

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 an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. 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 informative's 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 DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No.	Report of the Head of Development Management and Building Control	
Address:	56 THE GREENWAY UXBRIDGE	
Development:	Conversion of garage into habitable use including raising of roof and installation of new window. Amendments to front facing fenestration including new windows and front door, along with new iron railing boundary fencing.	
LBH Ref Nos:	35039/APP/2024/1926	
Drawing Nos:	Site Location Plan J2435 - 0 PLAN01 2435 Plan/02	
Date Plans received:	16-07-24	Date(s) of Amendments(s):
Date Application valid	30-07-24	

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey semi-detached property, located on the southern side of The Greenway. The property is located within The Greenway Conservation Area and the principal elevation is constructed from brickwork and concrete tiles.

At the rear, the dwelling has a two storey rear wing and previously had a conservatory, which had been demolished by the time of the site visit. The rear elevation of the property has been covered in white render. The property also has a small rear garden, which acts as amenity space for the dwelling.

The application property has a driveway within the curtilage of the site which provides space to park one car. Further on-street parking is available on the highway of The Greenway.

The application site shares its western and eastern boundary line with Nos. 54 and 58 The Greenway, respectively. The side elevation of the block of flats to the south on Enfield Close is built up to the rear boundary line.

1.2 Proposed Scheme

The application seeks planning permission for the conversion of garage into habitable use including raising of roof and installation of new window. Amendments to front facing fenestration including new windows and front door, along with new iron railing boundary fencing.

1.3 Relevant Planning History

35039/APP/2024/1927

56 THE GREENWAY UXBRIDGE

Erection of first floor side and rear extensions.

Decision:

Refused

35039/APP/2011/1787

56 THE GREENWAY UXBRIDGE

Single storey rear extension, conservatory to rear and conversion of roof space to habitable use to include 2 rear rooflights and 1 front rooflight involving demolition of existing conservatory to rear (Part-Retrospective)

Decision: 22-09-2011

Refused

35039/APP/2011/955

56 THE GREENWAY UXBRIDGE

Single storey side extension, conservatory to rear and conversion of roof space to habitable use to include 2 rear rooflights, 1 front rooflights and 1 side rooflight involving the demolition of existing conservatory to rear (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 16-06-2011

Refused

Comment on Planning History

A second application is submitted under application reference 35039/APP/2024/1927 for the erection of first floor side and rear extensions.

35039/APP/2011/1787 - erection of a single storey rear and single storey side extension was allowed at appeal under reference APP/R5510/D/11/2167280.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: 5th September 2024

3. Comments on Public Consultations

17 neighbouring properties were consulted by letter dated 2.8.24 and a site notice was displayed to the front of the site which expired on 5.9.24

Conservation Officer -The existing building is a two storey semi detached 19th century property which is part of a group of similar buildings within the street. The buildings are grand and have fine detailing to the porches and bays using contrasting materials and bricks. The barge boards and gable to the street is also decorative. The proposed extensions would be detrimental to the building. They are out of keeping with its character and cause harm to the streetscape in particular the front extension and proposed fenestration. This would be out of keeping with the existing house and the wider group. The loss of the ornate original windows would cause harm to the heritage asset through the introduction of an out of keeping design and an inappropriate material. We believe that the harm caused is less than substantial and at a moderate level. This harm is not balanced by public benefits. As such we would object and recommend refusal. We would object and recommend refusal.

Highways - The Highway Authority are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection

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
PT1.HE1 (2012) Heritage

Part 2 Policies:

DMHB 11 Design of New Development
DMHB 12 Streets and Public Realm
DMHB 4 Conservation Areas
DMHD 1 Alterations and Extensions to Residential Dwellings
LPP D4 (2021) Delivering good design
LPP D6 (2021) Housing quality and standards
LPP D8 (2021) Public realm
LPP G7 (2021) Trees and woodlands
LPP HC1 (2021) Heritage conservation and growth

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene which lies within the Northwood Conservation Area, the impact on trees, the impact upon the amenities of adjoining occupiers, the reduction in the size of the rear garden and car parking provision.

Heritage, Character, and Appearance:

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) details the obligation of local planning authorities to pay special attention to the desirability of preserving or enhancing an area's character or appearance.

Paragraph 205 of the National Planning Policy Framework (2023) states that great weight should be given to the heritage asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration, destruction, or development within its setting) should require clear and convincing justification. Paragraph 207 states that where a proposed development will substantially harm a designated heritage asset, local planning authorities should refuse consent unless the applicant can demonstrate that substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Paragraph 208 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the public benefits of the proposal should outweigh the harm caused by the proposal.

