

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** 74 MONMOUTH ROAD HAYES MIDDX**Development:** Two storey side extension**LBH Ref Nos:** 64806/APP/2019/3973**Drawing Nos:** 1912-A-201
1912-A-301
1912-L-101
1912-L-001**Date Plans Received:** 09/12/2019**Date(s) of Amendment(s):****Date Application Valid:** 09/12/2019**1. CONSIDERATIONS****1.1 Site and Locality**

The application site comprises a two storey semi-detached dwelling situated on the south side of Monmouth Road, Hayes. The property is situated directly on the bend and lies within a tapered plot which narrows to the rear and faces north east. The house is finished in pebble dash render, is characterised with a hipped roof and is set back from the highway to accommodate a spacious front garden enclosed by a low level wall and hedge, with a detached garage to the side with off street parking on the drive for two cars.

The surrounding area is residential in character and is predominantly made up of two storey semi-detached dwellings that are set back from the frontage and of a similar size, scale and appearance.

1.2 Proposed Scheme

The current application seeks planning permission for a two storey side extension

1.3 Relevant Planning History

64806/APP/2018/3345 74 Monmouth Road Hayes Middx

Part two storey, part single storey side extension

Decision Date: 15-11-2018 Refused

64806/APP/2018/4198 74 Monmouth Road Hayes Middx

Part two storey, part single storey side extension

Decision Date: 25-01-2019 Refused

Comment on Planning History

64806/APP/2018/3345: Part two storey, part single storey side extension - Refused

1. The proposed development by reason of its siting, size, scale, bulk, proximity to the front boundary and projection forward of the return building line along Monmouth Road, in this open prominent position, would result in a cramped appearance. The proposal would therefore represent an over-development of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area.

The proposed development 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 Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed development, by virtue of its siting, size, scale and design, including the lack of a set back from the front for its full height, 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.

3. 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.

64806/APP/2018/4198 - Part two storey, part single storey side extension - Refused for the following reasons

1. The proposed development by reason of its siting, size, scale, bulk, proximity to the front boundary and projection forward of the return building line along Monmouth Road, in this open prominent position, would result in a cramped appearance. The proposal would therefore represent an over-development of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development 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 Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. 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.

Appeal dismissed reference APP/R5510/D/19/3224967, dated 30/7/2019

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 12/12/2019 and a site notice

displayed which expired on 16/1/2020

No local response

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:

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main planning issues are the effect of the development on the character and appearance of the original building, the conservation area, the street scene and the level of impact on the residential amenity and light levels of the adjoining neighbours, and provision of off-street parking provision.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity of adjacent properties and open space.

Policy DMHD 1 Alterations and Extensions to Residential Dwellings of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that good design of residential alterations and extensions will enhance the appearance of a house, and thus its value, as well as improving the appearance of the local area. Well designed alterations and extensions, using quality materials, should be of a scale and form in keeping with the house, and sympathetic to existing character, proportions, and floor plan. All proposed extensions should appear subordinate to the existing house, with appropriately selected windows, materials and detailing. As regards side extensions, the policy states that two storey extensions should be set in from the side boundary by a minimum of 1m.

C) Side Extensions - i) side extensions should not exceed half the width of the original property; ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded; iii) garages should reflect the size guidelines set out in Appendix C Parking standards; iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;

v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation.

A1.11 states that two-storey side extensions on detached and semi-detached houses should be set back from the main front wall of the dwelling by at least one metre to provide definition between the original house and the extension. Similarly, roofs of side extensions should be set back from the front roof plane so that their ridges are lower than the main ridge to ensure that the addition reads as a subordinate element..

The proposed part two storey, part single storey side/rear extension would extend 3.3 m in width to measure no more than two thirds of the width of the main dwelling, would be set back 1.2 m from the principal elevation for its full height and would be characterised with a hipped roof set approximately 500 mm below the main ridgeline. The hipped roof would reflect the roof form of the original dwelling and combined with its width, set back and set down would represent a subservient addition which would satisfactorily integrate with the appearance of the host dwelling.

