process. The impact on the character and appearance of the building and on neighbouring amenity are discussed in the main body of this report. The planning history is a material consideration. An assessment of the application follows below.

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
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP T6.1	(2021) Residential parking

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character and appearance of the existing property and visual amenity of the street scene and locality, the impact upon the amenities of adjoining occupiers, the retention of adequate private amenity space and highway safety and car parking provision.

CHARACTER AND APPEARANCE:

Policy D3 of the London Plan (2021) states that: Development proposals should: D1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

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) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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.

Regarding front extensions, Policy DMHD 1 states: -

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii) notwithstanding the above, at least 25% of the front garden must be retained.

The existing garage door would be removed and the opening would be filled in with brick and a new window inserted similar to the existing ground floor window found on the dwelling. It is noted that the porches on neighbouring properties on Stuart Close are traditionally designed with matching brickwork and no glazing facing the road and predominantly with hipped tiled roofs. The proposed porch would retain at least 25% of the front garden and would on balance maintain a subordinate association.

The drawing shows a hipped roof design with no window openings onto the drive with opaque glazing to sides of the porch which is considered compatible with the character of the dwelling and the prevailing street scene. The design of the porch is the same that in the approved scheme.

Therefore the design of the front porch is considered acceptable and would accord with policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Regarding rear extensions, Policy DMHD 1 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.

It is noted from the planning history that a full width 6metre deep single storey rear extension was refused under planning application ref: 15309/APP/2021/4301. A subsequent resubmission was approved under planning application ref: 15309/APP/2022/572 which featured a step in away from the boundary with No.9. The approved I-shaped extension along this side extended to a depth of 3.6metres whereas on the side closest to No.11 it extended a depth of 6metres. Similarly, the current proposal is 2.9metres in height set under a flat roof. The main difference is the infilling of the step-in with a glazed framed extension.

Whilst glazing is proposed to break up the massing of what would be tantamount to the refused scheme, the proposed extension would have the same dimensions as the refused scheme which was considered to be harmful to neighbouring residential amenity and the character and appearance of the area. The use of glazing panels does not overcome the previous reasons for refusal.

The proposal has a modest height that accords with the requirements of Policy DMHD1, however due to its excessive size, width, bulk, depth, massing of the extension it would not appear as a subordinate feature and would represent a visually dominant and unsympathetic form of development.

There are no examples of existing rear projections of such excessive lengths on properties in the immediate locality therefore the proposed 6metres rear extension is considered out of character with the area.

The proposed rear extension would therefore be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

IMPACT ON NEIGHBOURING RESIDENTIAL AMENITY:

Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

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: i) a satisfactory relationship with adjacent dwellings is achieved; and ii) there is no unacceptable loss of outlook to neighbouring occupiers.

The porch would be set away from the neighbours at an oblique angle. Due to its limited scale it is considered the porch would not unduly harm neighbour amenity.

The proposal would result in a 6m length of extension in close proximity to the boundaries with the adjoining properties and would far exceed the depth normally allowed by local plan Policy DMHD 1.

The development would encroach onto the boundary planting along the boundary with No.9 to an

extent that it would likely need to be removed to accommodate the development. The proposed single storey extension by reason of its overall size, width, bulk, depth, massing and proximity, is considered to have a visually intrusive and over-dominant impact upon the residential amenities of the adjoining property at No 9 Stuart Close. The applicant has also failed to provide an indication on the proposed floor plans of why the 45 degree line of site has been taken from the window furthest away from the shared boundary. As such the applicant has failed to demonstrate that the 45 degree angle has been drawn correctly.

Taking into consideration the location of the proposed extension and its overall size, width, bulk, depth, massing and proximity, the rear extension is considered to have a visually intrusive and over-dominant impact upon the residential amenities of the adjoining property at No.9.

Therefore, the single storey rear extension would constitute an unneighbourly form of development and would conflict with Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020).

LIVING CONDITIONS:

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

It is considered, that all the proposed habitable rooms, and those altered by the development would still maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

PRIVATE AMENITY SPACE:

Policy DMHB 18 of the Development Management Policies (2020) expects a minimum 60 sq.m of private amenity space to be retained for a 2/3 bedroom property.

The proposal would exceed this requirement, in compliance with the policy requirements. The development therefore accords with Policy DMHB 18 of the Development Management Policies (2020).

HIGHWAY SAFETY AND PARKING:

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

Policy DMT 6 states: Vehicle Parking A) 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. As per Parking Standards in Appendix C of the Local Plan Part 2, 2no parking spaces are required to be retained for a 3+ bed dwelling.

Two off-street parking spaces would be retained and as such the proposal appears to retain adequate off-street parking following the development of the front porch. No changes are being proposed to the existing vehicle crossover serving the site, which is considered to be fit for purpose.

It is therefore considered that the proposal would not exacerbate the demand for street parking or prejudice highway safety, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

CONCLUSION:

For the reasons set out in the above report pertaining to the impact of the single storey rear extension on neighbouring residential amenity and on the appearance and character of the area, refusal is recommended.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Neighbouring residential amenity

The proposed rear extension, by virtue of its excessive size, width, bulk, depth, massing and proximity to the neighbouring boundary, would be detrimental to the amenities of the neighbouring occupiers at 9 Stuart Close, by reason of overdominance, overshadowing, visual intrusion and loss of outlook. Therefore the proposal would be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

2. NON2 Character and appearance

The proposed rear extension, by virtue of its excessive size, width, bulk and massing, would appear as an insubordinate and incongruous form of development that would fail to respect the form and architectural composition of the host dwelling and would be harmful to the character and appearance of the surrounding area. The proposal would therefore be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

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. 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 (2021). 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.
3. 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 and Local Plan Part 2. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable which the applicant chose not to implement.

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
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP T6.1	(2021) Residential parking

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