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Item No. Report of the Interim Director of Planning, Regeneration & Public Realm

Address 28 JACKS LANE HAREFIELD

Development: Part single; part three storey side extension (following part demolition of side garage addition and removal of chimney) with balcony and balustrade; replacement ground floor side door with window; reinstatement of front garage door; replacement ground floor rear windows/doors with new bi-fold doors and extended rear patio.

LBH Ref Nos: 76265/APP/2022/1716

Drawing Nos: 2018IB_HH: SH1 5
2018IB_HH: SH2 E
Planning and Heritage Statement

Date Plans Received: 26/05/2022 **Date(s) of Amendment(s):** 28/10/2022

Date Application Valid: 26/05/2022

Recommendation: REFUSE PLANNING PERMISSION

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a three-storey detached dwelling on the western side of Jacks Lane. The dwelling has a single storey side garage towards the side of no.27 Jacks Lane, with a single storey rear addition with a roof used as a balcony with glass balustrade around. The frontage is hardstanding and accommodates parking. To the rear is private amenity space, beyond which is the Grand Union Canal.

This particular group of properties are similar in their form, proportion and appearance, grouped in a row/pairs. No.33 and 38 Jacks Lane are similar in massing and appearance to the host site, although no.38 is located at the very 'end' of the row of properties. The properties located to the north of the host site also sit within a uniform row, but differ in design from the application property.

The land levels appear relatively flat although drop from the east to the west from the rear of the dwelling.

The site has a Tree Preservation Order (TPO 581), is located within the Coppermill Lock Conservation Area and Archaeological Priority Area, and is subject to surface water floodzone and river bank protection designations. The site is also located within the Colne Valley Regional Park. To the front of the site, although separated by the highway is Green Belt land and a Site of Special Scientific Interest (SSI).

1.2 Proposed Scheme

The application seeks householder planning permission for:

- Part single; part three storey side extension (following part demolition of side garage

- addition and removal of chimney) with balcony and balustrade;
- Replacement ground floor side door with window - towards the side of no.29;
 - Reinstatement of front garage door;
 - Replacement ground floor rear windows/doors with new bi-fold doors;
 - Extended rear patio.

Amended plans have been received during the course of the application process to address some design concerns, albeit the application is still considered unacceptable for the reasons set out in this report.

1.3 Relevant Planning History

Comment on Planning History

No comment.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 20th July 2022

2.2 Site Notice Expiry Date:- 27th July 2022

3. Comments on Public Consultations

Adjoining neighbouring properties were originally consulted by letter dated 16/06/2022. In addition, the application has been advertised by press and site notices.

After amendments were sought and received, further public consultation was undertaken (expiring 14/11/2022).

By the end of the public consultation period, 10 objections were received which can be summarised as follows:

- Considerably changes the current property's layout, scale, and density.
- Out-of-scale and visually intrusive, adversely impacting upon the character of the historic street pattern and symmetry of the original buildings alongside the Grand Union Canal.
- Contravenes conservation area requirements/not sensitive to setting.
- The site is visible from the adjacent Grand Union Canal public footpath at the rear and Jacks Lane public footpath and National Trail at the front of the property.
- Contravenes covenants placed on these properties in place to retain estate of sympathetic properties.
- Set a dangerous precedent.
- Inaccuracies and discrepancies in application.
- Harm to neighbouring residential amenity including overshadowing/overbearing/loss of outlook/loss of daylight/sunlight/loss of privacy/balcony intrusive.

- Increased occupancy will also raise issues with street traffic, limited parking facilities, and potential increase of noise.
- Inconvenience for local residents in this no through road; with poor access for large vehicles and little available parking for work vans of the builders, which I understand may include machinery for pile driving as I have been advised that was necessary for construction of houses in this road.
- Construction noise and upheaval including access issues.
- Contamination concerns - site's Asbestos history.
- Amendments during application process do not address concerns.
- This application does not help the percentage of outside space against the percentage of inside space for the current owners or any future owners.
- Risks the loss of two trees and 10 metres of garden hedges.
- Further overload currently limited and problematic residents' sewage and drainage systems.
- Concerns raised about consultation process.

The Waterside Mews Residents Association (WMRA) has stated the following (summarised):

The WMRA have the legal responsibility of overseeing the Rent Charge and covenants. The WMRA need to inform the council of the covenants prior to such permission being granted due to issues concerning the private road. While covenants themselves are not part of the planning process, council officers should take note of them.

