

## Report of the Head of Planning, Transportation and Regeneration

**Address** 28 OAKDENE ROAD HILLINGDON

**Development:** Part two storey, part single storey side/rear extension and conversion of 3-bed dwelling to 1 x 3-bed and 1 x 1-bed dwellings with associated parking and amenity space

**LBH Ref Nos:** 4247/APP/2018/1451

**Drawing Nos:** 28OAKDENEROAD-001 Rev. B  
28OAKDENEROAD-003  
28OAKDENEROAD-004  
28OAKDENEROAD-006  
28OAKDENEROAD-007  
28OAKDENEROAD-008  
28OAKDENEROAD-005  
28OAKDENEROAD-002

**Date Plans Received:** 18/04/2018 **Date(s) of Amendment(s):**

**Date Application Valid:** 27/04/2018

### 1. SUMMARY

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension and conversion of 3-bed dwelling to 1 x 3-bed and 1 x 1-bed dwellings with associated parking and amenity space.

The proposed two storey side extension, by virtue of its siting, size, scale and design, including the lack of a set back from the front at all levels in a prominent corner location, and siting in close proximity to the side boundary, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and the visual amenities of the street scene and the wider area. Furthermore, the proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said units and also fails to provide sufficient off street parking provision which meets the councils approved parking standards to service the proposed dwellings.

Accordingly, the application is recommended for refusal.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposed two storey side extension, by virtue of its siting, size, scale, width and design, including the lack of a set back from the front at all levels in a prominent corner location, and siting in close proximity to the side boundary, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and the visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One -

Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts.

**2 NON2 Non Standard reason for refusal**

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

**3 NON2 Non Standard reason for refusal**

The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## **INFORMATIVES**

**1 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

**2 I52 Compulsory Informative (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).

**3 I53 Compulsory Informative (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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

#### **4            I71            LBH worked applicant in a positive & proactive (Refusing)**

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 'Saved' UDP 2007, Local Plan Part 1, 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.

#### **5            I74            Community Infrastructure Levy (CIL) (Refusing Consent)**

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

### **3.        CONSIDERATIONS**

#### **3.1      Site and Locality**

The application property comprises a two storey semi-detached house located on the Southern side of Oakdene Road which lies within the 'developed area' as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The property lies on a prominent corner plot with Evergreen Drive, a modern infill cul-de-sac located to the South East and accessed between the application site and adjacent number 34 Oakdene Road. The principal elevation faces almost due North.

### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension and conversion of 3-bed dwelling to 1 x 3-bed and 1 x 1-bed dwellings with associated parking and amenity space.

### **3.3 Relevant Planning History**

4247/APP/2016/3333      28 Oakdene Road Hillingdon

Two storey side extension and single storey rear extension

**Decision:** 31-10-2016      Refused

4247/APP/2016/4247      28 Oakdene Road Hillingdon

Two storey side extension and single storey rear extension

**Decision:** 17-01-2017      Refused

4247/APP/2017/3265      28 Oakdene Road Hillingdon

Part two storey, part single storey side/rear extension

**Decision:** 06-12-2017      Approved

4247/APP/2017/4597      28 Oakdene Road Hillingdon

Part two storey, part single storey side/rear extension

**Decision:** 27-02-2018      Approved

4247/APP/2017/676      28 Oakdene Road Hillingdon

Part two storey, part single storey side/rear extension

**Decision:** 18-04-2017      Approved

#### **Comment on Relevant Planning History**

The following planning history is considered to be of relevance to this application site:

4247/APP/2017/4597 - Part two storey, part single storey side/rear extension. Approved.

4247/APP/2017/3265 - Part two storey, part single storey side/rear extension. Approved

4247/APP/2017/676 - Part two storey, part single storey side/rear extension. Approved

4247/APP/2017/4247 - Two storey side extension and single storey rear extension was refused for the following reason:

The proposed development fails to provide sufficient off street parking provision which meets the council's approved parking standards to service the extended dwelling. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the Councils adopted car parking standards.

4247/APP/2016/3333 - two storey side extension and single storey rear extension was refused for the following reasons:

1. The proposed two storey side extension, by virtue of its siting, size, scale and design, including the lack of a set back from the front at all levels in a prominent corner location, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and the visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed development fails to provide sufficient off street parking provision which meets the councils approved parking standards to service the extended dwelling. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the Councils adopted car parking standards.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

5 neighbouring properties were consulted by letter dated 1 May 2018 and a site notice was displayed to the front of the site which expired on 30 May 2018.

1 letter of comment has been received which states:

"The insertion of sufficient windows in the side elevation (ground and 1st floor) adds interest to the street scene and can prevent an otherwise featureless elevation. Traditional housing layouts from the Victorian/20th century often demonstrated shortcomings in this respect Where a building is on a corner, it must 'turn' the corner by providing an active frontage to both streets. Well designed corners and flanks create visual interest and contribute to a distinct identity. Including fenestration in return frontages introduces surveillance to the public realm and adds interest into the streetscene. A gabled roof for the flank wall (to Evergreen Drive) would complement Oakdene and Evergreen's skyline."

Ward Councillor: Requests that the application is reported to Committee for consideration.

