

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 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 and Enforcement**Address** 65 JUDGE HEATH LANE HAYES**Development:** First floor side extension**LBH Ref Nos:** **68374/APP/2017/819****Drawing Nos:** 1711_PL01
1711_PL02 Rev. A**Date Plans Received:** 06/03/2017 **Date(s) of Amendment(s):** 06/03/2017**Date Application Valid:** 14/03/2017**1. CONSIDERATIONS****1.1 Site and Locality**

The application site comprises a two-storey semi-detached property located on the Southern side of Judge Heath Lane. The property has been previously extended with a single storey side addition, and a hip to gable roof extension and rear dormer.

The area is residential in character comprising a mixture of two-storey semi-detached and terraced houses.

The application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The proposed development is for the erection of a triangular shaped first floor side extension above the existing single storey side garage addition. The extension would extend to the boundary and would be set back 1.0 M from the front of the main building line. The extension would be set in 1.3 M at the very front and 0.8 M further back towards to the rear of the site. The extension would be 3.2-1.9 M wide and 4.30 M deep. The extension would have a crown roof profile and would be 2.2 M below the ridge line of the existing property. The existing ground floor side garage is proposed to be converted, although floor plans have not been provided.

1.3 Relevant Planning History

68374/APP/2012/1113 65 Judge Heath Lane Hayes

Single storey side/rear extension involving demolition of existing outbuilding to side

Decision Date: 16-07-2012 Approved

68374/APP/2012/422 65 Judge Heath Lane Hayes

Single storey side/front extension involving demolition of existing outbuilding to side

Decision Date: 25-04-2012 Refused

68374/APP/2012/423 65 Judge Heath Lane Hayes

Conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 26-04-2012 Approved

68374/APP/2013/2045 65 Judge Heath Lane Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.6 metres, and for which the height of the eaves would be 2.5 metres

Decision Date: 21-08-2013 Refused

68374/APP/2013/2588 65 Judge Heath Lane Hayes

Non-material amendment of planning permission Ref: 568374/APP/2012/1113 dated 16/07/2012 to allow reduction of depth of side extension (Single storey side/rear extension involving demolition of existing outbuilding to side)

Decision Date: 07-10-2013 Approved

68374/APP/2013/2964 65 Judge Heath Lane Hayes

Erection of a single storey rear extension which would extend beyond the rear wall of the original house by 4.5 metres, for which the maximum height would be 2.8 metres, and for which the height of the eaves would be 2.5 metres

Decision Date: 13-11-2013 PRN

68374/APP/2013/3421 65 Judge Heath Lane Hayes

Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 03-02-2014 Approved

Comment on Planning History

A CLD has been granted for roof extensions to the property.

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

3 neighbours were consulted. A site notice was erected on the 15.03.17. No comments have been received.

4. 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.
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.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the existing property, the impact upon the visual amenities of the surrounding area, the impact on the amenity of adjoining occupiers, the provision of acceptable residential amenity space for the application site and car parking provision.

Although the extension is set back by 1.0 M on the first floor from the front building line as required in Paragraph 5.6 of HDAS; paragraph 5.1 of HDAS requires two side extensions to be set-in back from the side boundary by 1.0 M. Where there is an existing ground floor extension that extends to the boundary, a 1.5 M set-in is required at first floor level. The proposed extension would extend to the boundary with a 0.8 M separation, extending to 1.3 M at the frontage. As such, at first floor level and ground floor level (as existing) the proposal would thus fail to meet HDAS requirements. It is therefore considered that the side extension would result in a dominant side addition, contrary to Section 5.0 of HDAS and Policies BE15 & BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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.

The proposed roof profile should match that of the existing roof. This would not be possible as the property has been extended with a gable ended roof extension and a large rear dormer extension, under permitted development. This results in an awkward joining of the roof profiles at the side of the property, which is further exacerbated by the 'crown roof' design, and the ridge line being substantially lower than the existing gable-ended roof. As such the extension fails to be subordinate to the original property and would impact unduly on the character and appearance of the existing and adjoining properties and the visual amenities of the street scene and the area in general.

The proposed extensions due to their overall roof form, siting, bulk and prominence would be an incongruous addition and would be damaging to the architectural composition of the property, which has already been compromised, and the visual amenities of the street scene.

Overall, the proposed extensions by reason of their siting, size, scale, bulk and design would fail to provide a subordinate addition to the property and would further alter the architectural composition of the property and would be detrimental to the visual amenities

of the street scene contrary to 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.

As discussed above, the proposed side extension would appear unduly dominant and would thus detract from the character and visual amenities of the street scene contrary to Policies BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). In addition, due to the proximity to the side boundary, this would result in a closing of the visually open gap between it and the neighbouring property, giving rise to a cramped form of development and resulting in the creation of a cramped development

There are no windows on the first floor side elevations which would prevent overlooking. Overall it is considered that the proposed development would not cause any undue visual intrusion, loss of daylight or sunlight or loss of privacy to adjoining occupiers in accordance with Policies BE20, BE21 and BE24.

The resulting amenity space of 170 square metres would be over 100 square metres which is considered adequate for a four bedroom property and would be in compliance with Paragraph 5.13 of HDAS and Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application proposal would result in the loss of parking at the front of the site, through the conversion of the existing garage. However at least 2 parking spaces would be provided within the hardstanding area at the front of the site. Therefore it is considered that the proposed development would not impact on existing on site parking in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In conclusion, the proposed development would not comply with HDAS and the Local Plan (November 2012), and is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its siting in this visually prominent position, size, scale and design, in particular the roof profile(s) would fail to harmonise with the architectural composition of the original dwelling, would further accentuate the imbalance between the pair of semi-detached houses of which it forms a part and would fail to appear as a subordinate addition and would thus be detrimental to the visual amenities of the street scene and the character and appearance of the wider area. The proposal would therefore 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 - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed first floor side extension by reason of its overall size, scale, bulk and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property, giving rise to a cramped form of development and resulting in the creation of a terracing effect, which would be detrimental to the visual amenities of the street scene and the surrounding area generally. The proposal is

therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15, BE19 and BE22 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

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

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.
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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