The property is situated on a private road and subject to a Rent Charge and restrictive covenants established in 1998 by Michael Shanly Homes and taken over by us in 2008. The Rent Charge is listed against title AGL63170. The adopted section of Jacks Lane terminates just before no 28 but the whole of Jacks Lane constitutes part of the Hillingdon Trail.

PETITION:

A petition containing 44 signatures has been received in objection to the application, raising the following concerns:

- The proposal considerably changes the current property's layout, scale and density. It is out-of-scale and visually intrusive, adversely impacting the character of the historic street pattern and symmetry of the original buildings alongside the Grand Union Canal. The proposed changes seem to contravene the conservation area requirements.
- The site is visible from the adjacent Grand Union Canal public footpath at the rear and Jacks Lane public footpath at the front of the property. The planning application inaccurately reflects this fact.
- The proposal risks the loss of two trees and circa 10 metres of garden hedges during the

construction works. The planning application inaccurately reflects this fact.

- The proposal is bulky, overbearing, overlooking and impairing the rights of privacy and daylight/sunlight of adjoining properties. The planning application inaccurately reflects this fact.

- Neighbours raised health concerns related to the foundation works. The application ignored the site's asbestos history and, contrary to the Council policies, failed to demonstrate and report the site's soil to be free from hazardous substances at the level of the proposed foundations.

- The approval of this proposal will open an undesirable precedent for out-of-character developments in Jacks Lane and the Conservation Area.

PLANNING OFFICER COMMENT:

Material planning issues raised in representations are addressed in the main body of the report below. In addition, the following should be noted:

The covenant and rent charge matters raised are not material to this decision as they would not be material planning considerations. However, the Applicant should be aware of these restrictions as any grant of planning permission would not override or negate any other legal or civil matters relating to land ownership.

Consultation has been carried out in accordance with planning legislation and the Council's Statement of Community Involvement.

In terms of health and environmental impact, the Council's Contamination Officer has been consulted and comments will be reported in the Addendum Report to committee.

In terms of noise during building works, if the application were to be approved, the applicant would need to ensure that builders follow the relevant noise acts and construction is during the permitted hours. Whilst residents' concerns about disruption during the construction process are duly noted, this would not form a sustainable ground for refusal of this householder planning application.

Comments regarding increased noise resulting from increased occupancy of the dwelling are duly noted, however this would not form sustainable grounds for refusal of planning permission. This is similarly the case in respect of the concerns raised about sewage capacity.

CONSERVATION OFFICER:

INITIAL COMMENTS:

The application seeks permission to demolish the existing single-storey attached side garage and to erect a part single, part 3-storey side extension, with alterations to fenestrations.

The property comprises a three-storey detached dwelling with an attached garage that forms part of an architecturally designed group with nos. 28 to 38 Jacks Lane that form an overall balanced composition.

The building is not listed but is situated and makes a positive contribution to the

Coppermill Lock Conservation Area. The building is seen prominently not just from the front along Jacks Lane but also from the Grand Union Canal to the rear.

The balanced group of houses have remained relatively untouched and free from large extensions retaining their balanced composition and a consistency in design.

There are concerns with the proposals as they will harm the appearance of the house and the wider group. The three-storey extension does not sit comfortably with the rest of the houses introducing a different footprint house and an incongruous crown roof form that would be at odds with traditionally pitched gable and hipped roof forms. This would be exacerbated further with the introduction of tiled roof slopes which would be in strong contrast to the slate finishes of the existing houses.

Harm would also be caused with the loss of the chimney stack which is a consistent feature across the group. The fenestration across the rear ground and first floor would also be disrupted with the introduction of sliding doors across the full width of the original portion of the house that disrupt the rhythm across the group.

The proposed development for the above reasons would neither preserve nor enhance the character and appearance of the Coppermill Lock Conservation Area contrary to the requirements of the local plan DMHB 1 and DMHB 4.

In considering development affecting a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

The duties imposed by section 72 of the Act are in addition to the duty imposed by section 3(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

In this case, the primary issue relates to preserving or enhancing the character and appearance of the Coppermill Lock Conservation Area. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the harm caused.

