

Mr Joga Jutley
JSJ Designs
17
Gledwood Crescent
Hayes
UB4 0AX

Application Ref: 28798/APP/2023/861

Date of Decision: 17th May 2023

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Application number: 28798/APP/2023/861

Date your planning application was submitted: 22nd March 2023

Site location: 8 Phelps Way Hayes

Description:
Erection of a single storey rear and part first floor rear extension with new window at first floor level.

Application submitted by: Mr Joga Jutley

Plans that this decision was based on: See attached Schedule of Plans

Permission is refused for the reason(s) listed below:-

1. The proposed ground floor rear extension, by reason of design, scale, size, bulk and massing, would appear as a disproportionate and incongruous addition that would fail to respect the architectural composition of the original dwelling, and would be detrimental to the character, appearance and visual amenities of the surrounding area. The proposal would therefore be contrary to the National Planning Policy Framework (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policy D4 of the London Plan (2021).

INFORMATIVES

1. The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

STANDARD INFORMATIVES

1. The decision to **REFUSE** planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Part 1. Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

2. 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).

Date of Decision: 17th May 2023



Julia Johnson
Interim Director of Planning, Regeneration & Public Realm

END OF SCHEDULE

Address:
Development Management
Directorate of Place
Hillingdon Council
3 North, Civic Centre, High Street, Uxbridge UB8 1UW
www.hillingdon.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 28798/APP/2023/861

SCHEDULE OF PLANS

8 / P / 2023 - 3.	Received	22-03-0023
8 / P / 2023 - 2.	Received	22-03-0023
Location Plan.	Received	22-03-0023
8 / P / 2023 - 5.	Received	27-03-0023
8 / P / 2023 - 4.	Received	27-03-0023

WHAT TO DO WHEN A HOUSEHOLDER PLANNING APPLICATION IS REFUSED

If your planning application is refused but you still want to pursue it, contact your local planning department.

If you think you could make changes that resolve the reasons for refusal, you may be able to amend your application and submit it again.

Amending your planning application

If you think you could change your application to respond to the reasons for refusal, contact us about what to do next. We can give you more information about deadlines and any fees for submitting an amended application

Residents Services
London Borough of Hillingdon
3 North, Civic Centre,
High Street, Uxbridge UB8 1UW

Email: planning@hillington.gov.uk

www.hillingdon.gov.uk

Appealing to the Planning Inspectorate

If you think the decision to refuse your application was incorrect, you may want to appeal to the Planning Inspectorate, which is an independent and impartial body.

If you want to appeal, the deadline is 12 weeks from the date on the decision letter, or 4 weeks if you've received an enforcement notice. Around 1 in 3 appeals is successful.

You'll need some documents to hand, so before you start, read the guidance and access the service at:

<https://appeal-planning-decision.planninginspectorate.gov.uk>

If you're unable to complete your appeal online call the Planning Inspectorate helpline on 0303 444 5000 (charges at a local rate).

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	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

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

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 Interim Director of Planning, Regeneration & Public Realm**

Address: 8 PHELPS WAY HAYES

Development: Erection of a single storey rear and part first floor rear extension with new window at first floor level.

LBH Ref Nos: 28798/APP/2023/861

Drawing Nos: Location Plan

8 / P / 2023 - 2

8 / P / 2023 - 5

8 / P / 2023 - 4

8 / P / 2023 - 3

Date Plans received:

Date(s) of Amendments(s):

Date Application valid

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located on the North Western side of Phelps Way and comprises of a 2 storey high semi-detached dwelling. The property has a hip roof and an area of hardstanding to the front for off-street parking.

The surrounding area is residential in nature consisting mainly of semi-detached dwelling houses. Directly south of the application site is the Cranford Park Primary School, a locally listed building.

The site is located within the Hillingdon Air Quality Management Area.

1.2 Proposed Scheme

Erection of a single storey rear and part first floor rear extension with new window at first floor level.

1.3 Relevant Planning History

Comment on Planning History

N/A.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: Not applicable

2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

Seven neighbouring properties were consulted on the application by letter dated 29-03-23. The consultation period expired 21-04-23. No representations were received during the 21 day consultation period.

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

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, the impact upon the amenities of adjoining occupiers and the reduction in size of the rear garden and car parking provision.

Policy Context:

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 required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings

Character and Appearance:

The proposed ground floor rear extension would be built upon the front building line with a length of 6M, width of 5.4M and maximum height of 2.85M. The proposed ground floor extension would incorporate a flat roof. The first floor portion of the proposed rear extension measures a length of 3.6M, width of 2.75M and maximum height of 3.5M. The first floor rear extension would incorporate a hipped roof and be well set within and below the existing roof. All proposed materials would match the existing dwelling ensuring functional and visual integration.

Whilst the proposed ground floor extension would be located to the rear and hidden from street view with minimal impacts on the character and appearance of the wider area. The proposed depth of 6M greatly exceeds the prescribed criteria of 3.6M as set out in Policy DMHD 1 of the Hillingdon Local Plan (2020). As such, it is considered that the ground floor rear extension would not appear as subservient to the existing dwelling and would be an incongruous and bulky addition. Furthermore, the neighbours closest to the site (i.e. no. 6 and no. 10 Phelps Way) both benefit from 3.6M deep extensions. Therefore, it is considered that a 6M deep extension would be an inappropriate addition to the property with harmful impacts on the character and appearance of the host dwelling and surrounding area in its entirety.

The proposed first floor rear addition would accommodate a third bedroom. Given the proposed dimensions and that the extension would be set down substantially from the main roof and characterised with a hipped roof form, it is considered to blend well with the existing dwelling with minimal impacts on the character and appearance of the wider area given it would be hidden from street view.

Overall, it is considered that the proposal is not compliant with the relevant policies and would cause harm to the character and appearance of the original dwelling.

Residential Amenity:

No. 6 and No. 10 Phelps Way are the principal neighbouring properties that must be taken into consideration when assessing impact on neighbouring amenities as they are the closest dwellings to the application site.

