

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 22 CLEVELAND ROAD UXBRIDGE MIDDLESEX

Development: First floor side extension

LBH Ref Nos: **64779/APP/2021/1080**

Drawing Nos: KD/EXT(FF)/PP/95/17/20/C-225.2
KD/EXT(FF)/PP/95/17/20/C-225.3
KD/EXT(FF)/PP/95/17/20/C-225.4
KD/EXT(FF)/PP/95/17/20/C-225.1
TheLocationPlan_included_in_SiteandOtherPlans
KD/EXT(FF)/PP/95/17/20/C-225.5

Date Plans Received: 18/03/2021

Date(s) of Amendment(s):

Date Application Valid: 18/03/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located to the west of Cleveland Road and comprises a two storey detached property. The property is characterised by its hipped roof profile, front gable face feature, front bay windows and its pebble dash render finish. The property has been extended by a single storey rear extension and a loft conversion. It is noted that the single storey side extension that forms part of this application has been substantially completed.

The surrounding area is predominately residential in nature. Numbers 21G and 23 Cleveland Road are located to the north and south of the site, respectively. Number 21G is a two storey detached dwelling with a side gable roof profile. Number 23 Cleveland Road is of a similar architectural style to the application property.

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. The properties to the north of the site are covered by Tree Preservation Order number 108, however, the site itself does not fall within this area. The site lies in Flood Zone 1.

1.2 Proposed Scheme

The application proposes for a first floor side extension.

1.3 Relevant Planning History

64779/APP/2009/1957 22 Cleveland Road Uxbridge Middlesex
Installation of boundary fencing (Retrospective Application)

Decision Date: 26-11-2009 Approved

64779/APP/2018/567 22 Cleveland Road Uxbridge Middlesex

Conversion of roof space to habitable use to include a side/rear/side dormer and two front rooflights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 17-04-2018 Approved

64779/APP/2019/1688 22 Cleveland Road Uxbridge Middlesex

Single storey side extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 05-07-2019 Approved

64779/APP/2020/2913 22 Cleveland Road Uxbridge Middlesex

First floor side/rear extension and ground floor infill side extension

Decision Date: 13-11-2020 Refused

64779/APP/2020/3878 22 Cleveland Road Uxbridge Middlesex

Single storey side extension

Decision Date: 06-01-2021 Approved

Comment on Planning History

Listed above.

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

Four neighbouring properties, The Avenue Residents Association, Cleveland Road Residents Association and Cleveland Road Neighbourhood Watch were consulted on 29.03.21. The consultation period expired on 21.04.21. One representation was received by the end of the consultation period, the objection is as follows:

1. Set too close to boundary lines.
2. Results in terracing affect.
3. The use of the property as a HMO.
4. Over development.

Planning officer: Material planning concerns will be dealt with above.

The site is registered as a HMO on the London Borough of Hillingdon register, however given that it is a small HMO and the maximum occupiers allowed is 5 the site still benefits from its permitted development rights and also can be considered as a householder development.

Trees/Landscape officer:

This site is occupied by a two-storey detached house located on the west side of Cleveland Road. There are no trees or landscape features of merit on the site. A protected tree T10, on the schedule of TPO 108, on the adjacent site to the north has been missing for some years. COMMENT No trees will be affected by the proposal. The first floor extension will be above an existing single-storey extension and there should be no direct impact on the external works, although it is apparent that landscaping and reinstatement of the front (and, possibly, the back) garden is required. RECOMMENDATION No objection subject to landscape conditions RES9 (parts 1,2, and 5).

Planning officer: A pre commencement agreement was not secured given that the application is recommended refusal.

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 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and provision of acceptable residential amenity for the application property.

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 (January 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 adversely 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.