The NPPF requires its own exercise to be undertaken as set out in its chapter 16. Conserving and enhancing the historic environment. Paragraphs 189-208 require consideration of the impact of a proposed development on the significance of a designated heritage asset and assessment of the identification of any harm. In particular, where there is harm identified. Paragraph 202 states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

The harm identified in this case is considered 'less than substantial harm' to the Coppermill Lock Conservation Area. In line with paragraph 202 of the NPPF, the less than substantial harm arising from the impact of the development on the Coppermill Lock Conservation Area would need to be weighed against the package of public benefits arising from the scheme. No public benefits have been put forward by the applicant which

would outweigh the harm identified and the development would be contrary to the NPPF, local policies and the London Plan Policies.

FURTHER COMMENTS (following the design changes received, the Conservation Officer provided a second set of comments on the plans received on 28/10/2022):

There are still concerns with the proposed extension from a conservation perspective due to its impact on the architecturally designed group and its prominence in the conservation area. There would be a preference for no extension to the side of the building, particularly as there is no simple roof form that can match a forward and rear facing gable roof. The design changes however, are an improvement on the original submission and would read as a more subordinate addition.

OUTSTANDING CONSULTATIONS:

Environment Agency - No comments received when writing the report, any response will be reported in the addendum.

Contamination - In light of the objections received, advice has been sought from the Council's Contaminated Land Officer. No comments have been received when writing the report, any response will be reported in the addendum. Nevertheless, it should be noted that contamination matters could be addressed through a planning condition (if necessary) in the event of an approval, therefore issues raised in respect to contamination would not form a reasonable ground to refuse this planning application.

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 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMEI 5 Development in Green Chains

DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
LPP G2	(2021) London's Green Belt
LPP HC1	(2021) Heritage conservation and growth
LPP D8	(2021) Public realm
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP T6	(2021) Car parking
LPP D6	(2021) Housing quality and standards

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, whether the proposal preserves the character and appearance of the conservation area, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden, floodrisk, impact on trees and car parking provision.

Character and Appearance of the Conservation Area:

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 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 requires that there is no

unacceptable loss of outlook to neighbouring occupiers.

With regard to side extensions, Policy DMHD 1 requires:

- 1) side extensions should not exceed half the width of the original property;
- 2) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- 3) garages should reflect the size guidelines set out in Appendix C Parking standards;
- 4) 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;
- 5) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;
- 6) where hip to gable roof extensions exist, a two storey side extension will not be supported; and
- 7) in Conservation Areas, single storey side extensions may be required to be set back.

Policy DMHB 4 also advises new development within or on the fringes of conservation areas will be expected to preserve or enhance the character and appearance of the area. It should sustain and enhance its significance and make a positive contribution to the local character and distinctiveness.

The proposal would demolish the existing single storey side garage addition towards the side of no.27 and replace it with a side extension set over three floors to match the main dwelling. There would be a rear terrace at first floor level with a balustrade, matching the existing in terms of design. The existing garage door would be reinstated with a similar garage door. The ground floor doors/windows to the rear of the dwelling would be removed and replaced with bi-fold doors, with patio to the rear. In addition, a side ground floor door facing no.29 would be replaced with a window.

The proposed extension (as amended) has been designed to comply with requirements of Policy DMHD 1:

- the side extension does not exceed half the width of the original property;
- the side extension is set in a minimum of 1 metre from the side boundary to maintain adequate visual separation and views between houses;
- the side extension is set back a minimum of 1 metre behind the main front elevation.

It is acknowledged that the proposed internal garage dimensions would fall short of the guidelines set out in Appendix C to the Hillingdon Local Plan Part 2, however as this is also the case for the existing garage, this would not be a cause for concern/reasonable ground to refuse planning permission.

Both no.28 and 38 Jacks Lane form the 'end' properties of the group of houses along this part of Jacks Lane which share a group value and balanced composition. They both have larger gaps to the side common boundaries. Whilst the properties along this side of the stretch are uniform and similar in appearance, no.28 and 38 are to some degree unique, given they are detached and differ in terms of their design format and spacing. It is also difficult to fully appreciate the entire group of properties from street level given the size of the properties and narrow highway to the front. It is difficult to appreciate the two separate, detached 'end' properties from any particular viewpoint.

Given the generous gap to the boundary there is sufficient space to the side of the host dwelling (noting existing garage) to extend the property. Therefore, from a design point of view, alongside noting Policy DMHD 1 of the Local Plan, the principle of a side addition is acceptable, providing it reads as subordinate to the dwelling and successfully preserves the conservation area.

