

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, Transportation and Regeneration**

Address 49 THE BRAMBLES WEST DRAYTON MIDDLESEX

Development: Part two storey, part single storey rear extension (Part Retrospective)

LBH Ref Nos: **73810/APP/2018/3162**

Drawing Nos: 5/5 Rev. A
 4/5 Rev. A
 3/5
 2/5
 6
 1/5 Rev. A
 Design and Access Statement

Date Plans Received: 31/08/2018

Date(s) of Amendment(s):

Date Application Valid: 31/08/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of a two storey end terraced dwelling located on the northern side of The Brambles on a prominent corner plot with Great Benty running to the west and north. The frontage is laid to hardstanding and the rear garden is flat and enclosed. Work is well advanced on the proposed extensions.

1.2 Proposed Scheme

The application seeks part retrospective planning permission for the erection of a part two storey, part single storey rear extension.

The scheme differs from that previously refused in the following ways:

- 1) Reduce both ground and first floor to 3.6m in depth.
- 2) Ensure the eaves height of the extension is the same as the existing
- 3) Drop the roof ridge down
- 4) Application for the certificate of lawful use for the outbuilding submitted
- 5) Side window to be put in as shown by the proposed elevations

1.3 Relevant Planning History

73810/APP/2018/2468 49 The Brambles West Drayton Middlesex

Part two storey, part single storey rear extension (Part Retrospective)

Decision Date: 23-08-2018 Refused

73810/APP/2018/3161 49 The Brambles West Drayton Middlesex

Single storey outbuilding to rear for use as a store (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date:

Comment on Planning History

73810/APP/2018/2468 - Part two storey, part single storey rear extension (Part Retrospective) was refused for the following reasons:

1. The proposed part two storey, part single storey rear extension, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 51 The Brambles by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed development, by reason of the size, bulk, scale and design, sited in a prominent corner plot, represents an incongruous and visually intrusive form of development which is detrimental to the character and appearance of the street scene and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan - Saved UDP Policies (November 2012) and the advice contained within HDAS Residential Extensions.

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

2 neighbouring properties were consulted by letter dated 6.9.18 and a site notice was displayed at the site which expired on 8.10.

A number of objections (including the submission of photographs) have been received from the occupant of the adjoining property at 51 The Brambles raising the following concerns:

1. Loss of light and outlook to the rear of the property and overdominant form of development
2. concerns relating to the outbuilding and trees required to be cut back
3. Scale of the development entirely out of keeping with the locality

Officer note: The outbuilding is not under consideration under this planning application. A separate application for a certificate of lawful development has been submitted for this building.

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:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

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, the reduction in size of the rear garden and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The Council's HDAS requires first floor and two storey rear extensions to appear subordinate to the original house and that they should not protrude out too far from the rear wall of the main house in order to safeguard the amenities of neighbouring properties with regard to loss of sunlight/daylight or creating a sense of enclosure. First floor rear extensions on properties in plots of 5m wide can be built up to 3.6m in depth as long as they do not breach the 45 degree sight line taken from the centre of the nearest first floor window of an attached property.

The extension being built at this application site fails to comply with this advice. The current application however proposes amendments to the development being built to include a reduction in the depth of the rear extensions to 3.6m, for the extension at two storey level to have the same eaves height as the host building, for the ridge to be set down from the main roof and for a window to be inserted in the flank elevation. These alterations are reflected on the proposed plans. The application site is located in a very prominent corner plot location with the rear and side elevations appearing very prominent in views from Great Benty to the side and rear. It is acknowledged that there is a sizeable extension to the property directly to the rear at 22 Great Benty. The proposed amendments to the extension to reduce its depth to 3.6m, reduce its height and eaves height, are considered, on balance, to result in a form of rear extension which would appear subordinate in scale and would respect the architectural integrity of the host dwelling. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed rear extension extends across the entire width of the host dwelling with a flat roofed ground floor extension to 1.4m of the boundary. The adjoining property to the east at Number 51 The Brambles is not extended to the rear. Due to the siting of the habitable rooms at Number 51 being sited away from the boundary, the 45 degree angle would not be breached from the closest first floor habitable room. However at a depth of 3.6m and two storey projection within 1.4m of the boundary, the extension has a significantly adverse impact upon the occupants of this property in terms of light and outlook from rear facing windows and the patio area directly to the rear of this house. The Design and Access statement accompanying the application draws similarities to the extension approved at Number 22 Great Benty to the rear. However it is noted that this property enjoys a different orientation and a greater separation of the first floor to the side boundary (2.2m rather than 1.4m as currently proposed). The applicants supporting statement does provide a sunlight assessment which highlights that the closest first floor windows do not serve habitable rooms. However, it is considered that the two storey element in such close proximity to the boundary is considered to represent an overdominant, oppressive and overbearing form of development which would result in a serious loss of amenity to the occupants of the adjoining property at Number 51 The Brambles. The proposed part two storey, part single storey rear extension therefore, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 51 The Brambles by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

In terms of the garden area at least 60m² of rear private garden should be retained to provide adequate amenity space for a three bedroom dwelling. The resultant amenity space would be over 100sq.m which would be in excess of the paragraph 3.13 HDAS requirement. The proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan Part 2.

The parking provision would remain unaffected by the proposal.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed part two storey, part single storey rear extension, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupier at 51 The Brambles by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1 On this decision notice policies from the Councils 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 (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils 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.
- 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 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 - 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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
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