No. 6 is the attached dwellinghouse and comprises of a two storey semi-detached dwelling. It is noted that no. 6 benefits from a ground floor rear addition with a depth of 3.6M. Whilst the proposed extension has a depth of 6M which greatly exceeds the prescribed criteria of 3.6M, the proposed extension would project beyond the neighbour's rear wall by 2.4M. This is considered acceptable and would result in no harmful amenity impacts such as overlooking, loss of light or overbearing effects. With regards to the first-floor portion of the rear extension, the proposed plans show that the 45-degree angle test has been met. Furthermore, the first-floor portion would result in no harmful amenity impacts on the neighbouring occupiers.

No. 10 is the adjacent neighbour and comprises of a two storey semi-detached dwelling. It has been noted that the adjacent neighbour also benefits from a rear extension with a depth of around 3.6M. Given the separation distance between the two properties (including a shared alleyway between the application site and the neighbouring dwelling) and that the proposed ground floor extension would project 2.4M beyond the neighbour's rear wall, it is considered there would be no detrimental impacts on the quality of amenity for no. 10. With regards to the first-floor portion of the rear extension, the proposed plans show that the 45-degree angle test has been met. Furthermore, the first-floor portion would result in no harmful amenity impacts on the neighbouring occupiers.

It would therefore comply with the objectives of Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.

External Amenity Space Provision:

Over 124 sqm of private amenity space would be retained after the development has been built out. As such, the proposal would not undermine the provision of external amenity space for the existing occupiers at the application site, in compliance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Parking and Highways Safety:

The proposed development would not affect the existing parking arrangement. The proposal would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Conclusion:

Refusal on character and appearance grounds.

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposed ground floor rear extension, by reason of design, scale, size, bulk and massing, would appear as a disproportionate and incongruous addition that would fail to respect the architectural composition of the original dwelling, and would be detrimental to the character, appearance and visual amenities of the surrounding area. The proposal would therefore be contrary to the National Planning Policy Framework (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policy D4 of the London Plan (2021).

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DMHD 1 Alterations and Extensions to Residential Dwellings

DMHB Design of New Development
11

DMHB Streets and Public Realm
12

DMHB Private Outdoor Amenity Space
18

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

LPP D6 (2021) Housing quality and standards

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHD 1 Alterations and Extensions to Residential Dwellings

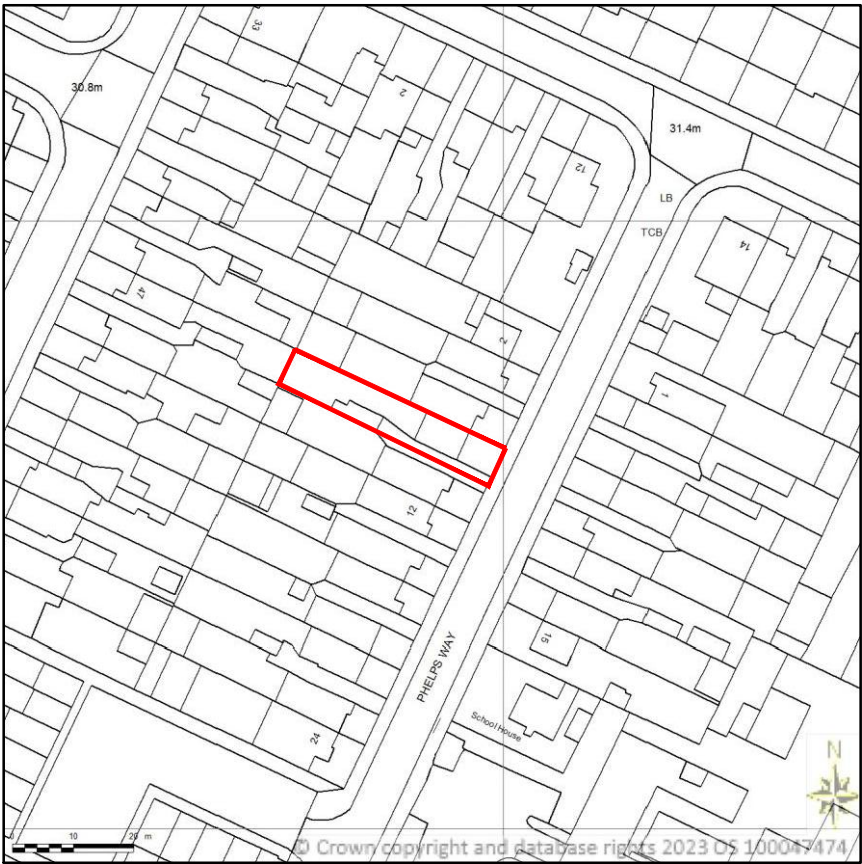
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DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards

