

DELEGATED 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 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 Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives 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 DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Building Control, Sport & Green Spaces**

Address LAND FORMING PART OF 71 WEYMOUTH ROAD HAYES

Development: 1-bed attached bungalow with associated parking and amenity space, installation of a vehicular crossover and landscaping to front, involving demolition of existing carport to side.

LBH Ref Nos: **61543/APP/2016/1942**

Drawing Nos: Location Plan (1:1250)
01
02 (Site Layout Plan)
02 (Crossover Plan)
Supporting Photographs

Date Plans received : 07/06/2016

Date(s) of Amendment(s):

Date Application Valid: 07/06/2016

1. **SUMMARY**

The application site comprises of a two storey semi-detached dwelling situated on the junction of Weymouth Road and Goshawk Gardens. The property benefits from an existing carport to the north east flank elevation which is proposed to be demolished and make way for a new 1-bed attached bungalow with associated parking and amenity space, installation of a vehicular crossover and landscaping to front.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of its siting in this open prominent position and its projection forward of the recognised established return building line along Goshawk Gardens, would result in the loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE15 BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposal, by reason of its size, scale, bulk and design would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character and appearance of the dwellings within the area and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Layouts and HDAS: Residential Extensions.

INFORMATIVES

1 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).

2 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 (2015) and national guidance.

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

3 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 (2015). 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.

4

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. The Council's supports pre-application discussions which had not taken place prior to the submission of the application and furthermore we have 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.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The application site forms a two storey semi-detached dwelling situated on the north west corner junction with Weymouth Road and Goshawk Gardens. The property is set back from the adjacent highway and set in from the side boundary to maintain an established building line along Goshawk Gardens and Adelphi Crescent.

The surrounding area is residential in character and comprises mainly of two storey semi-detached dwelling that are set back from the adjacent highway and set in from the side boundaries, which contribute to the open and spacious surrounding area.

3.2 **Proposed Scheme**

Full planning permission is sought for the erection of a 1 bed attached bungalow with associated parking and amenity space, installation of a new vehicular crossover and landscaping to front involving demolition of existing carport to side.

The 1 bed attached bungalow would comprise of a single bedroom with en-suite to the front of the property and an open plan lounge/dining area and kitchen facing the rear. The proposed bungalow would be erected flush with the principal elevation of the original dwelling and would retain a minimum of 1m separation distance from the side boundary increasing to 1.5m at the rear. The new bungalow would benefit from a rear amenity area measuring 61sqm with a single off road car parking space located against the rear boundary wall with the new access created along Goshawk Gardens. The front garden would be of an adequate size and would be characterised by soft landscaping within the existing low level boundary wall.

The proposed bungalow would be finished in render.

3.3 **Relevant Planning History**

61543/APP/2006/1834 Land Forming Part Of 71 Weymouth Road Hayes

ERECTION OF A TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION TO CREATE A TWO-BEDROOM DWELLINGHOUSE WITH ASSOCIATED PARKING SPACES AND INSTALLATION OF ONE VEHICULAR CROSSOVER ONTO WEYMOUTH ROAD AND TWO VEHICULAR CROSSOVERS ONTO GOSHAWK GARDENS (INVOLVING THE DEMOLITION OF A REAR OUTBUILDING).

Decision: 16-08-2006 Refused

ERECTION OF AN ATTACHED ONE BEDROOM, TWO-STOREY DWELLING HOUSE WITH SINGLE STOREY DETACHED GARAGE (INVOLVING THE DEMOLITION OF A REAR OUTBUILDING)

Decision: 11-06-2007 Refused

Appeal: 09-04-2008 Dismissed

Comment on Planning History

The application site benefits from previous planning applications for an attached 1 bed two storey dwelling which was refused on grounds of out of character and appearance with the surrounding area, reason of its projection beyond the established building line and an increase in vehicular movements within close proximity of a designated crossing point by virtue of the proposed development. The application was also dismissed at appeal on grounds of appearing cramped from of development and out of keeping with the surrounding area and would unduly comprise highway safety.

The current proposal has been reduced in size by way of trying to propose a bungalow with a single off road car parking space to the rear, by way of extending the existing crossover along Goshawk Gardens, however the proposal by reason of its siting would still be considered a cramped form of development in this prominent area, thus having a harmful impact on the street scene and furthermore would impede the established building line along Goshawk Gardens. The application is therefore recommended for refusal.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

A total of 8 adjoining and nearby neighbouring properties were consulted via letter dated 08.06.16.

