

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 119 CLEAVE AVENUE HAYES

Development: Erection of a part first floor rear extension.

LBH Ref Nos: **74798/APP/2022/421**

Drawing Nos: 2022 - 10- 01 A
 2022 - 10- 02 A
 2022 - 10- 05 A
 2022 - 10- 06 A
 2022 - 10- 03 A
 2022 - 10- 04 A

Date Plans Received: 10/02/2022

Date(s) of Amendment(s):

Date Application Valid: 10/02/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey end terrace dwelling on the North side of Cleave Avenue, Hayes. The property is constructed from brick, is characterised with a gable ended roof and front porch and is set well back from the adjacent highway to accommodate a frontage laid in soft landscaping.

The surrounding area is residential in character and made up predominantly by two storey terraced blocks that are of a similar size and appearance.

The property has been previously extended by way of a 4m rear extension built under the prior approval process and a loft conversion involving a rear dormer and front rooflights.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a part first floor rear extension. The proposed extension would project 3.24m in depth to extend bedroom 2.

1.3 Relevant Planning History

74798/APP/2019/1480 119 Cleave Avenue Hayes
 Single storey rear extension

Decision Date: 28-06-2019 WD

74798/APP/2019/2241 119 Cleave Avenue 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 3.4 metres, and for which the height of the eaves would be 2.3 metres

Decision Date: 08-08-2019 Approved

74798/APP/2020/3065 119 Cleave Avenue Hayes

Conversion of roof space to habitable use to include a rear dormer and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 11-11-2020 Approved
74798/APP/2021/3267 119 Cleave Avenue Hayes
Single storey rear infill extension.

Decision Date: 21-10-2021 Refused

Comment on Planning History

The relevant planning history is listed above.

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

7 neighbouring properties were consulted by letter dated 21.2.22

2 letters of objection have been received raising concerns about:

1. Overdevelopment
2. Loss of light resulting from ground floor extension and dormer extensions. The addition of a further first floor extension would result in additional loss of light
3. Noise

4. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

LPP D8 (2021) Public realm

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management

Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers.

With regard to rear extensions Policy DMHD1 requires:

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more; ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet; v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

The application property comprises a modest end terraced property which has been significantly extended by way of a loft conversion (built as permitted development) and a 4m rear extension (built under the prior approval process). The character of the modest property has been significantly changes as a result of the previous extensions and the last remaining original fabric to the rear is at the first floor level. The addition of a further first floor extension introduces an additional hipped roof form which would, in combination with the existing extensions to this property, result in an incongruous addition to the property which would detract from its character and appearance and the terrace of which it forms part. The roof form does not relate to the gable end or the dormer window, creating an inconsistent treatment and combination of roof profiles. The result, in combination with the existing extensions, would not read as subordinate to the existing property.

Given the arrangement of properties and the exposed, readily visible rear elevation, the proposed extension would result in an incongruous addition to the streetscene in conflict with Policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part Two - Development Management Policies (2020). The visual harm on this particular site is not limited to private views, there are multiple private views which can be considered public and an existing public footway adjacent.

Concerns are also raised in terms of the impact that the proposed extension would have on the occupants of adjoining number 121 Cleeve Avenue. Whilst the submitted plans indicate that the 45 degree line would not be breached from the first floor window at Number 121, the overall scale to the rear of the property would have an unacceptably oppressive and overbearing impact, particularly given the orientation of the properties, size of the rear gardens and existing built form. This terrace of modest dwellings have relatively modest rear gardens. The additional bulk proposed to the rear of number 119 would result in an over dominant form of extension which would unacceptably detract from the residential amenities of the occupants of this property.

Number 117 is sited on the opposite side of the driveway. Given the degree of separation, it is considered that the proposal would not result in an unacceptable loss of amenity to the occupants of this property.

There would be no loss of garden area and parking would be unaffected 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 extension by reason of its overall size, height, bulk and design, in conjunction with loft extension and rear single storey rear extension, would fail to appear subordinate to the original property and terrace of which it forms part, giving rise to a cramped form of development, 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 DMHB11; DMHB12 and DMHD1 of the Hillingdon Local Plan - Part One (2020) and policies D3 and D8 of the London Plan (2021).

2 NON2 Non Standard reason for refusal

The proposed first floor rear extension, by reason of its depth, design and proximity to the boundary, in combination with the existing extensions, would be detrimental to the residential amenities of the adjoining occupier at No.121 Cleave Avenue by reason of overdominance, overshadowing and visual intrusion, and loss of outlook. Therefore the proposal would be contrary to Policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part Two - Development Management Policies (2020).

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:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

LPP D4 (2021) Delivering good design

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