Policy HC1 of The London Plan (2021) states development proposals affecting heritage assets and

their settings should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. Councils should actively manage the cumulative impacts of incremental change from development on heritage assets and their settings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early in the design process. Policy D3 of The London Plan (2021) states that developments should enhance the local context, be of high quality, and respond to a place's existing character. They should also respect, enhance, and utilise architectural features that contribute to the local character.

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 HE1 seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings, and the wider historic landscape.

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

Policy DMHD 1 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.

With regard to Side Extensions, Policy DMHD 1 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.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and positively contribute to local character and distinctiveness. To achieve this, the Council will:

- A) Require proposals for new development, including any signage or advertisement, to be of a high-quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the conservation area's character and appearance.

- B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.
- C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

The proposal involves the conversion of the existing attached garage to the side to a sitting/dining room extension. The works involve the raising of the flat roof by 1m, the replacement of the front garage doors with a window and making good the brickwork and the insertion of 3 x rooflights within the flat roof. The proposal also involves the replacement of the bay windows at both ground and first floor with UPVC windows and erection of railings to the side boundaries of the front garden. Officers consider that the side boundary railings would not cause harm to the character and appearance of the property and streetscene which lies within the Greenway Conservation Area.

The property forms one pair of a pair which are grand and have fine detailing to the porches and bays using contrasting materials and bricks. The barge boards and gable to the street is also decorative. The loss of the ornate original windows which are a contributing feature of the Conservation Area would result in harm to the heritage asset further exacerbated through the introduction of an out of keeping design and an inappropriate material. The front window to the garage conversion would also relate poorly to the original windows in the front elevation. The applicant has provided examples of nearby upvc windows in support of the application. Officers consider however that the examples provided demonstrate the visual harm to the area. Officers consider that the harm caused is less than substantial and at a moderate level. There are no public benefits before Officers which could outweigh the harm identified.

Taking the above into account, the proposal would have an unacceptable and harmful effect on the character and appearance of the host dwelling and the surrounding conservation area. It would fail to either preserve or enhance the character of the conservation area, and there are no public benefits that would outweigh the identified less than substantial harm. The proposal would therefore be contrary Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, and DMHB 11 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and Paragraphs 205; 206, 207 and 208 of the NPPF (2023) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Neighbouring Amenity:

Policy D3 of The London Plan (2021) states that developments should deliver appropriate outlook, privacy, and amenity. Policy D6 states the site layout, orientation, and design of dwellings should provide privacy and adequate daylight for residents.

Policy DMHD 1 of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states that planning applications relating to dwelling alterations and extensions will be required to ensure that a satisfactory relationship with adjacent dwellings is achieved and there is no unacceptable loss of outlook to neighbouring occupiers. Policy DMHB 11 seeks to ensure that development proposals do not adversely impact the amenity, daylight, and sunlight of adjacent properties and open space.

There would not be an increase in footprint of the dwelling. The modest increase in height of the flat roof of the garage is not considered to result in an undue loss of light, outlook or privacy to occupants of adjacent dwellings.

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).

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

Outdoor amenity Space

Policy D6 of The London Plan (2021) requires a minimum of five sq. m. of private outdoor space for one- to two-person dwellings and an extra one sq. m. for each additional occupant.

Policy DMHD 1 of Hillingdon Council's 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, vi) adequate garden space is retained, while Policy DMHB 18 states that developers should provide amenity space in accordance with Table 5.3 of the local plan. Table 5.3 requires developments to provide between 40 and 100 sq. m. of private outdoor amenity space, dependent on the number of bedrooms within the property. It should be well-located, well-designed, and usable for the private enjoyment of the occupier.

The proposal would not have any impact on outdoor amenity space.

Highways and Parking:

The parking provision would remain unaffected by the proposal.

Conclusion:

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposed replacement of the front bay sash windows with upvc windows and the proposed front facing window in the garage conversion would fail to respond to the architectural integrity of the host building and would fail to conserve or enhance the character and appearance of this building which lies within the Greenway Conservation Area. and there are no public benefits that would outweigh the identified less than substantial harm. The proposal would therefore be contrary Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, and DMHB 11 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and Paragraphs 205; 206; 207 and 208 of the NPPF (2023) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

INFORMATIVES

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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 Local Plan Part 1 (2012) and Part 2 (2020) 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 Polices

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

Part 2 Polices:

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 4	Conservation Areas
DMHD 1	Alterations and Extensions to Residential Dwellings
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP G7	(2021) Trees and woodlands
LPP HC1	(2021) Heritage conservation and growth

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