The application site lies on a prominent corner of the road and aligns with an established return building along Monmouth Road which stretches in a north west to south east direction. The proposed extension would maintain some set back from the side boundary and the revised scheme would be set back 1.2 m from the principal elevation and therefore would align with the established building line of the neighbouring property at 72 Monmouth Road mitigating one of the previous reasons for refusal.

The application site sits within a triangular shaped plot with a substantially larger width to the front than to the rear, and therefore the extension would continue to maintain a separation gap of 9 m to the front reducing to approximately 3 m to the rear at its closest point. It is therefore considered that the proposal would not result in a loss of an important visual gap, in accordance with Policy DMHD 1 of the Hillingdon Local Plan: part 2 Development Management Policies (January 2020)

The application site benefits from adjoining neighbours to either side with No. 76 forming the other half of the semi-detached pair and No. 72 situated parallel with the adjacent highway to the north west..

With regards to No. 76 the other half the semi-detached pair, the proposed single storey side element would not be visible from their nearest habitable aspects as it would remain obscured by the existing single storey rear extension. The two storey element would protrude 2.15 m beyond the original rear wall, however combined with its separation gap of approximately 5.2 m from the shared boundary it would not infringe a 45 degree line of sight taken from their nearest rear habitable window. Furthermore it would have a hipped roof set below the main ridge to reduce the bulk and mass of the roof void.

No. 72 to the North-West is positioned at a chamfer to sit parallel with the adjacent highway and benefits from a single storey rear extension with its nearest first floor rear window serving a bathroom (non habitable room). It is considered due to the repelled orientation of the two properties and the adequate separation gap between them, the proposed extensions would not infringe a 45 degree angle taken from their nearest first floor rear habitable aspect which is situated to the far side. Additionally given the depth of their single storey rear extension the proposed extensions would not be visible from this part also.

The outlook from the new windows would be of the applicants front and rear amenity areas, The outlook from bedroom 4 to the rear would provide views of the neighbouring

rear garden however as it would maintain a set back of 7 m from the shared boundary, combined with the presence of the neighbouring single storey rear extension which would partly obscure any direct overlooking, the proposal is considered to have an acceptable level of impact upon their residential amenities and light levels.

The proposal would therefore comply with Policy DMHB 11 of the Hillingdon Local Plan: part 2 Development Management Policies (January 2020)

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Policy DMHB 18 seeks to ensure all new residential development and extensions provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed building in terms of its shape and siting.

The proposed development would result in the creation of two additional bedrooms to total a 5 bedroom dwelling and with the private amenity area retained measuring approximately 70 square metres would fall considerably below the minimum standard. Given the rear garden would also comprise of a tapered shape, the corner section at the end of the garden would not be entirely usable and therefore would further reduce the remaining private amenity space. It is noted that the scheme shows the side garden as being part of the private amenity area and this is enclosed by a 1.8m high side boundary fence, however this area fronts onto the main highway and, although screened from the public realm by a 1.8m high boundary fence, it remains to the side and front of the property as opposed to the rear.

In dismissing the appeal on a very similar scheme at the site, the Inspector commented as follows on this issue:

"I observed at my site visit that much of the private outside space would be situated to the rear where the garden tapers to a narrow point and as such this area of the garden would provide less usable space than a regularly shaped garden.

11. To conclude on this main issue, I find that the proposed development would not provide adequate outside space and as such would have a significant negative impact on the living conditions of future occupiers."

It is therefore considered the proposal would result in a shortfall of private amenity space which is not deemed sufficient to protect the residential amenities of the occupants of the main dwelling and would be contrary to Policy DMHB 18 of the Hillingdon Local Plan: part 2 Development Management Policies (January 2020)

The application site would continue to provide 2 off street car parking spaces within the curtilage of the dwellinghouse to continue to accord with Policy DMT 6 of the Hillingdon Local Plan Part 2 Development Management Policies (January 2020)

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 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 and would be contrary to Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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 Hillingdon Local Plan: Part 1 Strategic Policies, Hillingdon Local Plan: Part 2 Development Management Policies (January 2020), 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:

DMHB 11 Design of New Development

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking
LPP 3.5 (2016) Quality and design of housing developments

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