C) Side neighbouring Extensions

i) side extensions should not exceed half the width of the original property; iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses; v) two storey side extensions to detached and semi-detached properties

should be set back a minimum of 1 metre behind the main front elevation;

The proposed first floor side would be built above the existing single storey side/rear extension (approved REF: 64779/APP/2020/3878) and has been set back 1 m at first floor level from the front building line. The proposed extension would completely infill the gap between the northern flank wall of the host dwelling and the mutual boundary shared with No.21G Cleveland Road. This would be contrary to the recommendations set out in Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). As a consequence, the proposed first floor side/rear extension would erode the physical gap between the original host dwelling and No.21G, thereby creating a precedent for a 'terracing effect'. The proposal would therefore have a negative impact to the street scene.

Whilst it is acknowledged that a gap would be retained between the flank wall of No.21G Cleveland Road and the mutual boundary shared with the application site, should this application be approved, it would make it more difficult for the Council to resist a similar two storey side infill extension being constructed at No.21G Cleveland Road or on other neighbouring plots. Hence, the proposal's unacceptable precedence of creating a 'terracing effect', which would disrupt the rhythm and spacing between the buildings on Cleveland Road.

It is also worth highlighting that no other properties on this section of Cleveland Road have been extended in such a manner as being proposed as part of this application. A part two storey/part single storey side and rear extension was approved at No.27 Cleveland Road under application number 40899/APP/2018/2632. However, this approved extension was set-away from the side boundary by 1.4 metres, in line with the Council's Local Plan policies.

It is noted that the proposed first floor side extension would be set-down from the main ridge line of the host dwelling and contain a hipped roof to match the roof profile on the host dwelling. Nevertheless, this would not overcome the significant harm to the visual amenity of the surrounding area, which would be caused by the unacceptable infilling of the site.

It is, therefore, considered that the proposed first floor side extension would have a detrimental impact to the character and appearance of the host dwelling, result in the loss of symmetry between the host dwelling and the adjoining property at No.23 Cleveland Road, and cause unacceptable harm to the street scene and the surrounding area. This would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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.

Paragraph A1.24 of the Hillingdon Local Plan: Part Two - Development Management

Policies (2020), "the '45 degree rule' is only a general rule of thumb and the Council may, on occasion, consider an extension to be unacceptable, even if it appears acceptable on paper".

Numbers 21G and 23 Cleveland Road are the principal neighbouring properties that must be considered in this case, given that they are the nearest dwellings to the application site.

The proposed extension would not extend beyond the rear building line of application site and hence is not considered to have an un-neighbourly impact on both adjoining neighbours. No side facing windows are proposed and as such no concerns regarding a loss of privacy is raised.

It is therefore considered that the proposed first floor side extension would not have a harmful impact upon the amenities enjoyed by the neighbouring occupiers, in compliance to the NPPF (2019) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

External Amenity Space Provision:

More than a sufficient amount of private amenity space would be retained to meet the minimum standards set out in Table 5.3 (Private Outdoor Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). The proposal would, therefore, not undermine the provision of external amenity space, in accordance with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Parking and Highway Safety:

The site contains an area of hardstanding to the front of the site that is of a sufficient size to accommodate up to three vehicles, and this parking arrangement would remain unchanged as part of the proposal. It is therefore considered, that the proposed development would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Conclusion:

The proposed first floor side extension would have a detrimental impact on the character and appearance of the host dwelling and the surrounding area. The proposal would therefore conflict with the NPPF (2019), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). It is therefore recommended that the application be refused.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first floor side extension, by reason of its siting, scale, bulk, and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property 21G Cleveland Road, giving rise to a cramped form of development and possible terracing effect, which would be detrimental to the visual

amenities of the street scene and the surrounding area generally. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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 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 1 Design of New Development

DMHB 1 Streets and Public Realm

DMHB 1 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

- 3** 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 (2021). 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.

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 12 Streets and Public Realm
DMHB 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
DMT 2 Highways Impacts
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LPP D4 (2021) Delivering good design
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Contact Officer: Nurgul Kinli

Telephone No: 01895 250230