

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 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 Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Sport and Green Spaces**

Address 15 ROSS CLOSE HAYES

Development: Part conversion of existing single storey outbuilding to habitable use for use as a granny annex involving alterations to front elevation

LBH Ref Nos: **10285/APP/2015/12**

Drawing Nos: Location Plan (1:1250)
AUG/14/11 Rev. Dec.14

Date Plans Received: 05/01/2015 **Date(s) of Amendment(s):**

Date Application Valid: 05/01/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey semi detached property located on the western side of Ross Close. The property has an existing two storey side extension and detached outbuilding to the rear which this application is proposing to convert. The area to the front of the property is covered in hardstanding and provides space to park two vehicles within the curtilage of the site. The surrounding area is predominantly residential in character comprising two storey semi-detached dwellings.

The site is located within a developed area as identified in the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks permission for the conversion of the existing detached outbuilding to habitable use for use as a granny annex involving alterations to the front elevation.

The existing development has a maximum height of 3.6m and a footprint of approximately 38 square metres.

1.3 Relevant Planning History

10285/APP/2014/3392 15 Ross Close Hayes

Conversion of existing single storey outbuilding for habitable use (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 18-11-2014 Refused

Comment on Planning History

10285/APP/2014/3392 - An application for a Certificate of Lawful Development for the same development was refused in 2014 as the outbuilding was considered to form a self contained unit capable of independent occupation.

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**

A total of 7 neighbouring properties were consulted on the application on 7th January 2015. By the close of the consultation period on 28th January 2015, one objection had been received and the following concerns raised:

- Overdevelopment of the site
- Capable of independent occupation

OFFICER COMMENT: The issues raised above will be discussed in the main body of the report

4. **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H12	Tandem development of backland in residential areas
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice

5. **MAIN PLANNING ISSUES**

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on the residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and the availability of parking.

Section 9 of the Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions sets out criteria to assess outbuildings against. Outbuildings must only be used for normal domestic uses related to the residential use of the main house. Annexes which are capable of being used as (or easily adaptable to) a fully-self contained unit would not be permitted. The existing garage/outbuilding has a footprint of approximately 38m² (which exceeds the minimum internal layout for a 1 person self

contained flat as set out in the London Plan (2011). An outbuilding of this size could be considered to form a self-contained unit, as it also has all the facilities capable of independent occupation, within the curtilage of the site in a position where such a dwelling would not be accepted.

The outbuilding has a 4 windows and 2 entrances located in the front elevation which look out over the rear garden of 15 Ross Close. Its use for residential purposes/as a separate dwelling could lead to impacts on this neighbouring property by way of loss of privacy in particular relating to the use of the garden.

With a footprint of 38sqm the excessive size of the existing development forms an overly dominant development that would be unsuitable for this residential rear garden location. An outbuilding of this size would be considered to form a self-contained building, capable of independent occupation, within the curtilage of the site, given that the internal floor area is more than the 37 square metre standard for a studio under Annex 4 of the Mayors Housing SPG. The outbuilding is considered of sufficient size to be capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted.

In summary, the detached outbuilding, given its separation from the main dwelling, the possibility of providing independent access to it and its internal layout, is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted. It is therefore contrary to policies BE19, BE23 and BE24 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Documents HDAS Residential Extensions and HDAS Residential Layouts.

Given the above, the application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The detached outbuilding, given its size, separation from the main dwelling, the availability of independent access to it and its internal layout, is considered capable of independent occupation from the main dwelling and is thus tantamount to the provision of a separate dwelling in a position where such a dwelling would not be accepted due to requirements for parking and amenity space and the impact on the adjoining properties. It therefore results in an overdevelopment of the site, out of character with the spacious character and layout of the area and contrary to Policies AM14, BE19, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts.

INFORMATIVES

- 1 On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for

development control decisions.

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 Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
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LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice

guidance.

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