No comments or objections received.

6. 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:

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.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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LPP 3.3	(2015) Increasing housing supply
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LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

In addition: None.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity. Likewise Policies BE20 and BE24 resist any development which would have an adverse impact upon the amenities of nearby residents and occupants through loss of light and privacy.

Paragraph 4.9 of the HDAS: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, a minimum of 21m overlooking distance should be maintained.

The Supplementary Planning Document HDAS: Residential Layouts, section 4.0 states 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 with Section 3.0 of the HDAS single storey rear extension ensuring, development does not project too far beyond the rear wall of the neighbouring dwelling to appear subordinate and to protect their residential amenities.

The proposed new bungalow would be constructed to the north east flank elevation of No. 71 Weymouth Gardens to measure 5m in width across the front and 5.65m across the rear and would extend the full depth of the adjoining dwelling No. 71, to protrude a maximum of 4m beyond its original two storey rear wall and 1m beyond the rear wall of its single storey rear extension. The application bungalow although is of a single storey level, would be characterised by a hipped roof measuring approximately 5.1m high, and therefore the impact upon the residential amenities and light levels via the first floor rear

windows would need to be taken into consideration. The closest first floor window to the rear of No. 71 is obscure glazed, with the only other habitable window sited a sufficient distance apart to ensure the proposed bungalow would not impede a 45 degree line of sight. The ground floor aspects are set further back by virtue of the existing single storey rear extension, and as the bungalow would project a maximum of 1m beyond their rear elevation is considered not to result in an overbearing, over-dominant, over-shadowing and visually intrusive addition which would result in loss of outlook and light.

The adjoining neighbour abutting the shared boundary across the rear elevation at No. 114 Goshawk Gardens benefits from no habitable room windows to its south flank elevation in addition to a 12m separation gap between the two properties, and it is therefore considered, the proposed development would not have an adverse impact upon the residential amenities and light levels of the neighbouring occupiers at No. 114.

The rear aspects of the proposed new bungalow would be of a two storey wall, and therefore it is considered the minimum distance acceptable between the two properties would be 15m. The adjoining dwelling at No. 71 benefits from a single storey rear extension and would also fall short of the required distance, however the rear extension was constructed under permitted development and has no bearing under the assessment of this application. It is considered as the proposed separation distance between the new bungalow and the adjoining two storey dwelling to the rear would be 12m, the proposed development would adversely affect the enjoyment of the future occupants of the proposed bungalows living conditions in regards to sunlight and daylight levels reached and therefore would fail to accord with Policy BE20 and BE21 of the Hillingdon Local Plan Part Two Saved UDP Policies (November 2012) and Paragraph 4.9 of the HDAS SPD: Residential Layouts (July 2006).

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The application site is positioned on a corner junction with Weymouth Road and Goshawk Gardens, and is therefore set back to maintain the existing return building line as well as creating an open and spacious character within the street scene. The new dwelling is proposed to the north east flank elevation of No.71 which is currently characterised by a wide open area and the addition of a dwelling in this area would intrude upon a clearly defined building line, but more importantly would significantly reduce the open and spacious character of this part of the street scene.

Section 4.27 of the SPD HDAS: Residential Layouts, also states careful consideration should be given to the location of surrounding buildings, their orientation, and building lines. The street scene is currently characterised by a steady building line with the row of semi-detached dwellings along Weymouth Road positioned a sufficient distance back from the main road as well as the dwellinghouses located on the corner junctions retaining a setback and also a large area of open space to the side which results in a consistent building line along Goshawk Gardens and Adelphi Crescent. By reason of the large side gap and views both along Weymouth Road and Goshawk Gardens, the junction possesses an open character.

