

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: 49 FALLING LANE YIEWSLEY

Development: Erection of a single storey conservatory to the rear.

LBH Ref Nos: 16917/APP/2024/2747

Drawing Nos: Location Plan
49-001

Date Plans received: 15-10-24 **Date(s) of Amendments(s):**

Date Application valid 15-10-24

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located to the west of Falling Lane, Yiewsley. The site comprises of a two storey semi-detached dwelling situated within a predominantly residential setting. The area to the front is laid in hardstanding and accommodates carparking.

The site is located upon potentially contaminated land and it has a PTAL rating of 2.

1.2 Proposed Scheme

Planning permission is sought for the erection of a single storey rear extension.

1.3 Relevant Planning History

16917/APP/2016/2617 49 FALLING LANE YIEWSLEY

Single storey rear extension

Decision: 02-09-2016 Approved

Comment on Planning History

The planning history for the site 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

Five neighbouring properties were consulted on the application by letter dated 22/10/24. The consultation period expired 12/11/2024. No representations have been received.

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
DMEI 12	Development of Land Affected by Contamination
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
NPPF12 -24	NPPF12 2024 - Achieving well-designed places

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality, the impact upon the amenities of adjoining occupiers and car parking provision.

Character and Appearance:

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.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires that alterations and extensions 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.

With regard to rear extensions Policy DMHD 1 requires:

- 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;

No.49 Falling Lane has a single storey flat roofed extension which is 3m high and 3.9m deep. The extension is finished in pebble dash to match the existing dwelling. The proposed sun room would be attached to the existing extension and would be 3m deep and 2.9m high. It would have a half walls to match the existing house, a glass roof and side windows. The combined depth of the rear extension would be approximately 6.9m.

The proposed extension would almost double the footprint of the original property creating a disproportionate and over dominant addition to the dwelling. The resulting dwelling would also appear somewhat messy and overcomplicated due to the mixed designs of the extensions which would be attached to one another. For these reasons the development is considered to form a visually harmful addition to the host dwelling.

Furthermore, 6.9m deep rear extensions are not common within the immediate surrounding area. Extensions in the area are mainly 3-4m in depth. The proposed extension extension is therefore considered to be out of character with the immediate surrounding area and the depth of other extensions. The resulting dwelling would also contrast with the urban grain of the area, where the footprints of properties are generally smaller.

It is worth noting that the proposed 6m deep extension could not be constructed under permitted development as in 2014 The London Borough of Hillingdon introduced an Article 4 Direction restricting larger home (Permitted Development) extensions to 4m in depth. The Article 4 was put in place to protect the overdevelopment of gardens, properties and plots. As such the fall back position of constructing the extension under permitted development does not exist.

The proposal would therefore be detrimental to the character and appearance of the original dwelling and area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as Policy D3 of the London Plan (2021) and paragraph 135 (b), (c) and (d) of the NPPF 2024.

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.

London Plan Policy D3 (D)(7) states 'Development proposals should deliver appropriate outlook, privacy and amenity'.

Paragraph 135 (F) of the NPPF (2024) states that development proposals should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

No.47 is located to the south of the site. This property benefits from an outbuilding situated on the boundary adjoined with No. 49 Falling Lane. Due to where the outbuilding is situated, the separation distance between the sites, the proposed rear extension would not result in any undue loss of daylight / sunlight or outlook to the occupiers of No.47 Nor would it cause any adverse overbearing or enclosing impact.

No. 51 refers to the adjoining neighbour which comprises of a two storey semi-detached dwelling. No.51 benefits from a rear extension that has a depth of 3m. The proposed extension would be built with a 0.15m gap between the shared boundary. The proposed extension would extend beyond the neighbouring rear elevation by approximately 3.89m and it would have side windows which extend above the low shared boundary wall.

Due to its design (which includes large side windows) and siting, the proposed extension would provide direct, short distance views into the rear windows and patio area of No.51 Falling Lane leading to a harmful loss of privacy. It is therefore considered that the proposed development would have an adverse impact on the amenities of the occupiers of No.51 Falling Lane. The development is therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as Policy D3 of the London Plan (2021) and paragraph 135 (f) of the NPPF 2024.

Additionally, direct and short distance views would be provided from the rear garden and patio area of No.51 Falling Lane into the proposed sun room leading to a harmful loss of privacy to its users (occupiers of No.49 Falling Lane). The proposed development is therefore contrary to Policy D3 of the London Plan (2021) and paragraph 135 (f) of the NPPF 2024.

Private Amenity Space:

Policy DMHB 18 requires 3 bedroom properties to have a minimum of 60sqm of private amenity space. The resulting garden would exceed 60sqm and the development is therefore considered to be acceptable with regard to private amenity space provision.

Parking:

The proposed development would have no adverse impact on the local highways network or existing parking provisions at the site. It is considered compliant with Policy DMT 6 of the Hillingdon Local Plan Part Two: Development Management Policies (2020).

Contamination:

Due to its size, household nature and the limited depth of the associated excavation works the development would have no adverse contamination related impacts. Nor is it considered necessary to submit a contamination related ground investigation assessment.

Conclusion:

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

Due to its design (which includes side windows) and siting, the proposed extension would provide direct, short distance views into the rear windows and patio area of No.51 Falling Lane leading to a harmful loss of privacy. It is therefore considered that the proposed development would have an adverse impact on the amenities of the occupiers of No.51 Falling Lane. The development is therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as Policy D3 of the London Plan (2021) and paragraph 135 (f) of the NPPF 2024.

2. NON2 Non Standard reason for refusal

Direct and short distance views would be provided from the rear garden and patio area of No.51 Falling Lane into the proposed sun room leading to a harmful loss of privacy to its users (occupiers of No.49 Falling Lane). The proposed development is therefore contrary to Policy D3 of the London Plan (2021) and paragraph 135 (f) of the NPPF 2024.

3. NON2 Harm to character of original dwelling

The proposed single storey rear extension would be attached to an existing extension. Due to its cumulative depth and size the extension would form a disproportionate addition to the original dwelling which fails to respect its original size, as well as the general pattern of development in the area which comprises smaller extensions. Due to its design the proposed extension would also fail to visually integrate with the existing house and existing extension. The proposal would therefore be detrimental to the character and appearance of the original dwelling and area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as Policy D3 of the London Plan (2021) and paragraph 135 (b), (c) and (d) of the NPPF 2024.

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 (2021) and NPPF (2024).

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMEI 12	Development of Land Affected by Contamination
DMHD 1	Alterations and Extensions to Residential Dwellings
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LPP D3	(2021) Optimising site capacity through the design-led approach
NPPF12 -24	NPPF12 2024 - Achieving well-designed places

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
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