The Conservation Officer has raised concerns with the principle of a side extension, as noted above. However, looking at the character and appearance of this particular part of the conservation area and this particular group of buildings, it is considered that a side extension can successfully be constructed in a way which reads as subordinate and secondary, preserving the character and appearance and the significance of the conservation area. As revised, the extension is successful in doing this and would not result in harm to the conservation area to any notable degree.

No.28 has a large gap to the side, but also reads as slightly distinct as it is further set back from the street. This recessive position and gap to the side ensures the extension is not unduly prominent, and with the design changes, successfully reads as subordinate. The amendments sought on 28/10/2022 further ensure this and the proposed extension with a 1m set back from the front established building line (at all levels) and set in from the side boundary is successful in terms of its form and envelope.

The extension is proposed to be 1m set in from the rear elevation in a similar way to the front. This is important because the extension must be acceptable and subordinate in all public views, including from the canal to the rear and private gardens, given the importance of preserving the character and appearance of the conservation area. These set backs help to break and articulate the new bulk to the side and ensure the extension reads as secondary in all views, ensuring the main house reads as the dominant building on site.

Importantly, at the rear an additional area of first floor balcony is proposed. This would match the existing balcony but would be further set back. This would form as an individual area of terrace and would not wrap-around to the rear existing terrace and would still read as secondary, and similar in design to other fenestration and detailing on the rear elevation.

The side extension would have a small crown roof. This would be difficult to appreciate given the three storey height of the existing property and the set down from the roof. Importantly the roof would respond to the existing angle and pitch of the gabled roof at No.28. This is the most suitable solution and integrates well with the main roof, particularly as it has been set down from the main ridgeline of the property. The other revisions received during the course of the application tested different approaches to the roof, the small crown and the roof pitch/angle proposed is the most successful, preserving the character and appearance of the building, streetscene and wider conservation area.

Objections regarding 'precedent' are noted. However, each planning application must be assessed on its merits. Further, no.28 and 38 are the only properties that can realistically be expanded to the side given the spacing between the flank and boundary line. The properties in the 'middle' of this row do not have sufficient space to the side to accommodate an extension and are also different and unique in their own setting.

No.27 of which adjoins to no.26 and the terrace row step further forward (overall) and as

such the overall 'step and siting' of the proposed side extension would be acceptable in design terms adjacent to this property.

With regards to the fenestration, large openings are proposed to the rear. However, they would be screened from public views from Jacks Lane and in any event would not be out of character given the existing openings across properties in the group, facing onto the Grand Union Canal.

To conclude in relation to design, whilst the Conservation Officer's comments are duly noted, on balance, it is considered that the amended scheme would not result in any notable harm to the Conservation Area and an in principle objection to a side extension would be extremely difficult to substantiate in the event of an appeal. It is concluded that the proposal in respect of design and heritage impact complies with the objectives of Policies HC1 and D3 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Development Management Policies (2012), Policies DMHD 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (NPPF).

Neighbouring Amenity Impact:

The host dwelling is adjacent to no.27 (north) which is a two-storey dwelling that has 'front' facing windows to the side of the host dwelling as the property angles into the plot. The host dwelling sits adjacent to no.29 (south) which is a semi-detached three-storey dwelling along Jacks Lane.

No.29 Jacks Lane:

With regards to no.29, no part of the existing dwelling would be expanded deeper along this side, as the proposal is predominately for a side extension towards the side of no.27. The host dwelling already has a terrace and balustrade to the rear with a side facing brick wall facing no.29. The proposed new bi-fold doors at ground level would not be harmful in this established context.

An existing side door facing no.29 would be replaced with a window that would serve part of the wider kitchen area of the house. Given the ground floor siting and separation to the common boundary, no concerns would be raised from this window in respect to overlooking/loss of privacy. There would be no need to obscure this window.

No.27 Jacks Lane:

This is the neighbour most affected by the proposal given its siting adjacent to the existing garage and gap to the side.

The openings along the southern elevation of the neighbour (facing no.28) are very important when considering the impact. These openings include the entrance, utility and garage door at ground level and a hallway and bathroom at first floor level, which are non-habitable rooms. Given they are non habitable, the impact on light, outlook and sense of enclosure is acceptable in all respects in relation to these openings.

There is however a first floor bedroom window which is habitable and therefore requires a greater degree of protection from neighbouring development. The impact on this window

is a key issue in this case.

