

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. Interim Director of Planning, Regeneration & Public Realm 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 Interim Director of Planning, Regeneration & Public Realm**

Address 51 ROYAL LANE HILLINGDON

Development: Erection of a ground floor rear extension

LBH Ref Nos: **77348/APP/2022/1840**

Drawing Nos: Location Plan
GTD1171- 03
GTD1171- 04
GTD1171 - 01
GTD1171 - 02

Date Plans Received: 08/06/2022

Date(s) of Amendment(s):

Date Application Valid: 08/06/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a mid terraced dwelling located on the North West side of Royal Lane, Hillingdon. The property benefits from an area of hard standing to the front which provides off street parking.

The surrounding area is suburban in character characterised with a mixture of dwelling types.

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 nor is there any protected trees. The site is identified within a Critical Drainage Area (CDA).

There is an Article 4 direction that removed permitted development rights for extensions beyond the rear wall of the original dwellinghouse by more than 4m.

1.2 Proposed Scheme

The application proposes for the erection of a conservatory, attached to the existing single storey rear extension.

1.3 Relevant Planning History Comment on Planning History

No 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

Four neighbouring properties were consulted by letter dated 24-06-22. By the end of the 21 day consultation period no objections 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 2 Highways Impacts
DMT 6 Vehicle Parking
NPPF12 NPPF 2021 - Achieving well-designed places

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 standard of accommodation for the host dwelling, including the reduction in size of the rear garden, floodrisk and car parking provision.

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 (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 adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extensions of dwellings do not have an adverse cumulative impact on the character and appearance of the street scene, and they should appear subordinate to the main dwelling. It also requires that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions Policy DMHD1 requires:

- 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;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;

v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted.

Also it is relevant that Hillingdon has a borough wide Article 4 restriction, which removes householder permitted development rights for single storey rear extensions exceeding 4m in depth.

Character and Appearance:

The proposed extension would result in a secondary extension which would be attached to the existing single storey rear extension. The existing structure measures 3.6 m deep, and the proposed conservatory would add an additional 3 m depth. As a result, the cumulative depth of the extensions added to 51 Royal Avenue would measure 6.6 m. The extension would have a maximum height of 2.9 m characterised with a pitched roof design.

It is noted that the depth of the proposed extension would greatly exceed the 3.6m limit prescribed by Policy DMHD 1 (detailed above). Having regard to the depth of the extension in comparison to the depth of the existing house, the proposed single storey rear extension would fail to appear as a subordinate addition and would almost double the footprint of the dwelling. The addition of a pitched roof extension onto an existing flat roofed extension would also appear somewhat mismatched. As such, it is considered that the extension would not respect the architectural integrity of the dwelling and would represent a harmful addition to the character of the local area. This is directly contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020). As noted, there is no permitted development fall back for such a large extension, as a result of the borough wide article 4 restriction.

Residential Amenity:

Only one of the adjoining properties to application site has been extended to the rear, No. 49 Royal Lane. The extension would extend approximately 2 m beyond the rear building line of this property and hence is not considered to have a detrimental impact on the residential amenities enjoyed by this neighbour in terms of the extension itself. However it is proposed to raise the ground levels to 63.5cm above the existing ground level to provide steps from the extension to the garden. Given the height of these steps and that they would extend the full-width of the property from the shared boundary with No. 49 to the shared boundary with No. 53 it is considered that this would unduly facilitate overlooking and loss of privacy to these neighbours.

To the other side, No. 53 Royal Lane has not been extended previously. As such, the proposed single storey rear extension would project 6.6 m beyond the rear elevation of No.53. It is considered that the proposed extension would have a significant detrimental impact on this adjoining neighbour. At circa 2.9 m high and extending some 6.6 m from the rear elevation, the proposed extension would give rise to an enclosing and overshadowing impact, adversely affecting the outlook from the rear elevation of the neighbouring dwelling and reducing the enjoyment of their primary amenity space. This neighbouring property would also be affected by overlooking and loss of privacy discussed above.

No windows are proposed facing either neighbouring dwelling, and therefore the proposal would not result in any undue loss of privacy to this property.

Overall, it is concluded that the proposed single storey rear extension and raised steps, by reason of its siting, width, depth, scale and proximity would be detrimental to the

amenities of the adjacent occupiers of No. 49 and 53 Royal Lane, in terms of overdominance, overshadowing, visual intrusion, overbearing impact, loss of daylight/sunlight, loss of outlook and overlooking and loss of privacy. Therefore, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Standard of Accommodation/External Amenity - Host Dwelling:

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

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, therefore, would 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).

Flood Risk:

The application site lies in a critical drainage area. Had the proposal otherwise been acceptable, an informative note would have been included on the decision notice to advise the applicant about the need for sustainable surface water drainage provision.

Parking:

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

Sufficient off street parking would be retained to the front of the dwelling to serve the extended property. As such, it is not considered that the proposal would result in parking stress, or otherwise harm highway safety.

Conclusion:

The application fails to comply with the development plan and would result in demonstrable harm to the character and appearance of the area, and neighbouring residential amenity. Consequently, the application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed single storey rear extension by reason of its design, bulk, mass, depth and scale, would fail to read as a subordinate addition to the house and would fail to respect its architectural integrity, representing a harmful addition to the character of the local area, all contrary to 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 single storey rear extension and raised full-width steps, by reason of its siting, width, depth, scale and proximity would be detrimental to the amenities of the adjacent occupiers of nos. 49 and 53 Royal Lane, in terms of overdominance, overshadowing, visual intrusion, overbearing impact, loss of daylight/sunlight, loss of outlook, overlooking and loss of privacy. Therefore, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (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 (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
DMT 6	Vehicle Parking
NPPF12	NPPF 2021 - Achieving well-designed places

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