

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 3 OWEN ROAD HAYES

Development: Erection of a first floor side extension.

LBH Ref Nos: **46647/APP/2021/4542**

Drawing Nos: 16/3/ORH/203/A2 Rev 1
 Location plan
 16/3/ORH/201/A
 16/3/ORH/202/A1
 16/3/ORH/204/A3
 16/3/ORH/205/A4

Date Plans Received:	15/12/2021	Date(s) of Amendment(s):	16/12/2021
Date Application Valid:	15/12/2021		21/02/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application property is located on the corner of Owen Road and Hughenden Gardens. The property is constructed of red brick and form part of a terrace. The property is linked to the neighbouring properties at number 1 and 2 Owen Road. The property benefits from a large area of hardstanding to front of the application site, providing multiple off-street parking spaces. The has been extended by a single storey side extension and a large garage to the side.

The surrounding area is residential in character. Numbers 1 and 2 Owen Road are located to the north site. Number 4 is located to the rear (west) of the site.

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. The site lies in CDA and Surface Water Zone.

1.2 Proposed Scheme

Planning permission is sought for the erection of a first floor side. The proposed first floor side extension would measure 3.470 metres in width, 4.5 metres in depth and 3.4 metres in height (max 5m from ground level).

1.3 Relevant Planning History

46647/APP/2016/2663 3 Owen Road Hayes

Single storey detached garage to side (Application for a Certificate of Lawful Development for a Proposed Development).

Decision Date: 30-09-2016 Refused

46647/APP/2016/3381 3 Owen Road Hayes

Single storey side extension

Decision Date: 09-11-2016 Approved

46647/APP/2016/3641 3 Owen Road Hayes

Single storey outbuilding to rear for use as a garage for classic cars (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 29-11-2016 Refused

Comment on Planning History

The relevant planning history attached to this site is 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

Three neighbouring properties and Flood Water Officer were consulted on 21-01-22. The consultation period expired on 11-02-22. No representation were received.

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

LPP D6 (2021) Housing quality and standards

DMT 6 Vehicle Parking

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.

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) 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.

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

With regards to side extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
- 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;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- vii) in Conservation Areas, single storey side extensions may be required to be set back.

The width of the proposed first floor side extension exceeds half the width of the original property, failing to comply with policy. However it is following the footprint of the approved and constructed single storey side extension, given the already terraced nature of the property, stepped roof line and differences on the front elevation it is considered acceptable.

It is noted that despite being a corner plot, the openness does remain due to the large plot to the side of the dwelling and the return building line is not exceeded. Furthermore, the side gable roof on the proposed first floor side extension would match the main roof profile on the host dwelling.

It is therefore considered that the proposed development would not cause harm to the character and appearance of the host dwelling and the surrounding area, in accordance with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHD 1, DMHB 11 and DMHB12 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.

The surrounding area is residential in character. Numbers 1 and 2 Owen Road are located to the north site. Number 4 is located to the rear (west) of the site.

Given the first floor side extension is attached to the south elevation, it would not

adversely impact the residential amenities enjoyed by the occupiers at No. 1 and 2.

Number 4 is located to the rear of the property. It is observed that No.4 contains a first floor flank window which faces towards the application site, there is a distance of approx 8.5m between the proposal and window at No.4. The window in question is a main habitable room in the property. The outlook of this window is already compromised as they look out by the existing building but that is the established relationship. The new extension would make this much worse and be in their direct line of sight. Furthermore, it would cause a loss of daylight/sunlight due to the orientation of the properties. Taking these circumstances into account, it is considered that the proposed first floor side extension would cause significant harm to the living conditions of No.4, in terms of loss daylight/sunlight, loss of outlook and overbearing effect, and is a justifiable and reasonable ground for refusal on this basis.

It is therefore considered that the proposal would cause unacceptable harm to the living conditions of neighbouring occupiers, and fails to comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

External Amenity Space Provision:

The private amenity space at the site would not be impacted as a result of the proposed development, given that the proposal relates to a first floor extension. The proposed development would therefore not undermine the provision of external amenity space for the occupants at the host dwelling, in accordance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Parking and Highway Safety:

The existing front forecourt that could accommodate a high number of off-street parking spaces. 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).

Conclusion:

The main body of the report demonstrates that the proposal complies with the relevant policies set out in the Hillingdon Local Plan: Part One Strategic Policies (2012) and Part Two - Development Management Policies (2020). It is therefore concluded, taking all matters into account including the representation received, that planning permission should be granted subject to conditions.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first floor rear extension by virtue of its size, scale, bulk and depth would be detrimental to the amenities of the occupiers at 4 Owen Road by reason of overdominance, overshadowing, potential visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January

2020).

INFORMATIVES

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
LPP D6	(2021) Housing quality and standards
DMT 6	Vehicle Parking

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