

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 DEBDEN PLACE UXBRIDGE	
Development:	Single storey rear infill extension and replacement of roof on existing single storey rear outrigger.	
LBH Ref Nos:	75343/APP/2021/3848	
Drawing Nos:	15646-201-03 15646-301-03 15646-302-03 (Proposed Ground Plan and Roof Plan) 15646-101-03 15646-401-03 Site Location Plan 15646-302-03 (Proposed Elevations) 15646-302-03 (Proposed Section A-A)	
Date Plans Received:	14/10/2021	Date(s) of Amendment(s):
Date Application Valid:	14/10/2021	

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on a corner plot, close to the junction between Debden Place and Tangmere Crescent. It comprises a two storey modern design dwelling with habitable accommodation provided within its roof space. The site forms part of a newly built housing estate on former RAF Uxbridge land. At present, the rear garden measures approximately 25.5 square metres (this figure does not include the timber shed which is not shown on the submitted drawings). Due to the land level changes, the rear garden is accessed via an external set of stairs.

The surrounding area is residential in character. No. 9 Debden Place is an adjoining property located to the south of the site. The eastern boundary of the site adjoins the rear garden of No.6 Kenley Place. To the north of the site are terrace properties fronting Dowding Park.

The site is covered by Tree Preservation Order 736. However, there are no trees present at or adjoining the site. According to the Council's GIS, the site lies within a Potentially Contaminated Land Zone.

1.2 Proposed Scheme

The application seeks planning permission for a single storey rear infill extension and replacement of the roof on the existing single storey rear outrigger.

This scheme is a resubmission following the refusal of application reference 75343/APP/2021/1868 (refer to the planning history section below).

1.3 Relevant Planning History

75343/APP/2020/140 11 Debden Place Uxbridge

Proposed ground floor side infill extension and basement conversion, floor plan redesign and all

associated works at 11 Debden Place.

Decision Date: 23-03-2020 NFA
75343/APP/2021/1868 11 Debden Place Uxbridge
Two storey rear extension

Decision Date: 05-07-2021 Refused

Comment on Planning History

The relevant planning history attached to this site is referenced above.

Planning application reference 75343/APP/2021/1868 proposed a two-storey rear extension. It was refused on 5th July 2021 for the following reasons:

1. The proposed two storey rear extension, by reason of its siting in this open visually prominent position, size, scale, bulk and design, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 (January 2020).
2. 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).
3. The proposed single storey rear extension, by virtue of its size, scale, bulk, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 6 Kenley Place, by reason of overdominance, visual intrusion, loss of privacy, overlooking 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 (2020).

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

Six neighbouring properties were consulted on 19th October 2021. Following amendments to the wording of the proposal description, the same six neighbouring properties were re-consulted. The consultation period expired on 29th December 2021. No representations had been received by the end of the consultation period.

Council's Trees and Landscape Officer: This site is occupied by a two-storey end of terrace house, located on the east side of Debden Place, off Tangmere Crescent. The property forms part of the recent St Andrews Park (formerly RAF Uxbridge) development. TPO 736 protects selected species at St Andrews Park. However, there are no protected trees at this address, or close enough to influence it.

No trees will be affected by the proposal to provide the infill rear extension. While there is no objection in principle, the gardens of many of these properties are quite small and designed to (only just) satisfy Hillingdon's external amenity space standards. - If the extension reduces the private garden area to an unacceptable level the proposal should be refused. No objection and no need for landscape conditions, provided that the residual private garden area meets Hillingdon's space standard.

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:

DMEI 12 Development of Land Affected by Contamination

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMT 6 Vehicle Parking

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF2 NPPF 2021 - Achieving sustainable development

NPPF4 NPPF 2021 - Decision-Making

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, car parking provision and land contamination risk.

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. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

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; and
- ii) 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 proposed single storey rear infill extension would measure 3.1 metres deep, 2.5 metres wide and 2.8 metres high. It would have a flat roof with sky lights, a window in its side (north) elevation and bi-folding doors in its rear elevation. Due to its size, scale and design, it is considered that the proposed extension would appear as a subordinate and sympathetic addition to the host dwelling.

The proposed replacement roof would be pitched, similar to the existing roof profile on the single storey rear outrigger. The ridge height of the proposed roof would match that of the adjoining outrigger at No.9. It is therefore considered that the proposed replacement roof would respect the original architectural composition of the host dwelling and the surrounding built forms.

