

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 FLAT 1, 72 COLHAM AVENUE WEST DRAYTON

Development: Insertion of lightwell to front and increase in size of existing lightwell to rear

LBH Ref Nos: **18095/APP/2020/3309**

Drawing Nos: A101 + A201
 A102 + A202
 A103 + A203
 A104 + A204
 A105 + A205
 A106 + A206
 A107 + A207
 A108 + A208
 A109 + A209
 A110 + A210
 A111 + A211
 Location Plan (1:1250)
 Daylight and Sunlight Assessment

Date Plans received : 16/10/2020

Date(s) of Amendment(s):

Date Application Valid: 16/10/2020

1. **SUMMARY**

The application property comprises a basement and ground floor flat located on the Eastern side of Colham Avenue, West Drayton. The first and second floor are utilised by Flat 2 with a shared entrance at ground floor level.

The proposed lightwell to the front of the dwelling is considered to result in detrimental harm to the visual amenities of the street scene and the original dwelling, and the proposed development would result in a habitable room (basement window) with poor accommodation standards as a result of poor outlook.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its introduction to a lightwell to the front of the property, is considered to result in detrimental harm to the visual amenities of the street scene and would introduce unacceptable changes in appearance to the front elevation of the original dwelling. Therefore, the development is in contrary to Policies DMHB 11, DMHB 12, DMHD 1 and DMHD 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

2 NON2 Non Standard reason for refusal

The proposed development, by reason of the siting of the bedroom windows and their proximity to the lightwell walls, would result in the provision of a habitable room with very poor levels of light and outlook 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 (2020) and Policies 3.5 and 5.3 of the London Plan (March 2016).

INFORMATIVES

1 I52 Compulsory Informative (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 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHD 3 Basement Development

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

LPP 5.3 (2016) Sustainable design and construction

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises a basement and ground floor flat in a four storey building located on the Eastern side of Colham Avenue, West Drayton.

The first and second floor are utilised by Flat 2 with a shared entrance at ground floor level. The rear garden is subdivided into two separate private garden areas which are enclosed by wooden fencing. The garden allocation is unclear from the plans submitted. The site has not been previously extended.

3.2 Proposed Scheme

The application proposes for the insertion of a lightwell to front and increase in size of existing lightwell to rear.

3.3 Relevant Planning History

18095/B/83/0130 72 Colham Avenue West Drayton

Householder dev. (small extension, garage etc) (P)

Decision: 24-06-1983 Approved

Comment on Planning History

Listed above.

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

6 neighbouring properties have been consulted by letter dated 20.10.20. By the end of the consultation period no objections have been received.

6. 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

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHD 3 Basement Development

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

LPP 5.3 (2016) Sustainable design and construction

In addition:

7. MAIN PLANNING ISSUES

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

The development would not involve the change in bulk and size of the existing property, and as such it is not considered to have any neighbourly impacts as a result of the installation of lightwells.

7.2 Impact on Street Scene

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity 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.

Policy DMHD 3: Basement Development states that "When determining proposals for basement and other underground development, the Council require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers will be required to demonstrate by methodologies appropriate to the site that their proposals: i) avoid adversely affecting drainage and run-off or causing other damage to the water environment; ii) avoid cumulative impacts upon structural stability or the water environment in the local area."

Basement developments will be supported where they do not negatively impact the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the historic or architectural character of the street scene or adversely affect the natural environment.

Paragraph A1.40 states that "Basement lightwells will not be acceptable at the front or side of a property, as they would introduce unacceptable changes in appearance to the front elevation and restrict access and planting opportunities."

The proposal involves the insertion of a lightwell to front and increase in size of existing lightwell to rear. Although there are no objections to the increase in size of lightwell to the rear, the front lightwell introduced is considered unacceptable. The lightwell faces the road and will be highly visible from the street scene, distracting from the character of the local area and the principle elevation of 72 Colham Avenue. From Google Street view and the councils planning database, it appears that no other property has been extended in such a way. As such, it is considered that the development would cause harm to the visual amenities of the street scene and would introduce unacceptable changes in appearance to the front elevation of the original dwelling. The development is in contrary to Policy DMHB 11, DMHD 1 and DMHD 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

7.3 Traffic Impact/Pedestrian Safety

No impact.

7.4 Carparking & Layout

No impact.

7.5 Urban Design, Access and Security Considerations

Discussed above.

7.6 Other Issues

Daylight/Sunlight assessment:

A document has been submitted in support of the application showing a daylight and sunlight assessment according to BRE standards. This assessment states that the basement bedroom should have a 1% daylight factor, and that the proposed lightwell to the front and small window to the rear would sufficiently be able to provide this. With regards to the ground floor living room and kitchen, the document states that the proposal would surpass the expectations of BRE standards. However, it is considered by the planning officers judgement that a 1% daylight rate is very marginal. From the diagram submitted most of the bedroom appears to be within a dark zone and hence it is not considered that sufficient light levels would be provided for the occupants of this dwelling.

Furthermore, it is not considered that this level of outlook would be sufficient for a large habitable bedroom to the ground floor. The lightwell and small window would not provide sufficient outlook, with the window set below ground floor level, facing walls, which are very close, either side.

As such it is considered that the proposed development would result in the provision of a habitable room with very poor levels of light and outlook and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 11, DMHD 1 and DMHD 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016), Policies 3.5 and 5.3 of the London Plan (2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

8. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
West London Waste Plan (2015)
The London Plan - Consolidated With Alterations (2016)
National Planning Policy Framework

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