

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** 11 ACACIA AVENUE HAYES**Development:** Single storey rear extension**LBH Ref Nos:** 50341/APP/2020/1681

Drawing Nos: Location Plan (1:1250)
 PL-050-001
 PL-100-001
 PL-100-011
 PL-200-001
 PL-200-011
 Design and Access Statement

Date Plans Received: 01/06/2020**Date(s) of Amendment(s):****Date Application Valid:** 09/06/2020**1. CONSIDERATIONS****1.1 Site and Locality**

The existing property is an end of terrace, mid- 20th century property. It forms part of a modern pocket development within the Hayes Village Conservation Area. Terraces are characterised by double height bay windows to the front. The end terraces include a gable feature at roof level. Unfortunately historic alterations along the road has degraded its appearance and contribution to the conservation area. The existing property has benefitted from existing, extensive extensions to the rear of the property and detracting alterations to the front of the dwelling. This has resulted in an elongated plan form.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey rear extension. The proposed extension would essentially remove the existing lean-to conservatory which is set in from the side boundaries and replace it with an extension projecting the same 2.46m, across the entire width of the property with an increased flat roof height of 3m.

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

There is no planning history relating to this property. The applicant has provided dated aerial photographs which confirm the secondary rear conservatory has been built for in excess of 4 years and is therefore lawful.

2. Advertisement and Site Notice**2.1** Advertisement Expiry Date:- 6th July 2020**2.2** Site Notice Expiry Date:- Not applicable**3. Comments on Public Consultations**

4 neighbouring properties were consulted by letter dated 11.6.20 and a site notice was displayed to the front of the site which expired on 6.7.20.

Hayes Conservation Area Advisory Panel:

This property is in the Hayes Village Conservation Area. The front elevation would not be altered by the addition of a rear extension and so the streetscape would not be affected. The main areas of concern are the effect that the rear extension would have on neighbouring properties and on the amount of rear amenity space that would remain. The proposed extension would be in addition to an existing rear extension making the overall projection from the rear of the original house 5.46m. The new addition would be taller than the conservatory that it would replace and the blank brick walls would be right up to the side boundaries. This would have a detrimental effect on the amenities of 9 Acacia Avenue (which has no rear extension) through its overbearing nature, loss of outlook and overshadowing. The amount of rear amenity space that would remain needs to be ascertained as there appears to be a large outbuilding at the bottom of the garden. For these reasons we hope that this application will be refused.

Conservation Officer:

The proposed development would comprise of a single storey rear extension and include the demolition of the existing rear conservatory structure. The proposal would result in a more permanent and solid structure. Taking into account the property has benefitted from a rear extension previously, cumulatively the addition to the rear would be more than 5m from the property's original rear building line in to the small garden area. The garden area has been notably reduced due to the existing, substantial outbuilding to the rear of the site.

The proposal is not ideal however consideration is given towards the minimal contribution the property makes to the significance of the conservation area. Therefore the harm resulting from the proposed rear extension is likely to be negligible in this instance. All external materials, colours and finishes would need to match the existing property - this should be appropriately conditioned if approved.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP 3.5 (2016) Quality and design of housing developments

LPP 7.8 (2016) Heritage assets and archaeology

NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

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.

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.

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 adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions, Policy DMHD1 requires:

- 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;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;

Policy HE1 of the Hillingdon Local Plan (November 2012) requires development to conserve or enhance heritage assets. Policy BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that proposals which are considered detrimental to the setting of a listed building will not normally be granted. Furthermore Policy DMHB4 requires new development to conserve and enhance the character and appearance of Conservation Areas.

The proposal would result in a more permanent and solid structure. Taking into account the property has benefitted from a rear extension previously, cumulatively the addition to the rear would be more than 5m from the property's original rear building line in to the small garden area. The garden area has been notably reduced due to the existing, substantial outbuilding to the rear of the site. The proposal is not ideal however consideration is given towards the minimal contribution the property makes to the significance of the conservation area. Therefore the harm resulting from the proposed rear extension is likely to be negligible in this instance.

Concerns are however raised in terms of the impact upon the occupants of the adjoining property at Number 9 which has not been previously extended to the rear. It is acknowledged that the application property currently has an extension projecting to the

same level. However the proposal would replace this lightweight structure with one of a more solid appearance, with an increased width and height. The proposal would be likely to increase the sense of dominance and result in an oppressive and overbearing outlook to the occupants of Number 9 Acacia Avenue which remains unextended to the rear. Thus, the proposed development, by reason of its cumulative size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupier at 9 Acacia Avenue, 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.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

In terms of the garden area the development would fail to fulfill the emerging policies Part 2 Policy DMHD1 appendix A, Part A) vi), which states that for Alterations and extensions to residential dwellings; adequate garden space is retained. However, given the proposal would not result in any further reduction in garden area over that which currently exists, a refusal reason on lack of sufficient outdoor amenity space could not be justified.

The parking provision would remain unaffected by the proposal.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its cumulative size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupier at 9 Acacia Avenue, 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.

INFORMATIVES

1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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 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.

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
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.8	(2016) Heritage assets and archaeology
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

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