The position of the bedroom has been carefully designed in the original layout of the property and it offers an angled view, which faces towards the driveway of the application property, looking south east. This window appears to be the sole window serving this habitable room.

The proposed extension, following amendments, would not be significantly wider than the existing side garage at ground floor level and would be set back from the established front building line by approx 1m. Nevertheless, it would be set over three floors rather than limited to ground floor level.

In terms of light, the orientation ensures there would be no harmful loss. The sun would rise and continue to move around the existing building and footprint. The setbacks from the front and rear ensure the impact would be limited, given it would be against the backdrop of existing built form.

The impact on the rear garden of No.27 is also acceptable. This is for similar reasons. The new extension is set against the main dwelling in the same position as the existing garage. A gap to the side would still be retained and the overall impact on light and overshadowing would be limited by the orientation.

That said, the extension would be sited much closer to the aforementioned bedroom window serving no.27. This proximity would have a marked impact on the existing relationship and would result in a harmful sense of enclosure. It is accepted that the 45 degree line from this window is already breached by the existing house at no.28, but the new side extension would be much closer to the window at upper levels and increase the sense of enclosure by a harmful degree. It would also reduce the perceived outlook from this window and create an uncomfortable relationship as a result.

With regard to privacy and overlooking, no significant concerns are raised. It is noted that some of the host site to the rear has an area of patio which is approx. 0.2m in height, increasing this would be acceptable. The proposed balcony at first floor is where the greatest potential for overlooking to no.27 occurs, however, the levels of overlooking would be comparable to the existing given the existing balcony at this level offering similar views. Were the development otherwise acceptable, a condition could have been used to secure a privacy screen to the side of the new balcony.

A second floor side window is proposed facing no.27. This would be a secondary window to the wider room of which the plans have annotated to be obscure glazed. A condition again could have been attached to ensure the window is glazed with permanently obscured glass if the development were otherwise acceptable. Proposed front and rear facing windows would provide oblique views over the neighbouring property which would be typical of a residential area and thus acceptable.

For the reasons set out above, the proposed extension and alterations would result in harm to the nearby occupiers at 27 Jacks Lane through an increased sense of enclosure and perceived loss of outlook. Therefore, the proposal would fail to comply with the requirements of Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and is recommended for refusal on this basis.

Standards of Accommodation - Application Property:

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 terms of the garden area, Policies DMHD 1 and DMHB 18 seek to ensure that dwellings retain adequate private external amenity space. Over 100sqm of amenity space would be retained to the rear of the host dwelling which would be considered sufficient to serve the extended dwelling.

Highways and Parking:

No significant Highway safety concerns are considered to be raised given the existing off-street parking provision available.

Flood Risk Impact:

As noted previously, the site is located within a surface water floodzone and river bank protection designation.

The proposed extension would be built on the footprint (but would be larger than) the existing side garage. In this circumstance and noting the separation distance of the proposed extension and building to the Canal at the rear of the site, it is not considered that significant flood risk or bank top protection issues are raised. The conclusions within the submitted Flood Risk Impact report support this view. Nevertheless, comments have been sought from the Environment Agency and should the Environment Agency respond with concerns, a refusal reason on those grounds will be included. An update will be provided to Members in the Addendum Report/at Committee.

Trees and Landscaping:

The site has a Tree Protection Order (TPO 581) and lies within the Coppermill Lock Conservation Area. All trees within the site and surrounds are protected.

The closest trees of merit that could be impacted by the proposal are located to the 'side' (southern side) of no.27. The proposed extension, largely due to the set in from the side boundary, would be well separated from the neighbouring trees. Nevertheless, had the recommendation otherwise been to grant planning permission, a pre-commencement planning condition would have been included in the recommendation to ensure adequate tree protection measures during construction.

Impact on Green Belt:

As noted, land to the front of the site is within Green Belt, albeit approx. 22m away from the front of the host dwelling. Given the intervening distance and position of the proposed extension within the existing line of development, it is considered that the proposal would not adversely affect the openness or character of the Green Belt.

