

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** 28 BOTWELL LANE HAYES**Development:** Single storey rear extension**LBH Ref Nos:** 17587/APP/2020/643

Drawing Nos: Location Plan (1:1250)
 30410-101
 30410-201
 30410-202
 30410-301
 30410-401
 30410-402
 30410-102
 30410-103
 30410-203
 30410-204
 30410-302
 Design and Access Statement

Date Plans Received: 24/02/2020**Date(s) of Amendment(s):****Date Application Valid:** 24/02/2020**1. CONSIDERATIONS****1.1 Site and Locality**

The application site is located on the north-west side of Botwell Lane and comprises a terraced property. The property has a single storey rear extension with an additional canopy.

The street scene is residential in character and appearance comprising predominantly two storey terraced properties.

The site is situated within the Developed Area as identified in the policies of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) where the prevailing character of the area is residential.

1.2 Proposed Scheme

The applicant proposes a single storey rear extension, 6m deep.

**1.3 Relevant Planning History
Comment on Planning History**

There is no relevant planning history.

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**

5 neighbouring properties were consulted on 28.02.2020 and a site notice displayed. No comments received.

Hayes Conservation Area Advisory Panel.

The proposed single storey rear extension would not affect the front elevation and the street scene. It would have an overall depth of 6m, similar to the total depth of the existing extension and its more temporary addition that the new extension would replace. The change would, however, increase the effect of the extension on neighbouring properties. It would also result in two habitable ground floor rooms (labelled reception and dining) with no windows and therefore with no outlook and a reliance on artificial lighting.

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 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP 3.5 (2016) Quality and design of housing developments

LPP 5.3 (2016) Sustainable design and construction

5. **MAIN PLANNING ISSUES**

DESIGN

The Hillingdon Local Plan: Part One Strategic Policy BE1 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. Part Two - Saved Unitary Development Plan Policies of the Local Plan contains policies that seek to safeguard the appearance, character and amenities of the local street scene and surrounding area.

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

Policy DMHD 1 States that:

- 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;

The single storey rear extension would extend into the rear garden by 6m with a flat roof 2.88m in height over the 3.6m allowed for a terraced property. The extension would not appear subordinate and would represent a visually overdominant and unsympathetic form of development. However, as this would be to the rear of the property, it would not impact upon the visual amenity of the street scene and therefore a reason for refusal would be difficult to justify on design grounds alone.

The proposed single storey extension by reason of its overall depth, is considered to have a visually intrusive and over-dominant impact upon the residential amenities of the occupiers of the neighbouring property No. 26, which does not have any extensions to the rear. The proposal would result in a 6m length of extension on the boundary with No.26 and would exceed the depth normally allowed. No. 30 has a single storey rear extension. Taking into consideration the location of the proposed extension and its depth, it is considered to have a visually intrusive and over-dominant impact upon the residential amenities of the adjoining properties. Therefore, the application proposal would constitute an un-neighbourly form of development and would be in conflict with policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

The proposal would result in no natural light or ventilation to the dining/reception room, failing to maintain an adequate outlook and source of natural light, therefore conflicting with Policy 3.5 of the London Plan (2016).

Policy DMHB 18 expects a minimum 60sq.m of private amenity space to be retained for a two and three bedroom property. The proposal would exceed this requirement, in compliance with policy DMHB 18.

The application is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 26 Botwell Lane, by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

2 NON2 Non Standard reason for refusal

The proposed extension, by reason of its size, scale and depth would result in the provision of a habitable room (dining/reception room) with no outlook and limited levels of natural lighting that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers, contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies and Policies 3.5 and 5.3 of the London Plan (March 2016).

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 (2015). 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.

- 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. The Council's supports pre-application discussions. 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.

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:

DMHB 11 Design of New Development
DMHB 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
LPP 3.5 (2016) Quality and design of housing developments
LPP 5.3 (2016) Sustainable design and construction

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