There is a high-level brick wall running along the northern boundary of the site. As such, the proposed development would not be readily visible from the public domain.

In the event of an approval, a condition would be secured requiring the proposed development to be externally finished in materials matching those on the host dwelling.

Having regard to the above, it is considered that the proposal would not cause harm to the character and appearance of the host dwelling and the surrounding area. The proposal therefore accords with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.

Impact on Protected Trees:

Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

The site is covered by Tree Preservation Order 736, which protects selected species at St. Andrews Park. The site does not contain any trees, nor are there any trees within proximity to the site that would be influenced by the proposed development. As such, the proposal would not affect the health of any trees of merit, in accordance with Policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Neighbouring 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: i) a satisfactory relationship with adjacent dwellings is achieved; and ii) 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.

No.9 Debden Place directly adjoins the application property and is therefore the principal property which must be considered in this case.

The proposed single storey rear extension would infill the space between the main rear wall of the host property and the flank wall of the existing single storey rear outrigger. It would have a modest height at 2.8 metres and match the depth of the existing single storey rear outrigger at the application site. The proposed replacement roof would match the height of the roof on the single storey rear outrigger at No.9 Debden Place. Taking these factors into account, it is considered that the proposed development would not unduly impact on the living conditions of No.9, in terms of light, outlook or enclosure.

There would be a separation distance of approximately 15.9 metres between the proposed development and the rear windows at No.6 Kenley Place. Bearing this separation distance in mind, it is considered that the proposal would not adversely impact on the residential amenities of No.6, in regard to light, outlook or enclosure. There is high-level boundary treatment between the adjoining rear gardens of the application and No.6. It is therefore considered that the proposed open glazed bi-folding doors would not give rise to a loss of privacy for the occupiers at No.6 Kenley Place.

The proposed side window would face directly towards the high-boundary wall running along the northern boundary of the site. As such, this window would not give rise to any privacy or overlooking issues for the neighbouring properties located to the north of the site.

Having regard to the above, it is considered that the proposal would not cause harm to the residential amenities of neighbouring occupiers. The proposal would therefore accord with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.

External Amenity Space Provision:

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 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, which requires two- and three-bedroom houses to have at least 60 square metres of private amenity space.

At present, the rear garden is approximately 25.5 square metres (there is also a wooden shed in the rear garden which not shown on the submitted drawings, thus further reducing the private amenity space at the site). The size of the existing rear garden is significantly less than recommended by Table 5.3. The proposed extension would reduce this to approximately 18.5 square metres, which is 71% less than the size of rear garden recommended to be retained for a property of this size.

The limited rear garden area which would be retained would be insufficient to meet the needs of a family sized house. The retained rear garden would undermine the general

outdoor space that occupants could reasonably expect with a property of this size and type. As a result, it is considered that the proposal would result in poor living conditions for the occupants residing at the site.

In light of the above, it is considered that the proposal would have a harmful effect on the living conditions of the occupants of the host property, in terms of the provision of private external amenity space. The proposal therefore fails to comply with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 f) of the NPPF, in this regard.

Parking and Highway Safety:

There is sufficient space on the front driveway to accommodate two off-street car parking spaces, in accordance with the maximum car parking standards set out in Appendix C, Table 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). With an internal floor area of approximately 7.5 square metres, it is considered that the proposed extension would not significantly exacerbate the pressure for street parking or prejudice highway safety. The proposal would therefore accord with Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Land Contamination Risk:

According to the Council's GIS, the site lies within a Potentially Contaminated Land Zone. Bearing in mind that the site forms part of a relatively new housing estate, it is considered that the proposal is unlikely to pose a contamination risk to occupiers greater than the existing situation.

If this application had been recommended for approval, an informative would have been secured advising that there could be a possibility of contaminating substances being present in the ground and for persons working on site to take basic precaution.

Subject to this informative, it is considered that the proposal would comply with Policy DMEI 12 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Conclusion:

The proposed development would unacceptably undermine the provision of private amenity space at the site to the detriment of the living conditions of the occupiers residing in the host dwelling. The proposal therefore conflicts with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 f) of the NPPF (2021).

It is recommended that the application be refused for the reasons set out in this report.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to maintain an adequate provision of private external amenity space, would have a harmful effect on the living conditions of the occupants of the host property. The proposal would therefore be contrary to Policies DMHB 18 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework

(2021).

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.

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:

DMEI 12	Development of Land Affected by Contamination
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making

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