

DELEGATED 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: 10-11 THE BROADWAY COLDHARBOUR LANE HAYES

Development: Erection of a single-storey and first-floor rear extension to the existing public house.

LBH Ref Nos: 18611/APP/2025/1405

Drawing Nos: 01/10
 04/10
 05/10
 06/10

Date Plans received: 19-05-25 **Date(s) of Amendments(s):**

Date Application valid 19-05-25

1. SUMMARY

The application seeks planning permission for the erection of a single-storey and first-floor rear extension to the existing public house. The application is similar to that refused under application reference 18611/APP/2019/3970. Officers remain concerned about the impact of the first floor extension on the standard of residential amenity to the occupants of the two flats at 10A and 11A The Broadway.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposed first floor rear extension by reason of its siting, size, scale, bulk, height and proximity would be detrimental to the amenities of the adjoining occupier at 10a and 11a Broadway Parade, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policy D3 of the London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies.

INFORMATIVES

1. I71 LBH worked applicant in a positive & proactive (Refusing)

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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a double fronted commercial building currently used as a public house located on the eastern side of Broadway Parade. It is a two storey building with residential accommodation located at first floor level. To the rear there is a small yard which appears to be used as a 'beer garden'. The property has been extended by way of a single storey rear extension. The site backs onto a private access.

No. 9, the adjoining property to the south is a single fronted unit used as a bathroom supplier and the other neighbouring property to the north (No.12) is a single fronted unit split into two used as a beauty salon and newsagent. Both properties have substantial extensions to the rear and have residential accommodation on the upper floors.

The site is situated within Hayes Town Centre and is located within the designated Secondary Retail Frontage.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a single-storey and first-floor rear extension to the existing public house.

3.3 Relevant Planning History

18611/APP/2021/2387 10A BROADWAY PARADE COLDHARBOUR LANE HAYES

Conversion of roof space to habitable use to include a rear dormer and 2 front roof lights

Decision: 24-09-2021 Approval

18611/APP/2021/2390 11A BROADWAY PARADE COLDHARBOUR LANE HAYES

Conversion of roof space to habitable use to include a rear dormer and 2 front roof lights

Decision: 24-09-2021 Approval

18611/APP/2019/3970 10-11 BROADWAY PARADE COLDHARBOUR LANE HAYES

Part two storey, part single storey rear extension attached to existing single storey rear element

Decision: 11-06-2020 Refusal

18611/APP/2019/1088 10-11 BROADWAY PARADE COLDHARBOUR LANE HAYES

Single storey rear extension

Decision: 31-05-2019 Approval

18611/T

18611/T/0216/99

Enforcement (alleged contravention of planning condition - amplified music at premises)

18611/S/97/0874 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use of parking to landscaped area and for storage of skips

Decision: 11-09-1997 Refusal

18611/P/94/0025 9 BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use of shop to public house to provide extension to existing public house and erection of a single-storey rear extension

Decision: 06-04-1994 Refusal **Appeal:** 13-09-94 Withdrawn

18611/R/94/0026 9 BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use of shop to public house to provide extension to existing public house and erection of a single storey rear extension (duplicate application)

Decision: 06-04-1994 Refusal

18611/N/92/3517 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Installation of externally illuminated fascia and hanging sign and 2 non-illuminated first-floor wall plaques

Decision: 18-05-1992 Approval

18611/M/92/0201 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Installation of a new shopfront and alterations to rear elevation

Decision: 15-05-1992 Approval

18611/J/91/1683 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use of part first floor from residential to Class A3 (Food and Drink) use

Decision: 24-12-1991 Withdrawn (P)

18611/K/91/1684 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use of part first floor from residential to Class A3 (Food and Drink) use (duplicate application)

Decision: 24-12-1991 Withdrawn (P)

18611/H

18611/F/90/1900 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Change of use from retail shop to restaurant and erection of a single-storey rear extension

Decision: 15-02-1991 Approval

18611/E

18611/D/79/1503 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

One double and 2 single garages at rear of above property

Decision: 11-09-1979 Withdrawn (P)

18611/C/78/2089 10-Nov BROADWAY PARADE COLDHARBOUR LANE HAYES

Householder dev. (small extension,garage etc) (P)

Decision: 08-03-1979 Approval

18611/73/2233

18611/A/XX/2168

18611/B

18611/C /78/2089

18611/D /79/1503

Comment on Planning History

There has been extensive planning history at the site as listed above. Of note is application reference 18611/APP/2019/3970 for a part two storey, part single storey rear extension attached to existing single storey rear element which was refused for the following reason:

1. The proposed first floor rear extension by reason of its siting, size, scale, bulk, height and

proximity would be detrimental to the amenities of the adjoining occupier at 10a and 11a Broadway Parade, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies.

Officers note that planning permission was previously granted under application reference 18611/APP/2019/1088 for the single storey rear extension which has since lapsed,

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

One comment in objection has been received from an adjoining neighbour at 7 Halsway, the comment raises concerns regarding the design of the extension, works that have previously been undertaken to the property, loss of privacy and disturbance from construction works.

6. 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
DMTC 2	Primary and Secondary Shopping Areas
DMHB 12	Streets and Public Realm
DMTC 4	Amenity and Town Centre Uses
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D8	(2021) Public realm
LPP SD6	(2021) Town centres and high streets
LPP T6	(2021) Car parking

In addition: Development Plan
Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy D3 of The London Plan (2021) states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

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 also states that new development should also not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

In terms of the use of the proposed extensions it is considered that they would not cause increased noise and disturbance to nearby residents given that they are to be used for ancillary purposes and the ground floor part of the proposal would not be next to any residential properties.

