

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** 88 HYDE WAY HAYES**Development:** Part two storey, part single storey side/rear extension.**LBH Ref Nos:** **71064/APP/2017/2500****Drawing Nos:** 1:1250 Location Plan
1:500 Proposed Block Plan
1502/2
1502/4A**Date Plans Received:** 10/07/2017**Date(s) of Amendment(s):****Date Application Valid:** 10/07/2017**1. CONSIDERATIONS****1.1 Site and Locality**

The application relates to a two storey semi-detached property located on the North side of Hyde Way, Hayes. The property adjoins no. 86 Hyde Way to the South. The North East facing side elevation of the property abuts the driveway to a detached garage associated with no. 63 North Hyde Road. The property has not previously been extended, whilst the adjoining property no. 86 Hyde Way has a 4 m deep single storey rear extension. The area to the front of the property is covered by a mixture of hard and soft landscaping, with off street parking provision for two vehicles within the curtilage of the application site.

The principal elevation of the property faces North West.

The surrounding area is residential in character. The property is located within the 'developed area', as identified under the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension.

1.3 Relevant Planning History

71064/APP/2015/2679 88 Hyde Way Hayes

Part two storey, part single storey side/rear extension including alterations to front elevations involving demolition of existing garage

Decision Date: 08-09-2015 Refused

71064/APP/2016/3308 88 Hyde Way Hayes

Two storey side/rear extension

Decision Date: 07-11-2016 Approved

Comment on Planning History

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

71064/APP/2016/3308 - Two storey side/rear extension - Approved. The proposal differed

from that previously deemed unacceptable by the Inspector as the setting back of the side extension by 1m at both ground and first floor levels is now shown. All other aspects of the scheme remain as previously refused. (see below).

71064/APP/2015/2679 - Part two storey, part single storey side/rear extension including alterations to front elevations involving demolition of existing garage was refused for the following reasons:-

1. The proposed two storey side extension, by reason of its siting, size, scale and design, including its failure to maintain a set back from the front of the property and set down from the main roof, would have a detrimental impact upon the visual amenity of the application property and the character of the surrounding area. The proposal would fail to reflect the original composition and symmetry of the application property. The proposal would fail to comply with 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. The proposed development would result in over-development of the site by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property to the detriment of the residential amenity of existing and 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 Extensions.

This decision was the subject of appeal.

On the first issue the Inspector concluded that:

"The proposed side extension and alterations to the front of the dwelling would result in the ground floor being flush with the main front building line. I note the first floor would be set back and the new roof would be set down from the existing roof. Although the latter would remove the distinctive roof form of the existing dwelling, I do not consider this would be visually harmful given the extensions that have taken place on the adjoining property, No. 86. Nevertheless, whilst the proposal would introduce an element of balance as the appeal proposal would partly reflect the extension at No. 86, I do not consider this would outweigh the failure to provide a setback at ground floor level on the side extension, which would result in the side extension not having a subordinate appearance to the main dwellinghouse.

For these reasons, I conclude that the proposal would have an unacceptable adverse effect on the character and appearance of the existing dwelling and the area. It would conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and Policies BE13, BE15 and BE19 of the Council's Unitary Development Plan Saved Policies (UDP), which require, amongst other matters, development to complement or improve the character of the area. It would also conflict with the SPD, which seeks extensions that do not have an adverse effect on the character and quality of the overall streetscene."

With regard to the second issue the Inspector concluded:

I therefore conclude that the proposed development would not have an unacceptably harmful impact on the living conditions of the occupiers of No. 88 Hyde Way with regard to

the adequacy of private amenity space. As such, there would be no conflict with Policy BE23 of the UDP or the SPD, which seek to retain sufficient external amenity space to protect the amenity of the occupants of the building.

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

8 neighbouring properties were consulted by letter dated 19.7.17 and a site notice was displayed to the front of the site which expired on 30.7.17

EPU - Add construction informative.

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.

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

LPP 3.5 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The primary issues for consideration in the determination of the application relate to the impact of the proposed extensions upon the character and appearance of this property and the street scene, given that this issue was considered unacceptable in the consideration of the previous appeal by the Inspector. Put simply, does this submission overcome the outstanding reason for refusal of the previous scheme?