Contact Officer: Rebekah McCullough **Telephone No:** 01895 250230

PLANNING APPLICATION

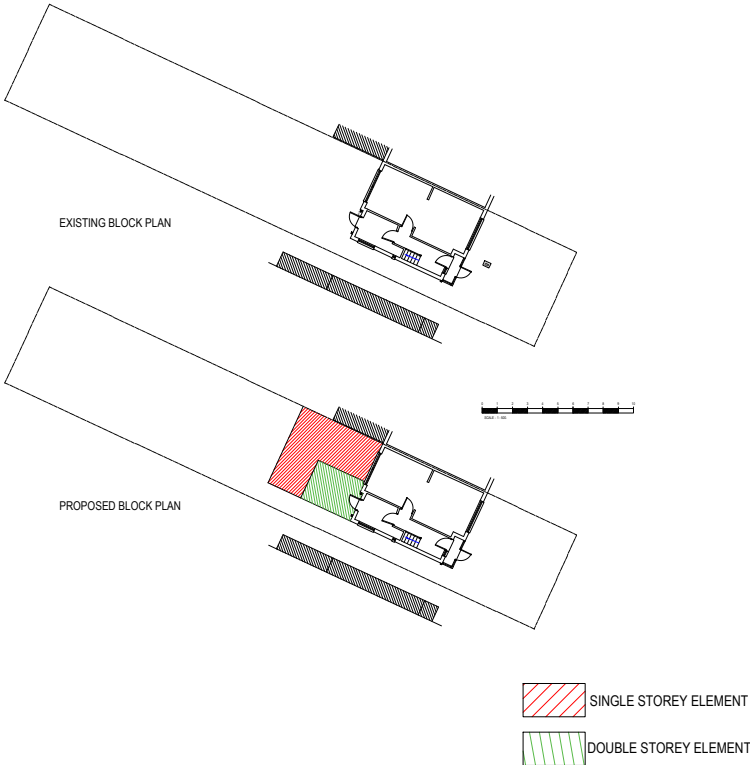


8 PHELPS WAY HAYES UB3 4LH
SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 509788, 178665



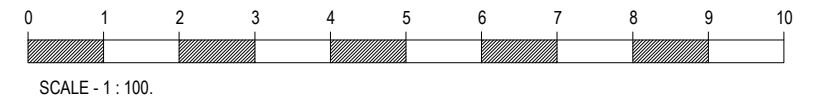
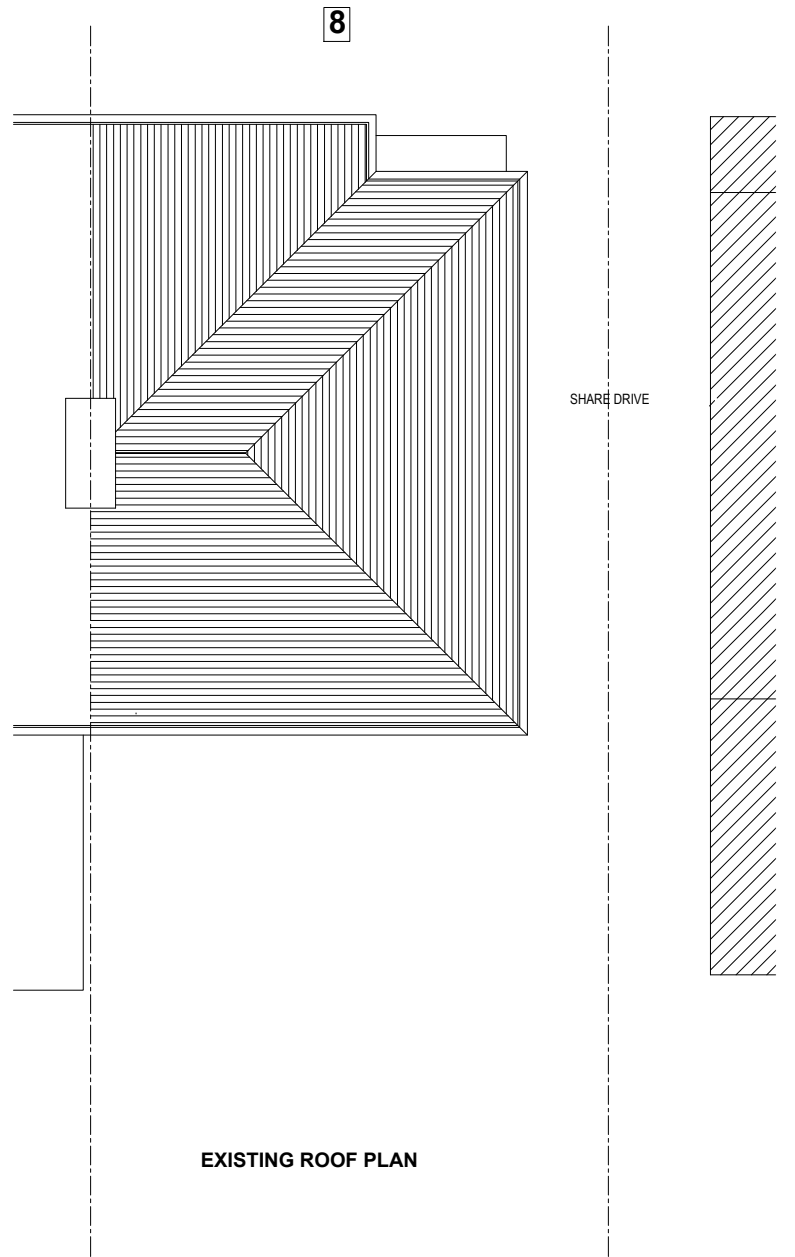