However, the first floor extension would be located adjacent to two of the first floor flats (10A and 11A) which also have loft accommodation in the form of rear facing dormer to each property. There are several windows overlooking the rear. The distance between the proposed first floor extension and these windows would be 5.1m. Whilst the submitted plans indicate the use of the rooms served with rear facing windows at first floor level serve kitchens, bathrooms and a laundry room, officers remain concerned about the impact of the proposed first floor extension on the occupants of the residential properties. This concern was previously raised during the consideration of application reference 18611/APP/2019/3970. The current scheme differs from that which was previously refused in that the internal layout have been amended to show a laundry room and there is also loft accommodation with rear facing kitchen windows to both 10A and 11A The Broadway. The laundry room is of a size which could be used as a habitable room with no control being possible by the Council to prevent its use as such. The introduction of 2nd floor rear facing bedrooms within the loft conversion would also be impacted, albeit to a lesser extent given their height.

It is considered that the proposed first floor extension would be a poor and un-neighbourly form of development that would result in loss of outlook and light to existing and future occupants of the flats and therefore would be contrary to the requirements of Policy D3 of the London Plan (2021) and Policy DMHB 11 of Local Plan (2020).

Officers note the concerns raised by the occupants of a neighbouring property in Halsway to the east. The concerns appear to relate to the loss of privacy resulting from the recent loft conversion works and rear dormers and also raise concerns that the current proposed first floor rear extension has been built. Officers have visited the site and can confirm that the proposed first floor rear extension has not been built to date. Officers note that a shed/structure has been erected on the roof at first floor level without the benefit of planning permission which is not reflected on the submitted plans. The matter is referred to the Council's enforcement team for investigation. Accounting for the scale of the proposed development and its siting, it is considered that the development would not have a demonstrably negative impact on the amenity of the adjoining properties at Halsway by reason of scale, loss of outlook or loss of light. Were the application to be recommended for approval then a condition could be applied requiring that obscure glazing is fitted to the rear facing windows of the extension.

7.2 Impact on Street Scene

Policies D3 and D4 of the London Plan (2021) require development proposals to be high quality and enhance the local context, delivering buildings and spaces that positively respond to local distinctiveness.

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.

The extensions would be located to the rear of the site where there are number of extensions and alterations to adjoining properties. Whilst the extensions are large in scale it is considered on balance, given the appearance and nature of similar developments in the immediate area the extensions would not be harmful to the character and appearance of the site or the wider area.

7.3 Traffic Impact/Pedestrian Safety

See below

7.4 Carparking & Layout

The application site is located in an area with a PTAL ranking of 5 indicating that the proposal would be located in an area with good access to public transport which complies with the Mayor's Transport Strategy that aims to encourage walking, cycling and public transport over use of the private motor car and National Planning Policy Framework (NPPF) 9: Promoting Sustainable Transport. The application site has zero parking and the proposed development will have zero parking which will be acceptable on this occasion in a town centre location with a PTAL ranking of 5.

7.5 Urban Design, Access and Security Considerations

The issues are addressed in the sections above.

7.6 Other Issues

SECONDARY SHOPPING AREA:

Policy DMTC 2 states that:

B) In secondary shopping areas, the Council will support the ground floor use of premises for retail; financial and professional activities; restaurants, cafes, pubs and bars; launderettes and other coin operated dry cleaners; community service offices, including doctor's surgeries provided that:

- i) a minimum of 50% of the frontage is retained in retail use; and
- ii) the uses specified in policy DMTC4 are limited to a maximum of 15% of the frontage;
- iii) the proposed use does not result in a concentration of non retail uses which could be considered to cause harm to the vitality and viability of the town centre.

C) The Council will give consideration to the provision of community facilities within secondary frontages where it can be demonstrated that these will be open to members of the public and would support the vitality and viability of the centre. D) Outside of defined primary and secondary areas, proposals for a change of use from A1 retail will be permitted, provided the change does not result in the loss of an essential local service.

The proposed development would retain the ground floor retail use and first floor residential use and there would be no changes to the frontage of the building. Therefore, it is considered that the development complies with Policy DMTC 2.

There is no proposed change of use within the development and the ground floor will remain as a Public House use. There are no changes to the shop frontage. Therefore, it is considered the development complies with Policy DMTC 2.

BIODIVERSITY NET GAIN:

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.

Policy 15 of the National Planning Policy Framework (2024) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Paragraph 8.6.6 of Policy G6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. Losses should be avoided, and biodiversity offsetting is the option of last resort.

Policy EM7 of Hillingdon Council's Local Plan Part One Strategic Policies (2012) states that Hillingdon's biodiversity and geological conservation will be preserved and enhanced, with particular attention given to improving biodiversity from all development.

Paragraph 6.28 of Policy DME1 7 (Biodiversity Protection and Enhancement) of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states it is important that planning decisions are appropriately informed by the right level of survey and information on ecology features. The Council will apply Natural England's standing advice at the validation stage.

Applications will only be validated if they have the appropriate information. Where initial assessments recommend further surveys, these will be expected to be provided as part of a planning submission. All ecological reports or information submitted should adhere to nationally accepted best practice survey standards and be consistent with the British Standard BS 42020: 2013 Biodiversity - Code of Practice for Planning and Development or an updated variation. Where appropriate, the Council will require the use of the approved DEFRA biodiversity impact calculator (as updated) to inform decisions on no net loss and net gain.

There are exemptions, one of which is development below the de minimis threshold. In this instance, the development would be occurring within the rear service yard and is minor in scale. The development is considered to fall below the de minimis threshold, therefore the proposal is considered to be BNG exempt and a biodiversity gain plan is not required.

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre.

Conclusion

The proposal fails to satisfactorily address the refusal reason raised under application reference 18611/APP/2019/3970 and the application is therefore recommended for refusal.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

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