

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 15 BROOKSIDE ROAD HAYES

Development: Erection of a first floor side extension, part first floor rear extension and conversion of flat roof to pitch roof on rear single storey extension

LBH Ref Nos: **30809/APP/2022/1634**

Drawing Nos: Block plan
 Location plan
 0019-001 P1
 0019-002 P1
 0019-004 P1
 0019-003 P1
 0019-005 P1

Date Plans Received: 19/05/2022 **Date(s) of Amendment(s):**

Date Application Valid: 19/05/2022

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of an extended end terraced property located on the corner of Brookside Road with Dorchester Way. The property has been previously extended by way of a large wrap around single storey side/rear extension.

1.2 Proposed Scheme

The application seeks planning permission for first floor side and rear extensions.

1.3 Relevant Planning History

30809/A/94/1445 15 Brookside Road Hayes

Erection of a two storey side and single storey rear extension

Decision Date: 24-10-1994 Refused

30809/APP/2015/4514 15 Brookside Road Hayes

First floor side/rear extension and installation of new pitched roof to existing single storey rear element

Decision Date: 16-02-2016 Refused

30809/APP/2018/1672 15 Brookside Road Hayes

First floor side/rear extension and installation of new pitched roof to existing single storey rear element

Decision Date: 11-07-2018 Refused

30809/C/96/0114 15 Brookside Road Hayes

Erection of a single storey side and rear extension

Decision Date: 27-02-1996 Approved

Comment on Planning History

30809/APP/2015/4514 - First floor side/rear extension and installation of new pitched roof to existing single storey rear element was refused for the following reason:

1. The proposal by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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.

An appeal was subsequently dismissed which is discussed below.

30809/APP/2018/1672 - First floor side/rear extension and installation of new pitched roof to existing single storey rear element was refused for the following reason:

The proposal by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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.

The scheme differed from that which was previously dismissed at appeal in that the first floor side extension was set back 0.5 m from the front wall of the host dwelling which would result in the roof being set down 0.5 m from the main ridge.

Officer note. The current proposal is identical to the dismissed scheme.

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

11 neighbouring properties were consulted by letter dated 9.6.22

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 D6	(2021) Housing quality and standards
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.

With regard to side extensions Policy DMHD1 requires:

- 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;
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and vii) in Conservation Areas, single storey side extensions may be required to be set back.

The application is located in an extremely prominent corner plot. Whilst it is acknowledged that the existing ground floor extension exceeds half the width of the original dwelling, the addition of a first floor would exacerbate and unbalance this end-terraced property. The proposed extension when viewed from both the front and side of the property would entirely engulf the original modest terraced property and detract from its architectural integrity. It is acknowledged that a gap of 1.6 m would be retained to the side boundary but this does not over-ride the harm that the significant increase in bulk in this prominent corner location would have on the visual amenities of the locality. The extension would also breach the return building line in Dorchester Way. The proposed development would therefore, by reason of size, scale, bulk and design, in this open prominent position, result in the total closing, at first floor level, of an important gap characteristic to the area, resulting in a cramped appearance. It is noted that the Inspector raised similar concerns in the previous appeal decision, which was for the same extension, stating:

"The appeal property is one of six which front a small 'green' and share a sense of general symmetry and cottage style aesthetics adding markedly to the character of the area. The planned extension, seen from the front angle, would almost double the width of the main elevation of the home at upper level and would interfere with the aforementioned qualities. This large first floor extension would also radically change the scene from the junction area of Brookside Road and Dorchester Way as presently there is a visually beneficial sense of openness and this would be replaced by an upper floor edifice with a width of about 5 metres and a length of about 10.5 m including a rear projection which would be appreciably and awkwardly longer than the existing main two storey element. The development would not be suitably subordinate to the original property. The relevant side elevation would be an extensive plane of almost blank two storey vertical walling which would be ungainly and oppressive in the streetscene. The two storey form would be too large and come too close to the footpath, such that it would appear uncomfortably cramped when spaciousness is a positive attribute of this corner site and contributes a pleasant aspect to the neighbourhood generally.

I conclude that the development sought would be overdevelopment and lead to visual detriment to the appeal property and the wider locality. This would run contrary to the objectives of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) which share common themes of seeking to protect or enhance the character and appearance of buildings and their neighbourhood, to ensure harmonious development and the protection of local distinctiveness. These same objectives are embodied in the Council's Supplementary Planning Document HDAS: Residential Extensions (SPD) which I have had regard to albeit it cannot be expected to cover every eventuality."

The proposal therefore, by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 Two (2020), Policies D4 and D8 of the London Plan (2021) and the NPPF.

Whilst the Local Plan has been updated, there has been no substantial change in policy or circumstance to warrant a different conclusion on this case. The Inspector's clear reasons for dismissing appeal remain relevant.

Given the degree of separation between the proposed first floor rear extension and the shared boundary with adjoining number 13 Brookside Road, the development would not result in an unacceptable loss of light or outlook. This is demonstrated by the 45 degree angle that has been plotted on the submitted plans. The increase in height over the existing single storey rear extension would further not have an impact upon the occupants of number 13 given that this property has a rear extension in line with that proposed. The submitted plans show a first floor side facing bedroom window towards number 13. It is considered that if the application were considered acceptable in all other respects, a condition could be imposed to secure obscure glazing. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development.

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 Policy D6 of the London Plan (2021).

In terms of the garden area the development would fulfill the Part 2 Policy DMHD1 appendix A, Part A) vi), which states that for Alterations and extensions to residential dwellings; adequate garden space is retained.

The parking provision would remain 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 proposal, by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is 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 Two (2020), Policies D4 and D8 of the London Plan (2021) and the NPPF.

INFORMATIVES

- 1** 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 Local Plan Part 1, Local Plan Part 2, 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:

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 D6 (2021) Housing quality and standards
LPP D8 (2021) Public realm

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