

## 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 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**                      65 DELAMERE ROAD HAYES

**Development:**              Single storey rear extension

**LBH Ref Nos:**              **51424/APP/2018/4235**

**Drawing Nos:**              DA-2008-01  
DA-2008-02  
65DELAMERE/PL01A  
65DELAMERE/PL03A

**Date Plans received :**    11/12/2018

**Date(s) of Amendment(s):**

**Date Application Valid:** 11/12/2018

## 1. **SUMMARY**

Planning permission is sought for a single storey rear extension. The rear extension would replace an existing single storey projection and would measure 20 m in length, would extend the full width of the dwelling and plot and would have a flat roof with a maximum height of 3.1 m. It would be finished in materials to match the existing.

Part of the site lies within Flood Zone 2, however as a flood risk assessment does not accompany the application the LPA is unable to determine the risk of flooding to the property and elsewhere.

## 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

### 1              NON2              Non Standard reason for refusal

The proposed extension by reason of its size, scale, bulk, height, depth and proximity to the side boundary, in this open prominent position, would represent an incongruous and visually intrusive form of development, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

### 2              NON2              Non Standard reason for refusal

In the absence of a Flood Risk Assessment in accordance with the National Planning Policy Framework and National Planning Practice Guidance, the application has failed to address the issues relating to flood risk and the proposal is therefore contrary to Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 5.12 of the London Plan (2015) and the NPPF.

## **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 '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.

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 comprises of a two storey building situated on the corner junction of Delamere Road and Uxbridge Road, Hayes. The building is finished in pebbledash render, is characterised with a hipped roof and benefits from an elongated single storey projection beyond the rear wall which extends parallel with Uxbridge Road.

The site lies on the edge of a residential area and just outside the Hayes Bridge Industrial and Business Area

#### **3.2 Proposed Scheme**

Planning permission is sought for a replacement single storey rear extension.

The rear extension would replace an existing single storey projection and would measure 20 m in length, would extend the full width of the dwelling and plot and would have a flat roof with a maximum height of 3.1 m. It would be finished in materials to match the existing.

#### **3.3 Relevant Planning History**

51424/APP/2002/2951      65 Delamere Road Hayes

INSTALLATION OF LIQUID PETROLEUM GAS TANK (TO REPLACE EXISTING DIESEL OIL TANK)

**Decision:** 07-02-2003      Approved

51424/APP/2004/2134      Centurian House, 65 Delamere Road Hayes

ERECTION OF SINGLE-STOREY REAR EXTENSION TO BE USED AS EXECUTIVE SUITE/CONFERENCE ROOM (INVOLVING DEMOLITION OF EXISTING GARAGE) AND RETENTION OF METAL BOUNDARY FENCING

**Decision:** 24-09-2004      Approved

51424/APP/2004/771      Ceturian House 65 Delamere Road Hayes Middlesex

ERECTION OF A SINGLE STOREY REAR EXTENSION TO BE USED AS EXECUTIVE / CONFERENCE SUITE

**Decision:** 12-05-2004      Refused

51424/APP/2007/2571      65 Delamere Road Hayes

INSTALLATION OF AIR CONDITIONING UNITS (RETROSPECTIVE APPLICATION).

**Decision:** 31-10-2007      Refused

51424/APP/2008/1573 65 Delamere Road Hayes

RETENTION OF 5 AIR CONDITIONING UNITS ON REAR ROOF (RETROSPECTIVE APPLICATION) AND RELOCATION OF UNIT ON THE FRONT TO THE REAR ELEVATION.

**Decision:** 14-07-2008 Approved

51424/APP/2008/1663 65 Delamere Road Hayes

Formation of vehicular access to front of premises.

**Decision:** 13-08-2008 Approved

51424/B/99/1484 65 Delamere Road Hayes

Use of premises for Class B1 (business) and for parking of chauffeur driven cars (sui generis) (Application for a Certificate of Lawfulness for an existing use or operation or activity)

**Decision:** 29-09-1999 Approved

#### **Comment on Planning History**

51424/APP/2004/2134: Erection of single-storey rear extension to be used as executive suite/conference room (involving demolition of existing garage) and retention of metal boundary fencing - Approved.

#### **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**

A total of 7 adjoining and neighbouring properties were consulted via letter dated 12.12.18 including a site notice displayed adjacent to the premises on 17.12.18.

No representations received.

Internal Consultees:

Flood and Water Management:

Parts of the site lie within Flood Zone 2 of the Yeading Brook. A Flood Risk Assessment is therefore required to determine the risk of flooding to the property, and to understand the impact of the proposals on the risk of flooding elsewhere. The Flood Risk Assessment should comply with the recommendations of the Planning Practice Guidance.

REASON: The application should be refused as the applicant does not demonstrate that the site is safe and flood risk is suitably mitigated through the provision of an appropriate flood risk assessment as required by: Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy 5.12 Flood Risk Management of the London Plan (March 2016) and National Planning Policy Framework (July 2018) and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

Canal & River Trust: No comments to make.

#### **6. UDP / LDF Designation and London Plan**

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM6 (2012) Flood Risk Management

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.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

In addition:

## **7. MAIN PLANNING ISSUES**

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

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity to not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

The proposed extension is considered not to cause any undue loss of residential amenity to the occupiers of the neighbouring first floor flats, in terms of loss of light, loss of outlook or overshadowing, as the proposed extension would be single storey and 3.1 m in height, which is not considered to cause any detrimental impact upon the occupiers of the first floor flats. The adjoining property to the North at No. 63 is occupied as commercial (non-residential use) at ground floor and will also not be affected.

### **7.2 Impact on Street Scene**

Paragraph 56 of the Planning Policy Framework (NPPF) (March 2012) states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".

Paragraph 64 of the NPPF states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

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. Policy BE13 of The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states "the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area".

The proposed extension would replace an existing single storey side/rear structure of a similar length. However, given the existing extension is currently set back from the main flank wall and is largely screened by the existing boundary fence to appear as a discreet lightweight addition, its replacement in contrast due to its erection level with the flank building line combined with its removal of the front boundary fence would appear as an overbearing and strident feature in this open prominent location to the detriment of the visual amenities of the street scene and surrounding area.

### **7.3 Traffic Impact/Pedestrian Safety**

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers 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 AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

It is considered as the proposal would not result in an increase in consultant rooms/offices there would be no greater demand for off street parking and would continue to accord with Policy AM7 and AM14 of the Hillingdon Local Plan Part Two Saved UDP Policies (November 2012).

### **7.4 Carparking & Layout**

As above.

### **7.5 Urban Design, Access and Security Considerations**

Discussed in the sections above.

### **7.6 Other Issues**

Flooding

The application site lies within Flood Zone 2. Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) seeks to ensure that applications within these sites demonstrate that flood risk can be suitably mitigated by development.

A Flood Risk Assessment was not submitted with the application, and although it would replace an existing extension would be of a greater size, and as such should demonstrate what flood mitigation measures have been taken into consideration to improve the existing flood performance..

## **8. Reference Documents**

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan 2016

National Planning Policy Framework (NPPF)

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