

## 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:** 65 SUMMERHOUSE LANE HARMONDSWORTH

**Development:** Part-retrospective application for the erection of outbuilding to rear garden (amended description)

**LBH Ref Nos:** 47333/APP/2023/1509

**Drawing Nos:** Location plan  
Block plan  
Tree Constraints Plan  
SINGH/PLAN/001

**Date Plans received:** **Date(s) of Amendments(s):**

**Date Application valid**

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site comprises a two-storey, semi-detached dwelling located on the south side of Summerhouse Lane. The property benefits from a single storey rear extension, double storey side extension and front porch.

The street scene comprises of dwellings in identical character and appearance with a uniform appearance. The surrounding area is mainly residential in character and Harmondsworth primary school is located to the rear of the site.

The application site lies within Harmondsworth Village Conservation Area, Harmondsworth Archaeological Priority Area (APA) and Heathrow Archaeological Priority Zone (APZ).

The site is also located in an area covered by a Tree Protection Order.

### 1.2 Proposed Scheme

Planning permission is sought for the erection of an outbuilding - part retrospective.

### 1.3 Relevant Planning History

47333/APP/2022/806

65 SUMMERHOUSE LANE HARMONDSWORTH

Erection of a double storey side extension and single storey rear extension with erection of a front porch.

**Decision:** 04-05-2022

Approved

47333/APP/2022/3544

65 SUMMERHOUSE LANE HARMONDSWORTH

Erection of a detached outbuilding to be used as auxiliary of main dwelling

**Decision:** 21-02-2023

Withdrawn

### **Comment on Planning History**

The planning history for the site is listed above.

It should be noted that planning permission was granted for 'Erection of a double storey side extension and single storey rear extension with erection of a front porch.'. Under planning application no. 47333/APP/2022/806. The development has commenced and the extensions are under construction.

It should also be noted that permission was sought for a similar outbuilding in 2023 (47333/APP/2022/3544). The application was withdrawn as concerns were raised regarding the developments adverse impact on a large protected tree which existed to the rear of the site. In February 2023 the applicant confirmed that the tree was present.

At the time of visiting the site, the tree was not present and the agent/applicant suggested that it was diseased and therefore had to be felled.

## **2. Advertisement and Site Notice**

2.1 Advertisement Expiry Date: 2nd August 2023

## **3. Comments on Public Consultations**

Four neighbouring properties along with Harmondsworth And Sipson Residents Association were consulted on the application by letter dated 29-06-23. The consultation period expired 16-08-23.

Two objections were received in response to consultation on the application. Those objections have been summarised below:

- The development would cause parking issues
- The proposed building is inappropriate next to a school
- The proposal would be out of keeping with the character and appearance of the area
- The host property appears to be in use as a HMO
- The outbuilding blocks light to adjacent gardens
- A TPO tree has been removed from the garden

Harmondsworth Conservation Area Advisory Pane summarised comments:

- The proposed outbuilding is too large
- The building is capable of independent living. The W.C and shower is not necessary as main house has these features.
- Window in rear elevation will overlook school to rear
- Removal of mature tree and shrubbery to rear garden. No details given about replacement tree.

Officer Comment:

The impact of the proposal on trees, neighbouring amenities, the local highways network, character and appearance of the area have been addressed in the main body of the report. No evidence has been submitted to substantiate the claim that the property is being used as a HMO. Furthermore dwellings can be converted into HMO's under permitted development.

#### 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 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 12	Streets and Public Realm
DMHB 11	Design of New Development
DMHD 2	Outbuildings
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
LPP D6	(2021) Housing quality and standards
LPP D3	(2021) Optimising site capacity through the design-led approach
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

#### 5. MAIN PLANNING ISSUES

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

Impact on the Character and appearance of the conservation area, host dwelling, site and street scene:

The NPPF (2021) seeks to preserve and enhance heritage assets. It also seeks to ensure that development proposals are of good design and are in keeping with the character in appearance of the area.

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 including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.

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 and accessible.

Policy DMHB 4: Conservation Areas 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 make a positive contribution to local character and distinctiveness. In order 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 character and appearance of the Conservation Area.
- 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.

Policy DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require residential outbuildings to meet the following criteria:

- i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers;
- ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees;
- iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

Paragraph A1.34 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that as a general guide, an outbuilding should be no greater than 30 square metres and should not significantly reduce private amenity space or the landscape and ecological value of the garden.

In terms of footprint, the proposed outbuilding would measure approx. 28sqm. It would have a maximum height of 3.6m and would have a pitched roof. The rooms within the building are stated as a gym, study and w.c. It is considered the use of the rooms to be incidental to the enjoyment of the main dwellinghouse. Had planning permission been approved a condition would have been added to ensure that the building was not used as an independent form of residential accommodation.

Despite its policy compliant footprint, it is considered that when viewed and considered in combination with the approved extensions (which are under construction), the development would result in an overdevelopment of the site. Limited space would exist between the rear wall of the outbuilding and the rear wall of the approved extensions making the site appear cramped and congested. The resulting rear garden would be filled with development, contrasting with other

gardens in the area, which are generally green and open. Due to its height, footprint and location within a small plot the building would appear oversized. Additionally, outbuildings within the area are generally smaller, as such the one proposed would be out of character in terms of its size.

In addition to the above, a protected tree existed at the rear of the garden in February 2023. The tree has been removed and was not at the site on 01/08/23.

