

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

Katherine Mills

Signature:

Date: 22nd February 2022

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 70 WENTWORTH CRESCENT HAYES

Development: Erection of a rear conservatory

LBH Ref Nos: **53207/APP/2021/4326**

Drawing Nos: XEVA/70WC/104 Issue A Existing Site Plan
XEVA/70WC/105 Issue A Proposed Site Plan
Location Plan
XEVA/70WC/103 Issue A Proposed Elevations
XEVA/70WC/102 Issue A Existing Elevations
XEVA/70WC/101 Issue A Existing and Proposed Floor Plans

Date Plans Received: 24/11/2021

Date(s) of Amendment(s):

Date Application Valid: 24/11/2021

1. CONSIDERATIONS

1.1 Site and Locality

The application comprises a semi-detached dwelling located on the western side of Wentworth Crescent. The property is attached to 72 Wentworth Crescent along the southern site boundary whilst 68 Wentworth Crescent is located along the northern site boundary. 89 and 91 Wentworth Crescent are located to the east, on the opposite side of the road. The rear of the application site backs onto the rear garden of 78 Wentworth Crescent.

1.2 Proposed Scheme

Planning permission is sought for the erection of a rear conservatory. The proposed conservatory would extend 3m beyond the rear wall of the existing 3.45m deep rear extension (approved under application ref: 53207/A/98/1491, dated 17-08-98, for a Certificate of Lawfulness for a proposed use or development) and would extend across the full width of the property. The proposed conservatory would have a 3.5m high pitched roof with an eaves height of 2.73m. The proposed conservatory would comprise of glazed panels above brickwork to match the existing building; the panels on the northern side elevation of the conservatory would be obscure glazed (facing 68 Wentworth Crescent).

1.3 Relevant Planning History

53207/A/98/1491 70 Wentworth Crescent Hayes

Erection of a single storey rear extension (Application for a Certificate of Lawfulness for a proposed use or development)

Decision Date: 17-08-1998 GPD

53207/APP/2011/1812 70 Wentworth Crescent Hayes

Single storey detached out building to rear for use as Playroom/Store room (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 04-10-2011 Approved

Comment on 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

Consultation letters were sent to 3 local owners/occupiers. No responses 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

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main planning issues are the design and impact on the character and appearance of the existing property, the impact upon the street scene and the surrounding area, 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 (November 2012) requires that new developments 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 DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) requires all development to be designed to the highest standards and incorporate principles of good design, either complementing or improving the character and appearance of the area. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to protect and improve the public realm, including streets.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) 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.

Part B of Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) sets out specific requirements for rear extensions. Single storey rear extensions on semi-detached houses with a plot width of 5m or more should not exceed 3.6m in depth. Paragraph A1.7 of the guidance states that "the addition of conservatories or other extensions to buildings that have already been extended will not be permitted" whilst Paragraph A1.8 states that "proposals to extend existing extensions will not be supported". Single-storey extensions with pitched roofs should not exceed 3.4m in height.

The proposal would add a 3m deep conservatory onto an existing 3.45m deep rear extension (approved under Certificate of Lawfulness application ref: 53207/A/98/1491, dated 17-08-98) which would result in a 6.45m deep rear extension from the rear wall of the original property. Therefore, the proposal would extend the property more than 6m beyond the original rear building line, thereby exceeding the Council's recommended guidance, and would result in a secondary extension to an existing extension, contrary to policy guidance; the proposed extension would also extend beyond the neighbouring property (72 Wentworth Crescent) which has not been extended. The pitched roof to the proposed conservatory would be 3.5m in height which would exceed the recommended height of 3.4m set out within the policy.

The proposed rear conservatory would therefore be contrary to the policy requirements of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), would result in a significant increase in depth from the original rear wall of the property and would not appear as a subordinate addition to the property due to its height and overall depth. This in turn would adversely affect the character of the area.

In regards to privacy and overlooking, the windows on the northern side elevation of the conservatory would be obscure glazed (facing 68 Wentworth Crescent) so as to prevent overlooking and loss of privacy to this neighbouring property. However, the windows on the southern side of the conservatory (facing 72 Wentworth Crescent) would not be obscure glazed and would directly abut the shared boundary and would look directly into/adjoin the garden of the neighbouring property, thereby resulting in overlooking and loss of privacy to the occupiers of 72 Wentworth Crescent. No. 72 also does not benefit from any existing rear extension so the scale in proximity to the boundary would adversely affect outlook, loss of light and appear visually intrusive.

It is therefore considered that the proposal would have a detrimental impact upon the character and appearance of the application site and the surrounding area and would cause harm to the residential amenity of neighbouring properties, 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).

It is considered that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (March 2021).

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) requires developments to provide good quality and useable private outdoor amenity space in accordance with the Council's standards (as per Table 5.2), whilst Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that proposals to extend dwellings retain adequate garden space.

The application property has a rear garden of approximately 125sq.m. Given the large garden, the proposed extension would not result in a significant loss of rear garden, and so would comply with Policies DMHB 18 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that developments provide acceptable levels of car parking in line with the Council's Parking Standards (Appendix C Table 1), in order to facilitate sustainable development and address issues relating to congestion and amenity.

The application site has a driveway and parking area for two vehicles at the front of the site. The proposed rear extension would not impact on the existing parking provision and so the proposal would comply with Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed rear conservatory would result in a secondary extension to an existing extension, thereby extending the property more than 6m beyond the original rear building line and due to its height and overall depth, would not appear as a subordinate addition to the existing dwellinghouse. The proposal would therefore have a detrimental impact upon the character and appearance of the application site and the surrounding area 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).

2 NON2 Non Standard reason for refusal

The proposed extension due to the scale, siting and design, which includes non-obscure glazed side windows facing 72 Wentworth Crescent would result loss of outlook, visual intrusion, overlooking and loss of privacy to the occupiers of the neighbouring property. The proposal would therefore cause harm to the residential amenity of neighbouring properties, 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

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards

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