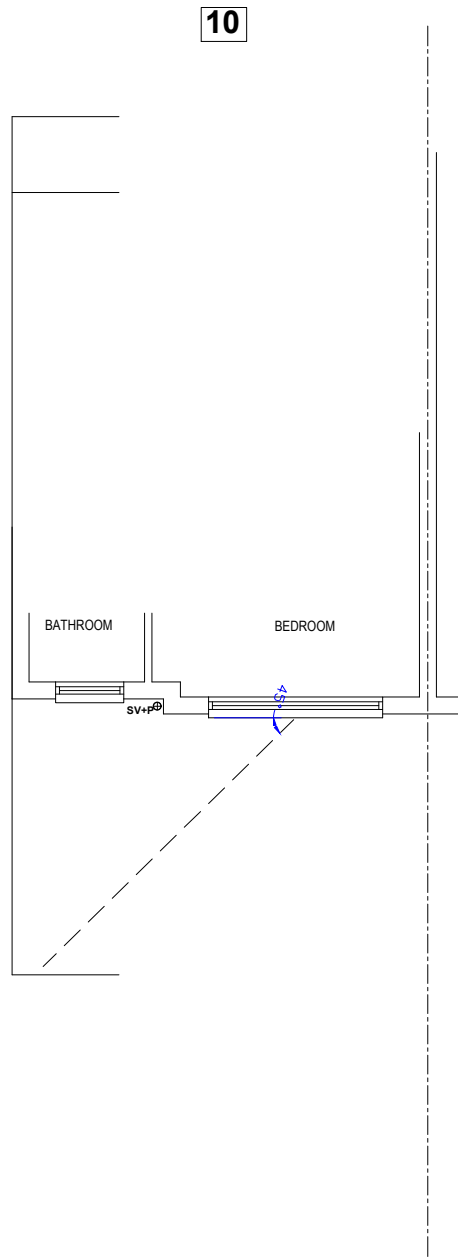
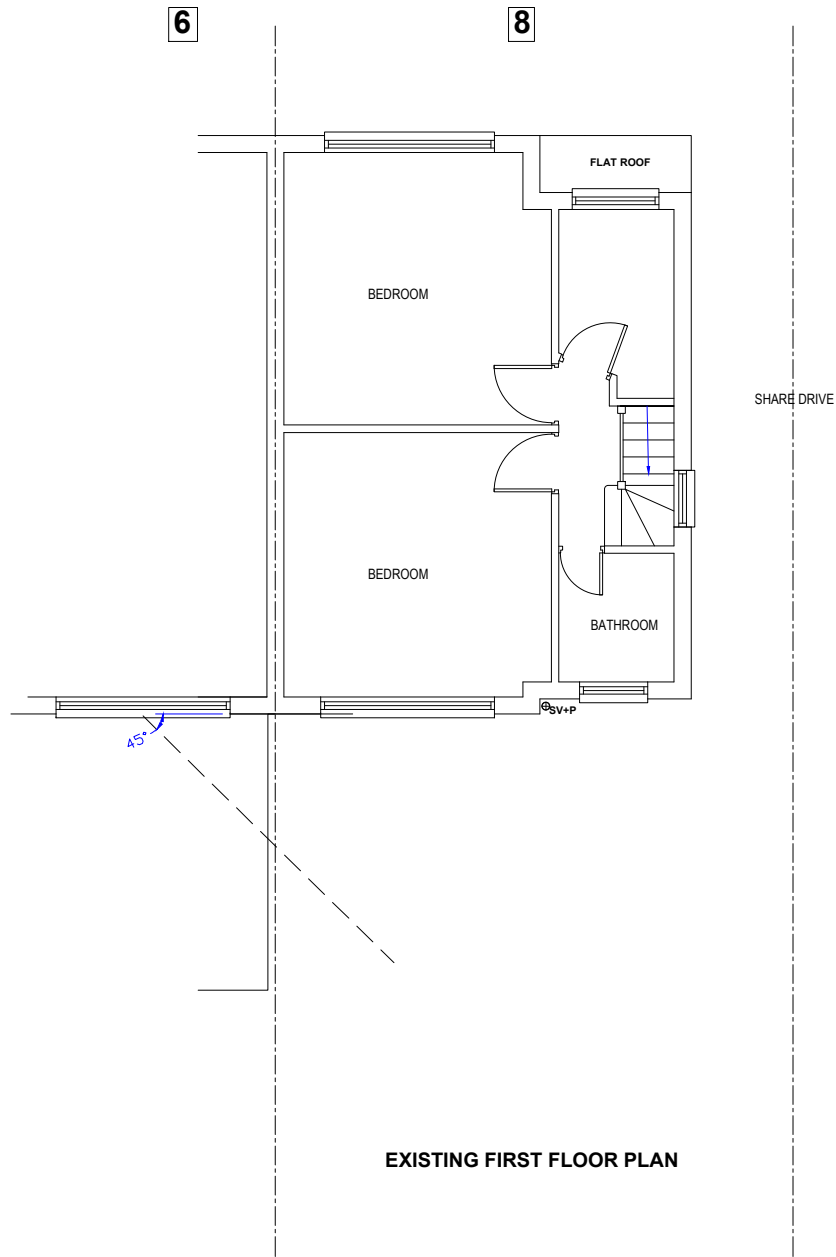
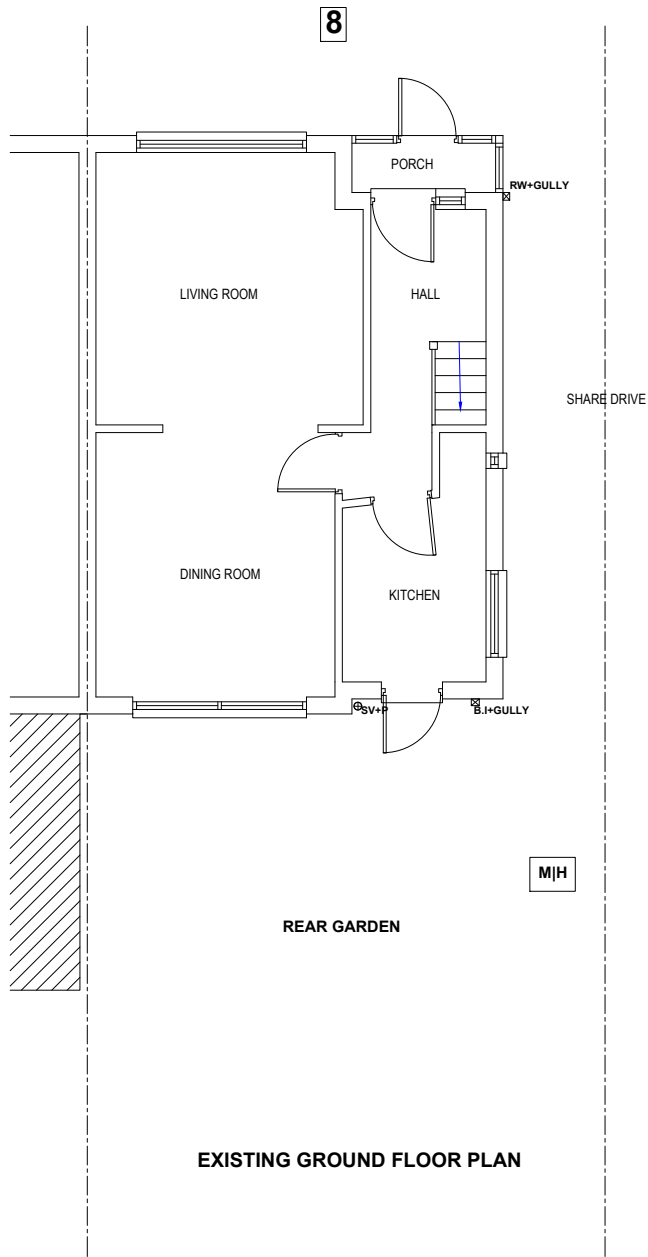
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www.streetwise.net
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LOCATION
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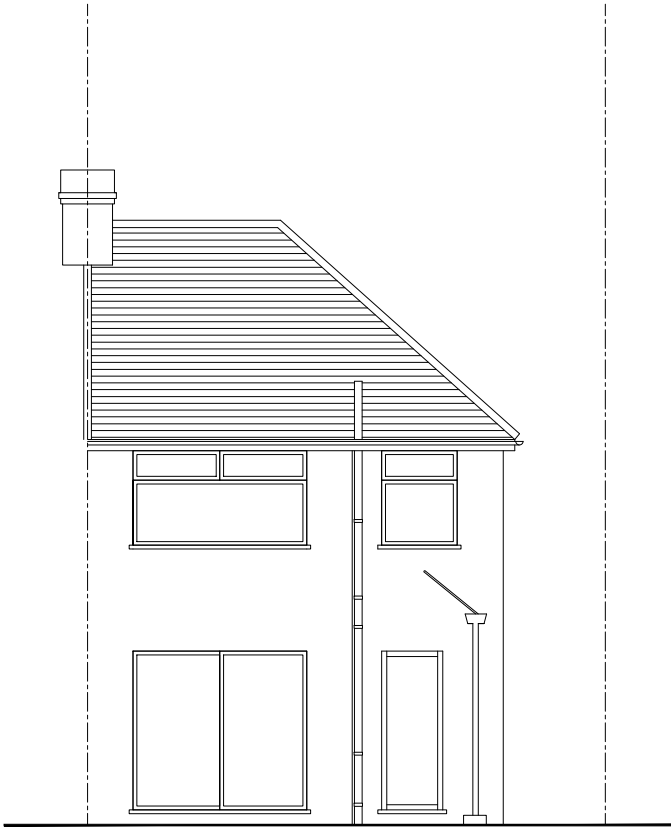


