

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** 15 FRAYS WAYE UXBRIDGE**Development:** Single storey side/rear extension**LBH Ref Nos:** 76177/APP/2021/373

Drawing Nos: A529-SK1
 A529-P-01
 A529-P-02
 Planning Application Statement
 Flood Risk Assessment

Date Plans Received: 28/01/2021**Date(s) of Amendment(s):****Date Application Valid:** 08/02/2021**1. CONSIDERATIONS****1.1 Site and Locality**

The application site is located on the corner of Frays Waye and comprises an end of terrace property. The adjoining neighbour at 16 has no extensions to the rear.

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

The application site is not designated within a Conservation Area, nor an Area of Special Local Character. The site does not contain any Listed Buildings. There are no trees that are subject to a Tree Preservation Order within the site or on adjoining land.

1.2 Proposed Scheme

The proposal is for a single storey side/rear extension.

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

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

1 neighbour consulted on 10.02.2021. No comments received.

Floodwater Management comments:

No objections based on the conclusions of the submitted Flood Risk Assessment. The mitigation measures recommended in the report should be implemented.

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.EM6 (2012) Flood Risk Management

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 18 Private Outdoor Amenity Space
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMT 6 Vehicle Parking
- DMEI 9 Management of Flood Risk
- DMEI 10 Water Management, Efficiency and Quality
- LPP D6 (2021) Housing quality and standards
- LPP SI12 (2021) Flood risk management
- NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

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.

Character and Appearance:

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) 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) states that new development will be required to be designed to the highest standards and incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extensions to dwellings should not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

With regard to rear extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;

The proposed single storey rear extension would measure 3.6 metres deep, the full width of the dwelling and 2.217 metres beyond the side elevation of the dwelling. It would be 3.4 metres high with a pitched roof. The width of the side extension would not be more than half the width of the original dwellinghouse. However, the property is positioned on a corner plot and the side extension would totally infill the space to the side. The corner plot positioning of the application dwelling is such that it is visually prominent on both street scenes. The erection of the single storey side extension would significantly breach the return building line on Frays Way. As such, the single storey side extension would result in an unduly dominating, obtrusive and overbearing appearance in relation to views from the adjacent properties to the north on Frays Way. The proposed development would conflict with the requirements of Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

The adjoining property at No. 16 Frays Way does not benefit from any rear extensions. When viewed against this rear garden context, where single storey rear extensions are not uncommon feature, it is considered that the proposed extension would not appear out of keeping with the character of the area. When compared to the size and scale of the host dwelling, it is considered that the proposed single storey rear extension would appear as a subordinate addition that would sit comfortably within the rear garden of the application site. Moreover, due to its position, the proposed single storey rear extension would not be readily visible from public domain.

Residential Amenity:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed extension, by reason of its overall height and depth, would not result in an overbearing development, loss of privacy or loss of light.

It is therefore considered that the proposal would not cause unacceptable harm to the living conditions of the neighbouring occupiers.

Furthermore, it is considered that all the proposed habitable rooms, and those altered by the proposed development, would maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

External Amenity Space Provision:

Policy DMHB 18 of the Development Management Policies (2020) expects a minimum 60 sq.m of private amenity space to be retained for a 2 to 3 bedroom property. The proposal

would exceed this requirement, in compliance with the policy requirements. As such, the proposal would not undermine the provision of external amenity space for the existing occupiers at the application site, in compliance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Parking and Highways Safety:

The proposed development would not affect the existing parking arrangement. It is therefore considered that the proposal would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Other Matters:

Flood Risk and Drainage: The application site lies within Flood Zone 2. The floodwater officer has raised no objections based on the conclusions of the submitted Flood Risk Assessment. The mitigation measures recommended in the report should be implemented.

Given the limited footprint of the proposed development, it is unlikely that the proposal would significantly exacerbate the surface water flood risk at the site over and beyond the existing circumstance. The proposal would therefore be compliant with DMEI 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.

Refusal is recommended.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed single storey side extension, by reason of its siting in this open prominent position, size, scale, bulk, proximity to the side boundary and projection forward of the established building line along Frays Waye, would result in the virtual loss of an important gap characteristic to the area, 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 (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

- 1** 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
PT1.EM6	(2012) Flood Risk Management

Part 2 Policies:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
LPP D6	(2021) Housing quality and standards
LPP SI12	(2021) Flood risk management
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

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