### **Internal Consultees**

Landscape Officer:

This site is occupied by a two-storey, semi-detached house on the South side of Oakdene Road, adjacent to Evergreen Drive. The plot is wider than average, with a garden area on the East side of the house. There are no TPO or Conservation Area designations constraining the site.

COMMENT: No trees or other landscape features of merit will be affected by the proposal. Front

garden space for parking in number 28 and the new plot will be restricted, according to Hillingdon's design guidance at least 25% of front garden space should be soft landscaped.

RECOMMENDATION: No objection subject to conditions H10, RES9 (parts 1, 2 and 5).

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site lies within an established residential area. It is therefore considered there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable.

### **7.02 Density of the proposed development**

Policy 3.4 of the London Plan (2011) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

### **7.05 Impact on the green belt**

Not applicable to this application.

### **7.07 Impact on the character & appearance of the area**

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

Paragraph 5.1 of the HDAS Residential Extension Guidance, requires that 'all residential

extensions of two stories in height to be set back a minimum of 1.0 m from the side boundary of the property for the full height of the property'. Furthermore Paragraph 5.3 of the SPD HDAS: Residential Extensions states that any extension to corner plots should ensure that the open character is maintained. As required under Policy BE22 of the Hillingdon Local Plan (November 2012), a two storey side extension to a semi-detached property should be set back a minimum of 1.0 m from the main front building line.

The proposed extension would measure 4 m wide which exceeds two thirds the width of the original dwelling. Furthermore, the extension would not be set back 1m from the front of the original dwelling and would fail to appear as a subordinate addition. It is noted that the set back and width have been raised as a concern in relation to previous applications for two storey side extensions and in particular to application reference 4247/APP/2016/3333 (detailed above). The proposed two storey side extension, by virtue of its siting, size, scale, width and design, including the lack of a set back from the front at all levels in a prominent corner location, and siting in close proximity to the side boundary, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and the visual amenities of the street scene and the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

#### **7.08 Impact on neighbours**

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible over-domination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

The side and rear extensions would be largely screened by the host dwelling and the extension to the rear of adjoining number 26 and would not result in an unacceptable loss of light or outlook to the occupants of this property. The submitted plans indicate that the 45 degree line from the centre point of the nearest first floor window would not be breached. Given the degree of separation between the proposed extension and number 30 Oakdene Road, the proposed extensions would not result in an unacceptable loss of

residential amenity to the occupants of this property.

#### **7.09 Living conditions for future occupiers**

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. It is noted that the submitted plans indicate the provision of a double bedroom and a second habitable room at first floor annotated as a study. The internal dimensions of the study are 7.5 square metres which is the minimum internal floor area set out in the National Space Standards, as a single bedroom. As such, it is considered reasonable to apply the London Plan Standards for a two bedroom (3 person) house which is 70 square metres. At a floor area of 82 square metres, the proposal complies with this minimum standard. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans demonstrate that the retained dwelling would achieve a garden area of 60 square metres which would comply with the standards set out in HDAS Residential Layouts. However the proposed two bedroom dwelling would only achieve 40 square metres which falls short of the HDAS requirement of 60 square metres. There is not considered to be public open space nearby that would make up for this level of deficiency at the site. Therefore the proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said units. As such the proposal would provide a substandard form of accommodation for future residents contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The application site lies in an area with a PTAL score of 1b(poor). The existing property benefits from two off street parking spaces. The current proposal seeks permission to create a new vehicular crossover to serve a new space in the frontage of the host dwelling, utilising the existing crossover to serve one space for the proposed dwelling. Whilst it is acknowledged that the submitted plans indicate the provision of secure cycle storage for both units, which is welcomed, the proposal fails to provide sufficient off street parking provision which meets the council's approved parking standards to service the proposed dwellings. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan Saved UDP Policies (November 2012) and the Council's

adopted car parking standards.

**7.11 Urban design, access and security**

The issues are addressed in the sections above.

**7.12 Disabled access**

The submitted plans indicate a level access would be achieved and no accessibility issues are raised.

**7.13 Provision of affordable & special needs housing**

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The Council's Landscape Officer has confirmed that in the event of an approvable scheme, landscaping conditions could be imposed to secure appropriate landscaping details in accordance with Policy BE38.

**7.15 Sustainable waste management**

In the event of an approvable scheme, conditions could be imposed to secure details of sustainable waste management.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

The comments are addressed within the report.

**7.20 Planning obligations**

CIL

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

The scheme would be CIL liable. Presently calculated the amounts would be as follows;

LBH CIL £13,173.73

London Mayoral CIL £5,158.18

Total CIL £18,331.91

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

No other issues raised.

**8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the

development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

### **9. Observations of the Director of Finance**

Not applicable to this application.

## **10. CONCLUSION**

The proposed two storey side extension, by virtue of its siting, size, scale and design, including the lack of a set back from the front at all levels in a prominent corner location, and siting in close proximity to the side boundary, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and the visual amenities of the street scene and the wider area. Furthermore, the proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said units and also fails to provide sufficient off street parking provision which meets the council's approved parking standards to service the proposed dwellings.

Accordingly, the application is recommended for refusal.

## **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Residential Extensions  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**



Site boundary

For identification purposes only.

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Site Address:

**28 Oakdene Road**

Planning Application Ref:

**4247/APP/2018/1451**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**June 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**  
Civic Centre, Uxbridge, Middx. UB8 1UW  
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