

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 41 TOLLGATE DRIVE HAYES

Development: Single storey rear extension

LBH Ref Nos: **67932/APP/2021/2437**

Drawing Nos: TD.41.EX-02
 TD.41.EX-01
 TD.41.SP-00
 TD.41.PR-01
 TD.41.PR-02
 TD.41.PR-03
 Planning Statement
 TD.41.EX-03

Date Plans Received: 17/06/2021

Date(s) of Amendment(s):

Date Application Valid: 17/06/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a modern three storey terrace, located on the northern side of Tollgate Drive. The building is mid-row, set within 10 terraced dwellings. It has a driveway in front of the principal elevation with space to park one car.

At the rear of the dwelling is a paved private garden, which acts as the amenity space for the dwelling.

No dwellings are located on the southern side of Tollgate Drive, as the Grand Union Canal runs parallel to the highway on the opposite side of the street.

1.2 Proposed Scheme

The application is for planning permission for the erection of a single storey rear extension.

The measurements of the proposed extension are as follows:

Length: 4.78 Metres

Depth: 3.02 Metres

Height: 3.46 Metres

1.3 Relevant Planning History

67932/APP/2011/1729 41 Tollgate Drive Hayes

Single storey rear extension

Decision Date: 09-09-2011 Approved

Comment on Planning History

The applicant property was constructed under planning permission reference 49723/97/1030 for the erection of 122 residential dwellings. The Class A, Part 1

(residential extensions) permitted development rights were removed by condition as part of the decision notice on this application.

67932/APP/2011/1729 - Single storey rear extension - Approved 09-09-11

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 12th August 2021

3. Comments on Public Consultations

3 neighbouring dwellings have been notified of the application, Nos. 40, 42 and 45 Tollgate Drive who share a boundary line with the applicant dwelling. No comments have been received from any neighbouring dwelling.

External: None received

Internal:

Highways (Transportation/Traffic) - Subject to the inclusion of a planning condition requiring that a Construction Logistics Plan is provided for approval there are no highway objections to this proposal. The reason for this condition is restricted access to the rear of the property.

Contaminated Land - No Comment.

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 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 house, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the applicant and neighbouring dwellings and the availability of parking.

Policy BE1 of the Hillingdon Local Plan: Part 1 (2012) advises that all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. development should aim to achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

Policy DMHD 1: of the Local Plan: Part Two (2020) requires that alterations and extensions of 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. It also requires that there is no unacceptable loss of outlook to neighbouring occupiers.

Policy DMHB 11 of the Local Plan: Part Two (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.

The above planning policies are supported by Policy D4 of the London Plan (2021).

Single Storey Rear Extension:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two (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;

The height and depth of the proposed extension would meet the Council's design criteria. As such It is considered that the extension would not cause harm to the amenity of residents at either of the neighbouring properties by way of loss of light or outlook. Moreover No 40 & 41 Tollgate Drive have extended at the rear in a similar fashion to this proposal. Therefore, the proposal would be in compliance with Policy BE1 of the Hillingdon Local Plan: Part One (2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two (2020).

Residential Amenity:

Policy DMHD 1: of the Hillingdon Local Plan: Part Two (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 (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

It is considered that the extension would not result in loss of privacy as there are no side facing windows and it would not have a negative impact upon the character of the existing property or the wider area. A condition is included on the planning decision requiring the materials match that of the main house to ensure that the extension is in keeping with the character and appearance of the main property and the wider area. It is noted that the extension would not be visible from the streetscene and would appear subordinate to the main house.

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 Policy D6 of the London Plan (2021).

External Amenity Space Provision:

External Amenity Provision:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which states that planning applications relating to alterations and extensions of dwellings will be required to ensure an adequate garden.

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3: Private Outdoor Amenity Space Standards, which requires 4+ bedroom houses to have at least 100 square metres of private amenity space.

The proposed development would result in only approximately 40 square metres of private amenity space. The limited rear garden area which would remain would be insufficient to serve a dwelling of this size, and would fall significantly short of what is typically required by Table 5.3: Private Outdoor Amenity Space Standards of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). Whilst it is acknowledged that the existing rear garden measures approximately 55 square metres, the proposed development would worsen the situation for the occupiers at the site, especially given the fact that the number of bedrooms and thus potential occupiers, is increasing. The proposal would leave them with an unacceptably small area of private outdoor space. It is considered that the benefits that would be derived from the additional living space would not outweigh this harm.

Having regard to the above considerations, it is considered that the proposal would unacceptably undermine the provision of private amenity space at the site, and would limit the opportunity for general outdoor activity that occupants could reasonably expect with a property of this size and type. The proposal would therefore fail to comply with Policies DMHD 1, DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.

Parking and Highway Safety:

The proposal would not be detrimental to highway safety. The proposal is therefore considered acceptable in accordance with Policy DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would result in an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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

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 D6 (2021) Housing quality and standards

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