SITE PLANS
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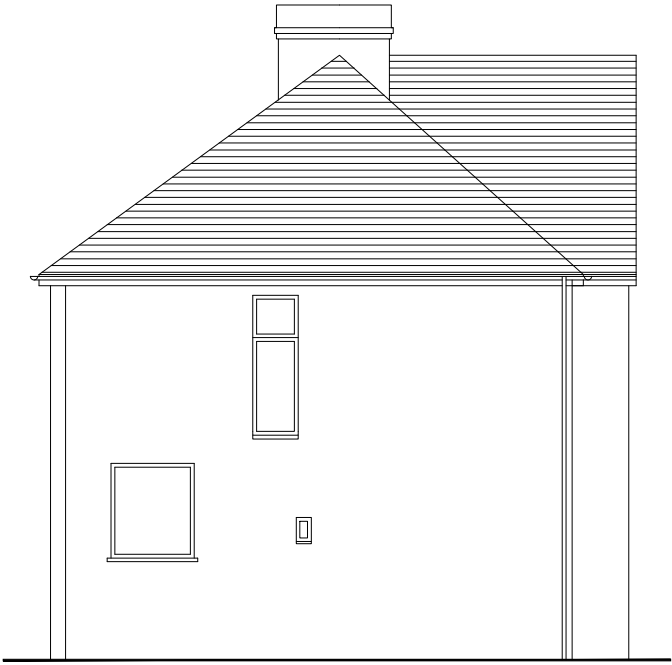
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DRAWING:	Location Plan & Site Plan
SCALE:	1:1250 / 1: 500. @A3
DATE:	MARCH 2023
PAGE NO:	8 / P / 2023 - 1
STATUS:	PLANNING DRAWINGS
All dimensions to be checked on site prior to CONSTRUCTION.	



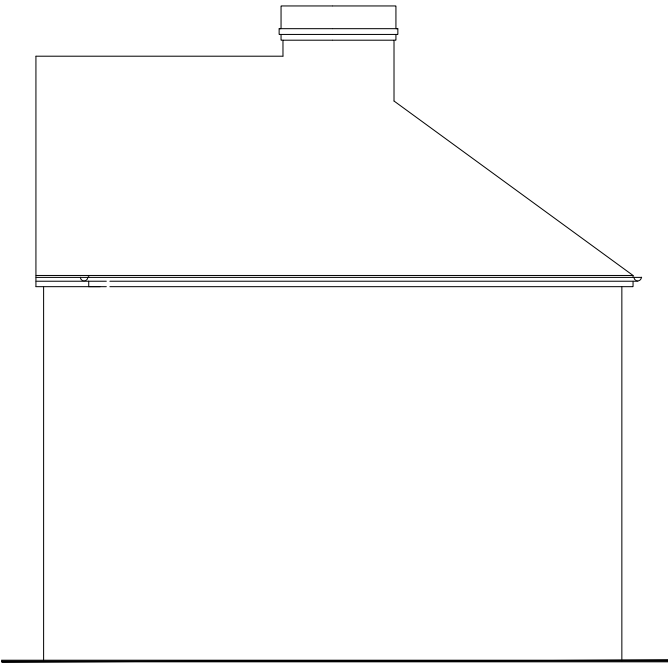
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DRAWING:	Existing Floor Plans
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All dimensions to be checked on site prior to CONSTRUCTION.	



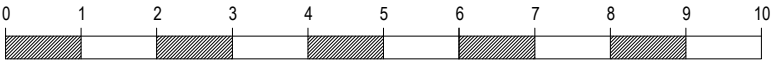
EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION

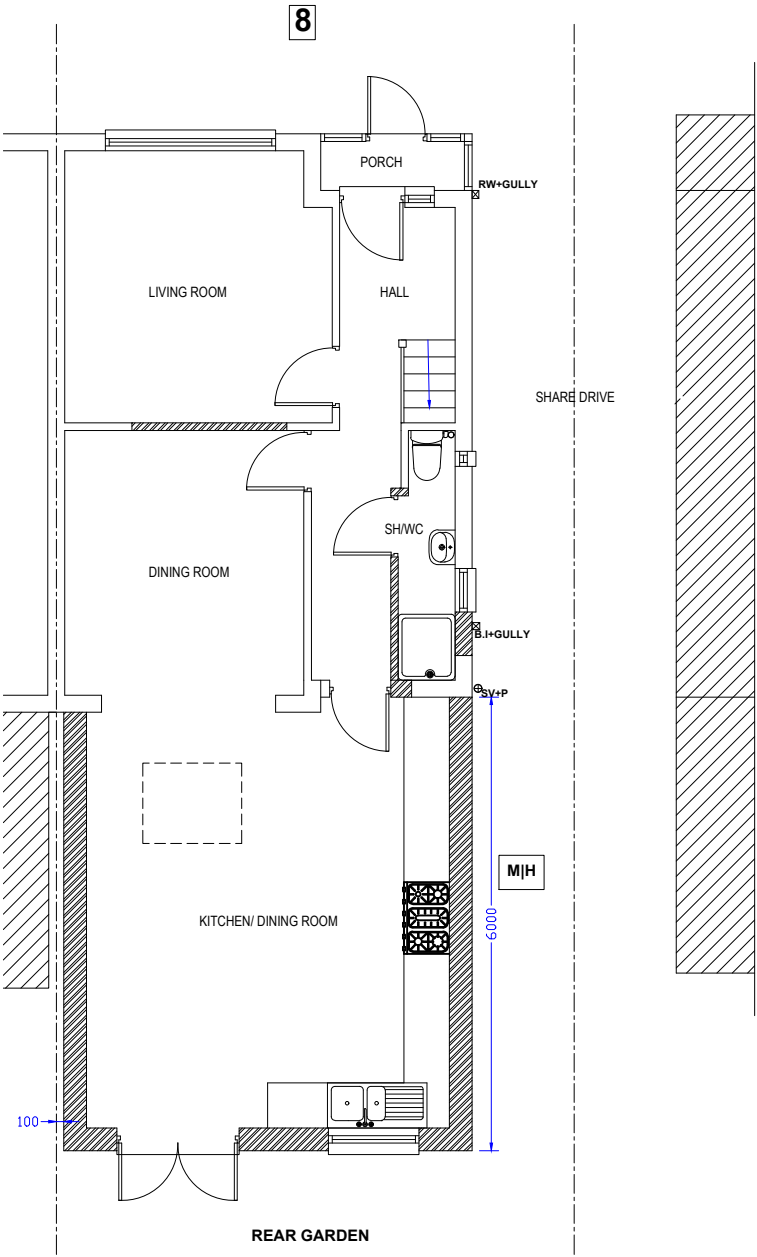


EXISTING SIDE ELEVATION

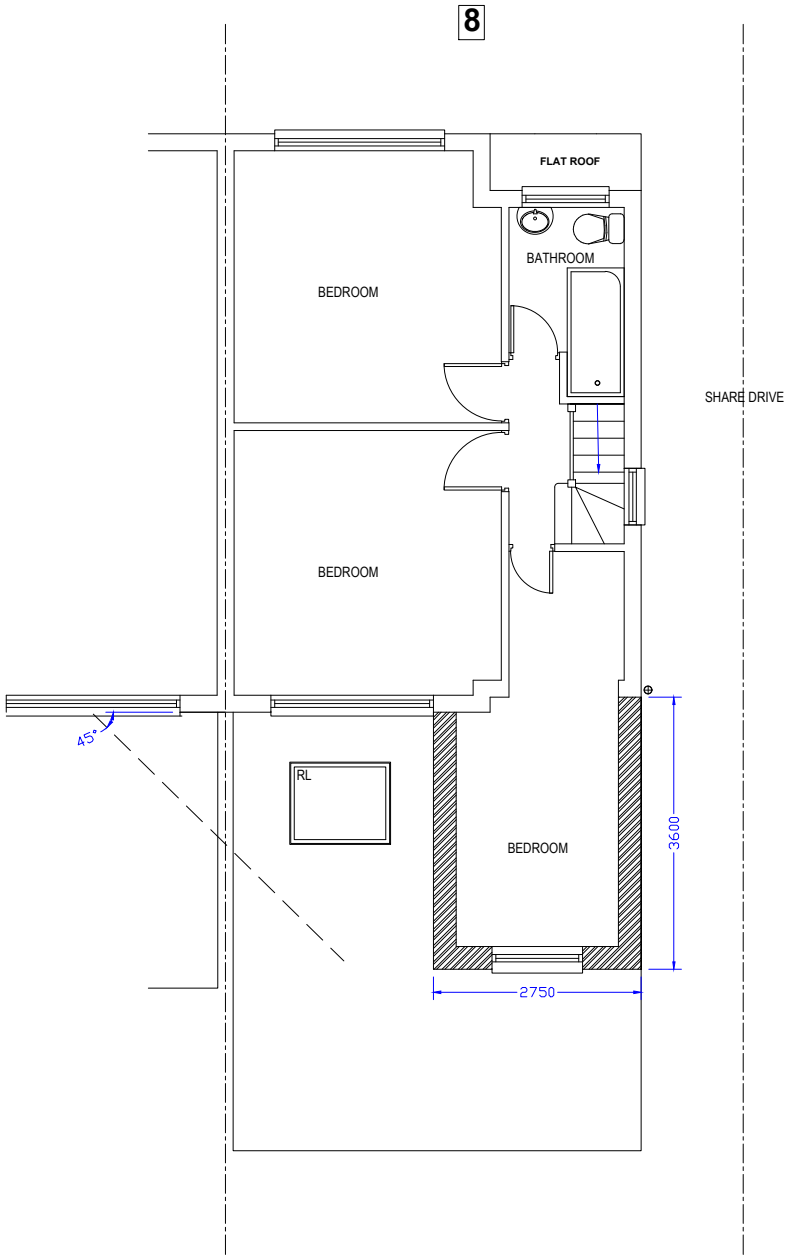


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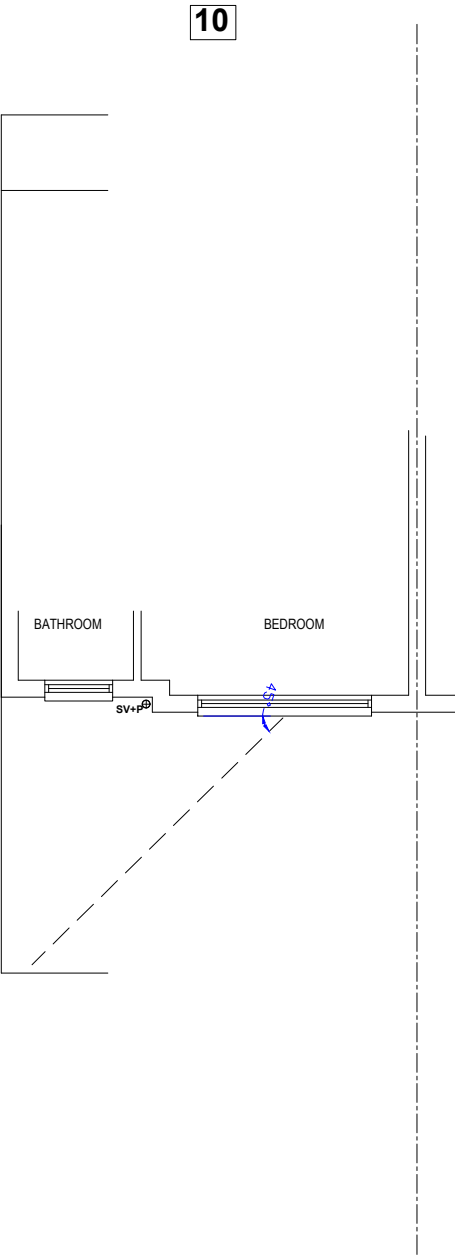
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DRAWING:	Existing Elevations
SCALE:	1:100. @A3
DATE:	MARCH 2023
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STATUS:	PLANNING DRAWINGS
All dimensions to be checked on site prior to CONSTRUCTION.	