Of significant importance in the determination of the planning application is the siting of the dwellinghouse on a corner plot in a very prominent position in visual terms. Whilst it is accepted that the proposal is for a new dwelling, it would read as an extension to the existing property and thus it is relevant to consider the guidance set out within the Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions. Within this, Paragraph 5.3 states that where extensions are proposed on the side of the house which adjoins a road or open space, the openness of the corner plot should be maintained and return building lines should not be breached. In this case the siting of the existing house is such that it follows the return building line formed by the properties fronting Goshawk Gardens. The addition of a large side/rear addition would impinge on this building line, but more importantly would be built a maximum of only 1.5m off the boundary such that the openness of the corner plot would be totally lost. This is considered an over-development in a conspicuous part of the streetscene and therefore it is considered that the resultant development would detract from the streetscene and would be an incongruous form of development in its context.

In the appeal decision on a similar scheme on this site (Ref: 61543/APP/2007/724) the Inspector commented as follows:

"3. Spacious corner plots around the junction adjoining the appeal site provide visual relief from the tighter pattern of built development evident on Weymouth Road, Goshawk Gardens and Adelphi Crescent. The appeal site makes an important contribution to this openness.

4. The site is highly prominent, and the proposed development would markedly erode this spacious character by sub-dividing the curtilage to create a distinctly separate dwelling in close proximity to the highway and of restricted plot size. The proposed garage and parking spaces to the front and rear of the site would reinforce the impact of the development, and the new dwelling would breach the building line of the immediately adjoining semi-detached properties on Goshawk Gardens. The result would be a cramped form of development wholly out of keeping with other properties on the junction and harmful to the street scene, in conflict with Policies OE1, BE13, BE15 and BE19 of the adopted London Borough of Hillingdon Unitary Development Plan (UDP) and guidance in paragraphs 33-35 of PPS1: Delivering Sustainable Development.

5. It is an established planning principle that each proposal should be considered on its individual merits. Notwithstanding this, I viewed the extension to No. 25 Weymouth Road during my site visit. However, I consider it does not constitute an example of appropriate development in a residential area, and does not persuade me that the proposal should succeed.

6. For these reasons, I conclude on the first issue that the proposed development would severely harm the character and appearance of the existing dwelling and the street scene, contrary to the UDP policies and national guidance I have referred to."

The proposal is therefore not consistent with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.3 Traffic Impact/Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part Two - 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 Local Plan Part Two specifies that new development will only be permitted where it is in accordance with the Councils adopted Car Parking Standards. These require a maximum provision of two off-street parking spaces for each of the proposed dwellings.

The proposed development would benefit from a single off road parking space within the rear garden of its curtilage, which would be accessible by a new vehicular crossover created by way of extending the existing crossover serving No. 114 Goshawk Gardens. The previous application proposed two off road spaces with an additional space to the front, however this has been omitted from the current development as it was considered to prejudice pedestrian and highway safety by reason of its proximity to a crossing point and its reduced sight line distances. The proposed new crossover to the rear however is considered acceptable as it would be set well back from the corner junction point of Weymouth Road and Goshawk Gardens, and would replicate an existing crossover on the opposite side.

The site benefits from a low PTAL score, however considering the location of the site and a bus stop situated directly opposite the site, the parking provision proposed for the existing and proposed dwelling is considered acceptable.

The proposal would therefore comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

7.4 Carparking & Layout

Discussed above.

7.5 Urban Design, Access and Security Considerations

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. A 1 bed 2 person 1 storey dwelling requires a minimum gross internal floor area of 50sqm.

The application dwelling would measure approximately 52sqm and would comply with the minimum required standard for a 1 bed 2 person 1 storey dwelling and would be considered acceptable.

Policy BE23 requires all new residential dwellings to provide sufficient external amenity space to protect the amenity of the occupants of the proposed building and is usable in terms of its shape and surrounding.

The HDAS guidance states a 1 bedroom dwelling should have a minimum garden space of 40sq.m.

The proposal provides an amenity area of 61sq.m which is in excess of the minimum required 40sq.m, and is usable in terms of its size and shape. and would therefore comply

with objectives of Policy BE23 of the Hillingdon Local Plan Part Two Saved UDP Policies and the HDAS supplementary guidance.

The proposal would therefore be compliant with the standards contained in The London Plan, Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.6 Other Issues

None.

8. 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)
Housing Standards Minor Alterations to the London Plan March 2016
Mayor of London's adopted Supplementary Planning Guidance - Housing (2016)
HDAS: Residential Layouts
HDAS: Residential Extensions
HDAS: Accessible Hillingdon
National Planning Policy Framework.

Contact Officer: Naim Poptani

Telephone No: 01895 250230