Conclusion:

The application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed side extension, by reason of its bulk, height, size, siting and proximity would cause a harmful sense of enclosure and perceived loss of outlook to the first floor bedroom window of 27 Jacks Lane, harming their existing living conditions to an unacceptable degree. The proposal is therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 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
PT1.HE1	(2012) Heritage

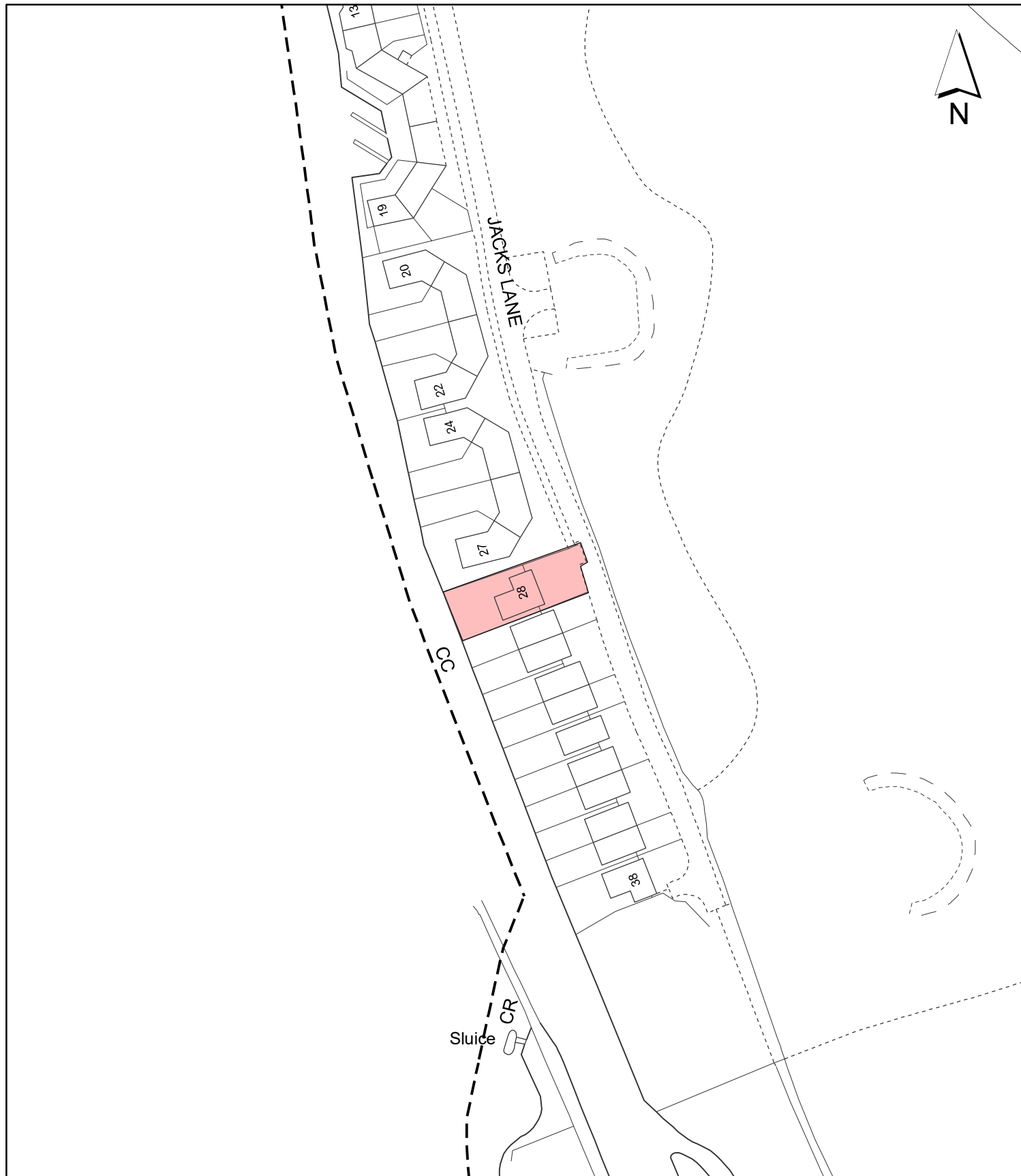
Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development

DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 5	Development in Green Chains
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
LPP G2	(2021) London's Green Belt
LPP HC1	(2021) Heritage conservation and growth
LPP D8	(2021) Public realm
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LLP D1	(2021) London's form character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP T6	(2021) Car parking
LPP D6	(2021) Housing quality and standards

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Notes:

 Site boundary

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Site Address:

28 Jacks Lane

Planning Application Ref:

76265/APP/2022/1716

Planning Committee:

BoroughPage 113

Scale:

1:1,250

Date:

January 2023

**LONDON BOROUGH
OF HILLINGDON**
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Planning Section**

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