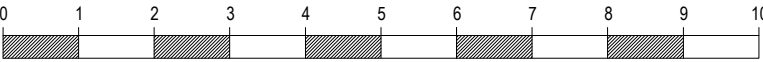
PROPOSED GROUND FLOOR PLAN



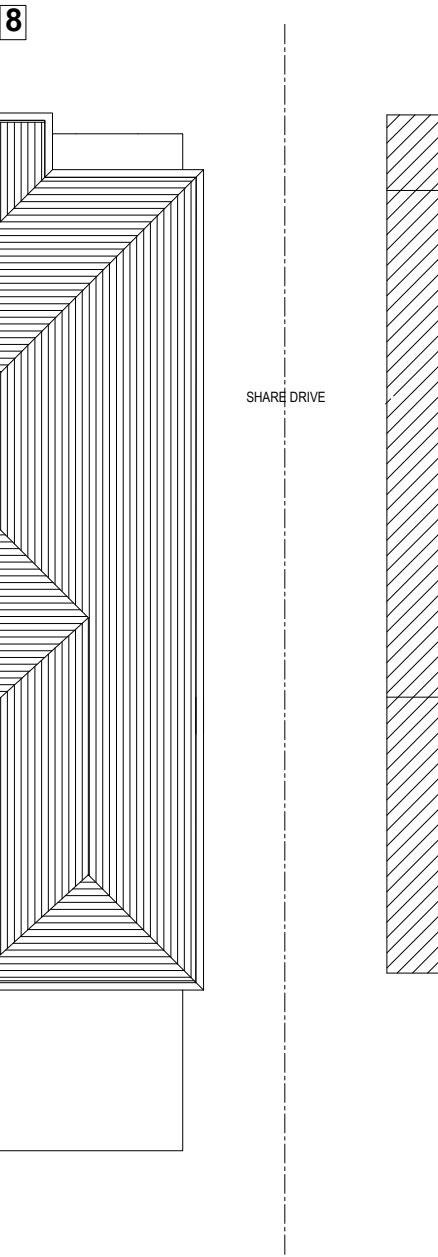
PROPOSED FIRST FLOOR PLAN



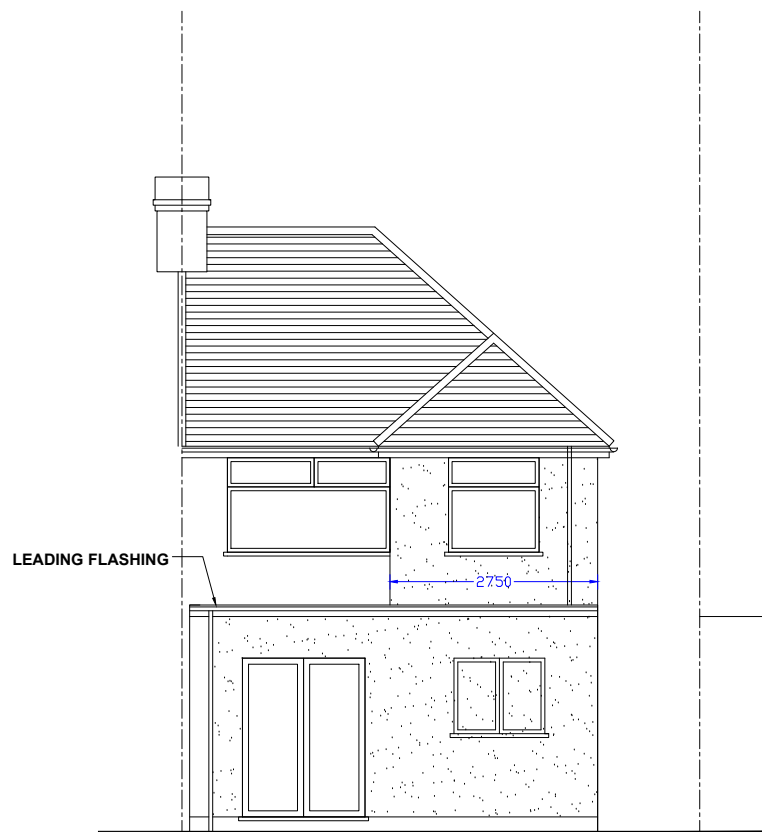
PROPOSED ROOF PLAN



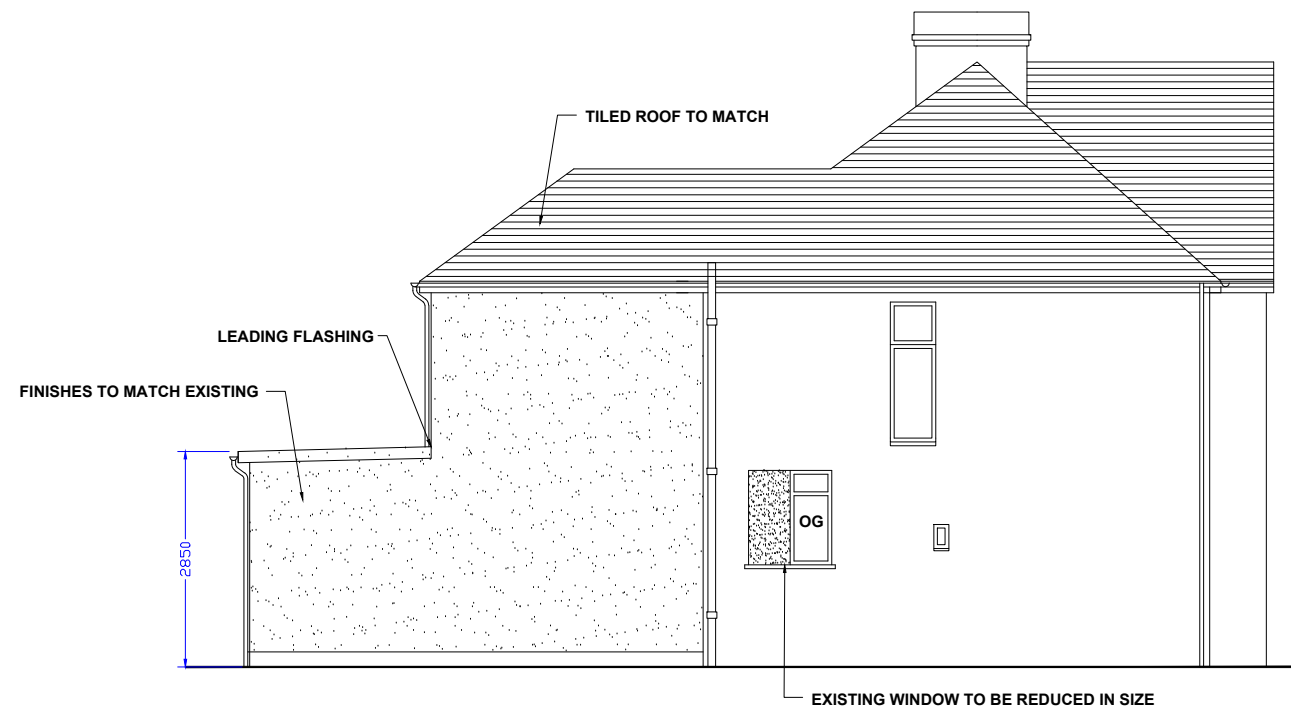
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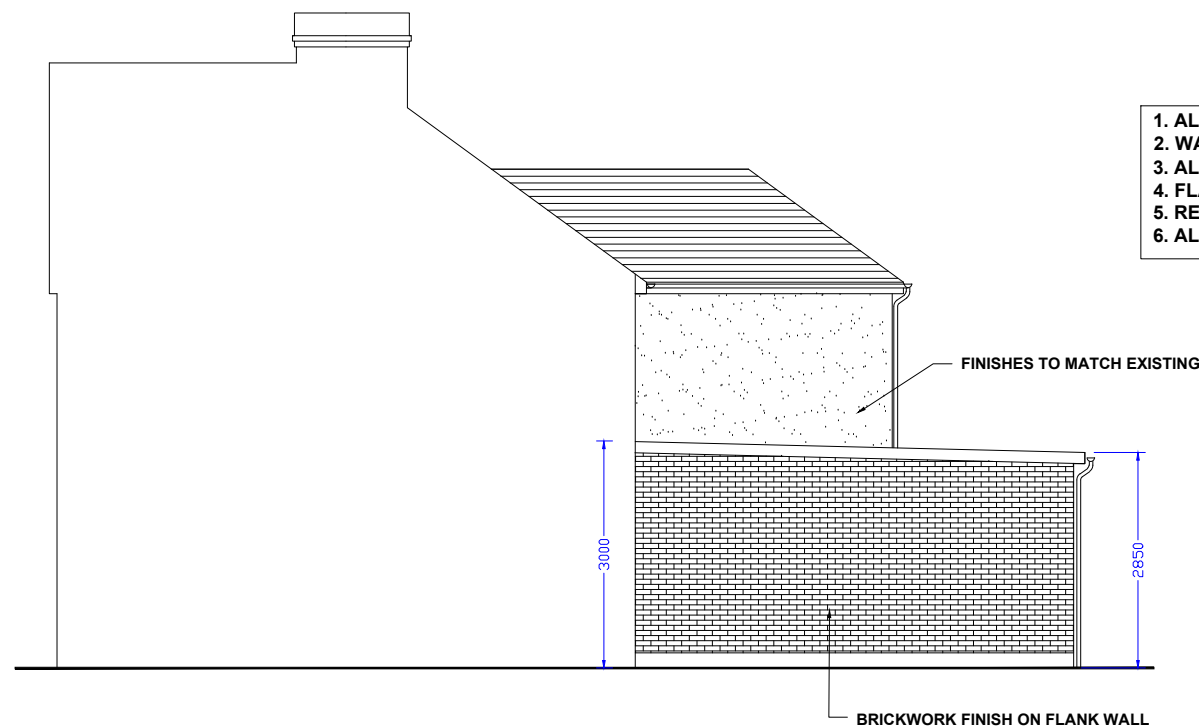
PROJECT:	8 Phelps Way Hayes UB3 4LH
DRAWING:	Proposed Floor Plans
SCALE:	1:100. @A3
DATE:	MARCH 2023
PAGE NO:	8 / P / 2023 - 4
STATUS:	PLANNING DRAWINGS
All dimensions to be checked on site prior to CONSTRUCTION.	



PROPOSED REAR ELEVATION

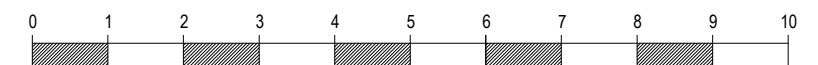


PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

1. ALL FINISHES TO MATCH EXISTING.
2. WALLS TO BE BUILT UP TO MATCH EXISTING.
3. ALL NEW DOORS/ WINDOWS TO MATCH EXISTING.
4. FLAT ROOF OVER PROPOSED GROUND FLOOR EXTENSION.
5. RENDER & PAINTED FINISH TO MATCH EXISTING.
6. ALL UNDERGROUND DRAINAGE TO BE IN CLAY PIPEWORK.



SCALE - 1 : 100.

PROJECT:	8 Phelps Way Hayes UB3 4LH
DRAWING:	Proposed Elevations
SCALE:	1:100. @A3
DATE:	MARCH 2023
PAGE NO:	8 / P / 2023 - 5
STATUS:	PLANNING DRAWINGS
	
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