

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, Transportation and Regeneration**

Address 137 NORTH HYDE ROAD HAYES

Development: Two storey side/rear extension

LBH Ref Nos: **53992/APP/2018/1216**

Drawing Nos: 137 NHR/P1/03 Rev. B
 137 NHR/P1/05 Rev. B
 137 NHR/P/01
 137 NHR/P1/04
 137 NHR/P1/02
 137 NHR/P1/06

Date Plans Received: 03/04/2018

Date(s) of Amendment(s): 25/04/2018

Date Application Valid: 03/04/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey, semi-detached property located to the South of North Hyde Road. The brick and tile dwelling is set back from the road by 5.9 metres of hardstanding which provides space to park two cars within the curtilage of the dwelling house. To the rear and side of the property lies a garden area which acts as a private amenity space for the occupiers of the property.

The application site is located on a wide plot. It is attached to No.135 North Hyde Road to the West and shares a side boundary with No.139 North Hyde Road to the East. To the rear lies No.4 Wyre Grove.

The area is residential in character and appearance and the site lies within the Developed Area as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application is seeking planning permission for the erection of a two storey side/rear extension. The extension would project to the side of the dwelling by 3.5 metres. At ground floor it would be built flush with the front elevation, and at first floor it would be set back by 1 metre. It would span the full depth of the dwelling house and project to the rear by 3 metres. It would be characterised by a hipped roof with a maximum height of 6.9 metres.

During the determination process new plans were submitted with altered proposed fenestration.

1.3 Relevant Planning History

53992/99/0985 137 North Hyde Road Hayes
 Erection of a two storey side extension

Decision Date: 02-08-1999 Approved

53992/APP/2000/1998 137 North Hyde Road Hayes

ERECTION OF A TWO STOREY SIDE EXTENSION AND A PART TWO STOREY, PART SINGLE STOREY REAR EXTENSION

Decision Date: 11-12-2000 Refused

53992/APP/2001/1179 137 North Hyde Road Hayes

ERECTION OF A TWO STOREY SIDE EXTENSION

Decision Date: 14-08-2001 Approved

Comment on Planning History

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

Five neighbouring properties were notified of the proposal on the 17/04/2018. A site notice was also displayed which expired on 23/05/2018.

No responses were 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 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main planning issues for consideration relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the street scene, the impact on the amenity of adjoining occupiers, the provision of acceptable residential accommodation, the availability of parking and the impact on trees.

Section 5 of the Hillingdon Design and Access Statement: Residential Extensions (HDAS) states that two storey side extensions should not have a width that exceeds the width of the original dwelling house. On semi-detached properties, it should be set back from the front elevation by 1 metre over both floors and should be set down from the ridge by 0.5 metres. The Council requires all residential extensions and buildings of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property. Section 6 states that two storey rear extensions should not exceed 3.6 metres in depth.

The extension would be set in from the side boundary with No.139 North Hyde Road by 1 metre and due to being a wide plot relative to the neighbouring property it is considered that the extension would not result in a terraced appearance and the visually open gap between the properties would be retained. The width of the extension would be 3.5 metres which would be 57% of the width of the original dwelling and the roof would be set down from the main ridge by 0.5 metres. However, although the first floor is set back from the front by 1 metre, the ground floor element would be built flush with front elevation and would benefit from a bay window projecting forward of the main wall. As such, it is considered that the proposal would not appear subordinate to the existing dwelling house and so would have a detrimental impact on the street scene and surrounding area. Therefore, it is considered that the proposal would fail to comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The extension would be located over 9 metres from the neighbouring property at No.139 North Hyde Road and as such, it would not intersect the 45 degree horizontal line. There are large trees along the shared boundary line (Which are apparently intended to remain, and their retention and protection could be secured by imposing planning conditions) and so the extension would mostly be screened from the neighbouring property. The extension would be located 5.8 metres from No.135 North Hyde Road and does not intersect the 45 degree horizontal line. The application property is located on a short plot and so the extension would be located only 1.6 metres from the boundary line with No.4 Wyre Grove. However, this neighbour benefits from an outbuilding along this section of the boundary line and the extension would be located over 10 metres from the rear elevation of No.4. Subsequently, it is considered that the proposal would not have a detrimental impact on the residential amenities of any neighbouring properties in terms of loss of light, loss of outlook and sense of dominance. Therefore, it would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Three side windows would be installed facing No.139 North Hyde Road, two of which are at ground floor level, and one is at first floor level. None of these windows act as the primary window for any habitable rooms. A first floor rear window would be installed facing the garden of No.4 Wyre Grove, however this window serves a bathroom. Therefore, following any approval a condition can be added to ensure these windows are obscurely glazed and non-opening below 1.8 metres above the finished floor level and so the proposal would not result in an undue loss of privacy. As such, the proposal would comply with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all proposed habitable rooms and those altered by the development would still maintain an adequate outlook and source of natural light. Therefore, it complies

with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Paragraph 6.18 of HDAS states that sufficient garden space should be retained as a consequent of an extension. Four bedroom houses should retain at least 100 square metres of private useable garden space. The proposal involves an increase to 4-bedrooms, however, following development only 34 square metres of amenity space would be retained for the occupiers of the dwelling. Although the application property is located within walking distance of an open space by the River Crane, it is considered that this would not offset the large shortfall of 66 square metres. As such, due to the loss of amenity space and the addition of a double bedroom, the application would fail to comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved Policies (November 2012).

The parking would not be impacted by the proposal.

The application is recommended for refusal.

6. 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 and design, including the lack of a set back from the front at all levels, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of 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 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would result in an over-development of the site detrimental to 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.

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 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.

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.
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 (2016) Quality and design of housing developments

Contact Officer: Charlotte Spencer

Telephone No: 01895 250230