In regards to the proposed single storey rear extension, section 3.0 of the Council's adopted supplementary planning document, HDAS: Residential Extensions recognises that in the determination of an application for a single storey rear extension, consideration should be given to the 'size, depth, location, height and overall appearance of the

extension. The extension must always be designed so as to appear subordinate to the host property'.

Guidance recommends that for a semi-detached property on a plot more than 5 m wide, such as the application property, an extension up to 3.6 m deep is acceptable. The proposal does exceed this, however it would be considered in conjunction with the rear extension found on the adjoining property, and therefore is considered acceptable.

For a two storey side extension as proposed, section 5 of the adopted SPD recognises that proposals for two storey side extensions will be considered in terms of their setting, with particular reference given to the 'character and quality of the overall street scene'.

Paragraph 5.1 of the HDAS Residential Extension Guidance, requires that 'all residential extensions of two stories in height to semi-detached dwellings be set back a minimum of 1.0 m from the front elevation of the host dwelling for the entire depth of the extension. The previous scheme was refused on the grounds that the proposed two storey side extension, by reason of its siting, size, scale and design, including its failure to maintain a set back from the front of the property and set down from the main roof, would have a detrimental impact upon the visual amenity of the application property and the character of the surrounding area. This view was supported by the Inspector. The current revised application seeks to address this concern with the two storey side extension being set back 1 m at both ground and first floor level. This results in a roof form which is subordinate to the main roof and would respect the duality of the pair of semi's. The current scheme however involves an enlargement of the dormer window in the front facing catslide roof and an enlargement of the dormer in the two storey side extension. Paragraph 7.5 of the Council's HDAS guidance states that it is important to create an extension that will appear secondary to the size of the roof face within which it will be set. Roof extensions that would be as wide as the house and create the appearance of an effective flat roofed third storey will be refused permission. The proposed front facing dormer extensions would dominate the roofslopes in which they sit and would fail to either appear as secondary additions or respect the architectural integrity of the host dwelling. There are a number of similar original dormers in the catslide roof to the side within the immediate vicinity and supporting the enlargement of this window would set an unfortunate precedent. As such it is considered that the proposal, by virtue of the excessive scale, bulk and design of the front facing dormer windows, would have a detrimental impact upon the visual amenity of the application property and the character of the surrounding area. The proposal would fail to reflect the original composition and symmetry of the application property and would conflict with 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.

Consideration also has to be given to the impact of the proposal upon the residential amenity of occupiers of the neighbouring properties, which are protected under the following policies within the Hillingdon Local Plan (November 2012). Policy BE20, states: 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. In addition, Policy BE21 recognises that planning permission will not be granted for residential extensions which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity.

Whilst the proposed single storey rear extension exceeds the recommended depth, as it would project level with the extension found on no .86 Hyde Way, and having regard to the orientation of the properties, no harmful impact would be conferred upon the

residential amenity of occupiers of this property by way of loss of outlook, loss of daylight, over-shadowing or over-dominance. Although the adjoining property is not extended at the first floor, it is considered that sufficient separation distance would prevent any loss of outlook or loss of daylight to any of the first floor habitable rooms on no.86 Hyde Way. Owing to the siting of the property, with the North Eastern side elevation of the application property adjoining the driveway and garage and facing the rear of properties fronting North Hyde Road, the proposal would not harmfully reduce the residential amenity of occupiers of any neighbouring property, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012).

The Inspector has previously considered that the level of outdoor amenity space is acceptable at this property following the erection of extensions to the rear. As such, given that the recent appeal decision is a strong material consideration, the level of outdoor amenity space is considered acceptable.

The proposed development would reduce the capacity for off street parking at the property by reason of the removal of the existing garage and the inability to park at the existing side elevation of the property. The proposal would result in one vehicle being parked within the curtilage of the application site, which represents a similar provision to the surrounding properties and of the same provision as previously accepted by the Council.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by virtue of the excessive scale, bulk and design of the front facing dormer windows, would have a detrimental impact upon the visual amenity of the application property and the character of the surrounding area. The proposal would fail to reflect the original composition of the application property and the symmetry of the semi-detached pair (Nos. 86/88), and would conflict with 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.

INFORMATIVES

- 1** 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** 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** 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.
- 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.
- HDAS-E> Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2016) Quality and design of housing developments
- 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. 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.

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.

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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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Contact Officer: Nicola Taplin

Telephone No: 01895 250230