The applicant has suggested the tree was removed due to disease and subsequently needed felling. No tree survey has been submitted to substantiate the claim. No plan for replacement tree planting has been submitted to mitigate the loss of the tree. The loss of the tree has had an adverse impact on the appearance of the site. Furthermore it has had an adverse impact on the Conservation Area, in so far as green and woody gardens characterise the area and one less such garden would exist due to the proposed development.

In light of the above, it is considered that the proposed development would cause significant harm to the character, appearance and visual amenities of the site and surrounding area. It would also have an adverse impact on the Harmondsworth Village Conservation Area .

The proposal would therefore conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHD 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy D3 of the London Plan as well as paragraph 130 of the NPPF (2021).

It should be noted that the harm caused to the Conservation Area, while notable would be less than, 'less than substantial harm' and would therefore not need to be outweighed by public benefits.

Residential Amenity:

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 supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

Paragraph A1.34 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that "outbuildings should respect neighbouring properties and should not result in the excessive loss of residential amenity, privacy, outlook and overshadowing/sunlight."

Given the separation distance from the rear building line of the neighbouring properties and the single storey nature of the proposed outbuilding, it is considered that there would be no harmful impacts to the amenities enjoyed by the neighbouring properties, in terms of loss of light, loss of outlook, overshadowing, nor would it be overbearing.

Harmondsworth Primary School is located to the rear of the application site. The proposed outbuilding would have one small window which would face this school, however the window would serve a w.c/shower room therefore it is considered that no significant overlooking or loss of privacy would be created. Furthermore the window would face onto the boundary fence of the site, reducing any harmful effect further.

The proposed development is not considered to significantly impact on neighbour amenities.

External Amenity Space Provision:

Approximately 42 sqm of useable rear garden will be retained. Table 5.3 (Private Outdoor Amenity Space Standards) of the Hillingdon Local Plan Part 2: Development Management Policies (2020). States that 2 and 3 bedroom properties should have a minimum of 60sqm of private amenity space. Inadequate private amenity space would be retained for occupiers of the existing dwelling therefore not complying with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020). The substandard amount of amenity space would also be cramped and congested with tall buildings, limiting outlook from the space and making it feel congested. The resulting undersized garden also adds to the conclusion that the site would be visually cramped.

#### Parking and Highway Safety:

The existing parking arrangements would not be impacted by the proposed development. It is therefore considered that the proposal would not result in a significant increase in pressure for street parking or prejudice highway safety, in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### Tree impact:

Policy DMHB 14: Trees and Landscaping states : A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure. C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible. D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The application site lies within an area covered by a Tree Protection Order, it is also within the Harmondsworth Village Conservation Area.

A large tree once existed to the rear of the site. The applicant has suggested that the tree fell/was removed due to disease. As mentioned above, no tree survey was submitted to substantiate the claim. No plan has been submitted showing the location of a replacement tree. Nor does there appear to be space on site, so that a replacement tree could be secured via condition. It is therefore considered (at this stage) that the loss/removal of the tree is unjustified, unacceptable and harmful to the character and appearance of the site, area and Conservation Area (as expanded on earlier in the report).

#### Other:

Due to its size and household nature, the proposed outbuilding is unlikely to have any adverse archaeological harm.

#### Conclusion:

The application is recommended for refusal.

## 6. RECOMMENDATION

### REFUSAL for the following reasons:

#### 1. NON2 Non Standard reason for refusal

Due to its height, scale, bulk, close proximity to the site's boundaries and close proximity to the extended host dwelling, the proposed outbuilding would result in a overdevelopment of the site. The resulting site would appear cramped and out of character with surrounding sites which are generally spacious and free of this amount of development. The outbuilding would be oversized when compared with others within the area. Furthermore the development has been facilitated by the removal of a protected tree which contributed to the character and appearance of the site and area. The loss of the tree has caused harm to the character and appearance of the site and area. The proposed development is therefore considered to have an adverse impact on the visual amenities of the host dwelling, site, surrounding area and Conservation Area. The development conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHD 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy D3 of the London Plan as well as paragraph 130 of the NPPF (2021).

#### 2. NON2 Non Standard reason for refusal

Due to its height, scale, bulk, close proximity to the site's boundaries and close proximity to the extended host dwelling, the proposed outbuilding would result in the rear garden of the host dwelling being cramped and of substandard size. The resulting rear garden would provide existing and future residents of 65 Summerhouse Lane with a poor standard of external living accommodation to the detriment of their amenities. As such, the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), as well as paragraph 130 (f) of the NPPF (2021).

#### 3. NONSC Non Standard Condition

The proposed development would be facilitated by the unjustified removal of a protected tree within the Harmondsworth Village Conservation Area. Insufficient information has been submitted to justify the removal of the tree. No tree replacement plan has been submitted to mitigate the loss of the tree. The loss of the tree has caused harm to the character and appearance of the site and Conservation Area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy D3 and G7 of the London Plan and paragraph 131 of the NPPF (2021).

## 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 (2021) and national guidance.

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

DMHB Streets and Public Realm  
12

DMHB Design of New Development  
11

DMHD 2 Outbuildings

DMHB Trees and Landscaping  
14

DMHB Private Outdoor Amenity Space  
18

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

#### Part 1 Policies

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

#### Part 2 Policies:

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

DMHB 12 Streets and Public Realm

DMHB 11 Design of New Development

DMHD 2 Outbuildings

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards

LPP D3 (2021) Optimising site capacity through the design-led approach

NPPF12

NPPF 2021 - Achieving well-designed places

NPPF16

NPPF 2021 - Conserving & enhancing the historic environment

**Contact Officer:**

Rhian Thomas

**Telephone No:**