PLANNING & COMMUNITY SERVICES

APP. REF. NO: 62090/APP/2007/1253

DELEGATED 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.***

	Select Option
APPROVAL RECOMMENDED: GENERAL	
1. No valid planning objection in the form of a petition of 20 or more signatures, has been received.	X
2. Application complies with all relevant planning policies and is acceptable on planning grounds.	X
3. There is no Committee resolution for enforcement action.	X
4. There is no effect on listed buildings or their settings.	X
5. The site is not in the Green Belt (but see 10 below)	X
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 10 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 1000 sq. m. of floor space other than a to retail use.	☐
CERTIFICATE OF LAWFULNESS	
15. Determination as to whether planning permission is required	☐
16. Certificate of Lawfulness (for existing use or Development)	
17. Certificate of Appropriate Alternative Development	☐
OTHER	
18. ADVERTISEMENT CONSENT (excluding Hoardings)	☐
19. PRIOR APPROVAL APPLICATION	☐
20. OUT-OF-BOROUGH OBSERVATIONS	☐
21. CIRCULAR 18/84 APPLICATION	☐
22. COPSEWOOD 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 (specify)	☐

Draft Typed.

The delegation powers schedule has been checked. The Head of Planning & Transportation can determine this application.

Case Officer: Catherine Hems

Signature: Ralph

Date: 6/09/07

A delegated decision is appropriate and the recommendation, conditions/ reasons for refusal and informatives are satisfactory.

Team Manager: RICHARD PHILLIPS

Signature: R.

Date: 24/9/07

The decision notice for this application can be issued.

Head of Service/ Member of Senior Management Team:

Signature:

Date: 25 Sept 07

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM.

DELEGATED REPORT

(1) DELEGATED CASE INFORMATION

Address of Applicant	M C S Design FAO Mr K Janjua 53 Westmead Windsor SL4 3NN
Description of Development *(First Schedule - for Certificates of Lawfulness)*	Erection of a part single storey, part two storey side extension, front entrance porch, and single storey rear extension (involving demolition of existing garage and porch) **AMEND DESCRIPTION**
Location of Development *(Second Schedule - for Certificates of Lawfulness)*	42 Kingsash Drive, Hayes
Date Application Received	31st July 2007
Drawing / Plan Nos. & Dates Received:	SHEIKH/06 received 31/07/07 SHEIKH/01, /02, /03, /04, /05 and /07 received 01/09/07.

(2) SITE/PROPERTY DESIGNATION

	Select Option	Specify as appropriate
Listed Building	☐	
Conservation Area	☐	
Area of Special Character	☐	
Green Belt	☐	
Metropolitan Open Land	☐	
Site of Special Scientific Interest	☐	
Tree Preservation Order(s)	☐	
Shopping Centre	☐	
Industrial Business Area	☐	
Other UDP Designation(s)	☒	Developed area

(3) RELEVANT PLANNING HISTORY

62090/APP/2006/2177 – Erection of single storey front and rear extensions, conversion of garage and roof space to habitable accommodation with installation of rear dormer and roof lights. – Refused 19/09/06, due to the size and design of the extension being overly dominant, incongruous, and obtrusive in relation to the property and the street scene, and an insufficient area of garden land would remain.

62090/APP/2006/3240 – Erection of single storey front and rear extension, conversion of garage and roof spcae to habitable accommodation with installation of front dormer and rear roof lights – Refused 23/03/07, due to the front extension being overly dominant, and the dormer window would fail to relate sensitively to the character and appearance of the dwelling and would appear incongruous in the street scene.

62090/APP/2007/547 – Erection of a two storey part front extension, two storey side extension, and single storey rear extension (involving demolition of existing garage) – Refused 24/04/07, due to the proposed 2 storey front extension be virtue of its scale and design would result in an incongruous feature and would be obtrusive in the street scene, and the proposed single storey rear extension in relation to the side boundary would appear overly dominant and therefore out of character in the street scene.

(4) PLANNING POLICIES AND STANDARDS	
Relevant UDP Policies (Ref. nos. only)	BE13 – New development to harmonise with the appearance of the existing street scene and area BE15 – extensions to harmonise with the scale, form, architectural composition and proportions of the original building BE19 – New development to compliment and improve the amenity and character of the area BE20 – ensure adequate daylight and sunlight can penetrate into and between buildings and the amenities of existing houses are safeguarded BE21 – siting, bulk and proximity of extensions not result in a significant loss of residential amenity BE22 – two storey extensions should be set back a minimum of 1m from the side boundary BE23 – sufficient external amenity space BE24 – design to protect privacy of occupiers and neighbours AM14 – car parking standards
Relevant Supplementary Planning Guidance (including section ref. nos.)	HDAS – Supplementary Planning Document: Residential Extensions 3.0 – Rear extensions and Conservatories – Single Storey 5.0 – Side and first floor side extensions – two storey 8.0 – Front extensions, porches and bay windows
Other Key Documents	The Council's Interim Car Parking Standards (December 2001)

(5) CONSULTATIONS	
INTERNAL	
Highways Engineer	n/a.
Conservation / Urban Design Officer	n/a.
Trees / Landscape Officer	n/a.
Policy Team	n/a.
Environmental Protection Unit	n/a.
Other(s)	n/a
EXTERNAL	
Neighbours: (For refusals specify nos. consulted, nos. & nature of responses)	***Comment/s Received:*** 16 consulted, 0 response received ***Officer Response: n/a***
Residents' Association(s)/ Amenity Group(s)	***Comment/s Received: n/a*** ***Officer Response: n/a***
Conservation Area Advisory Panel	***Comment/s Received:n/a*** ***Officer Response:n/a***
Councillor(s) / MP	***Comment/s Received:n/a*** ***Officer Response:n/a***
Other(s)	***Comment/s Received:n/a*** ***Officer Response:n/a***

(6) KEY PLANNING CONSIDERATIONS
• The site is situated on the east side of Kingsash Drive. The application site comprises a two storey detached dwelling, with a pitched roof. The dwelling is within a modern estate

comprising a mix of terrace, semi detached and detached dwellings. The dwelling is located in a bend on the road so that both the side and rear elevations are prominent in the street and there is also a pedestrian walkway to the front of the property. The locality is flat and the dwelling is within a developed area as defined in the UDP.

- The application seeks planning permission for a single storey front extension, a part single, part two storey side extension, and single storey rear extension. The front extension would form an entrance porch, 3.5m wide, 1.75m deep, with a piched roof forming a gable end to the front. The single/two storey side extension would be 3.6m wide, with the first 1m section to the front single storey, then raising to two storey for the remaining depth of the property (a total depth of 5.5m), this element would have a set down 0.5m below the ridge line of the host dwelling. The single storey rear extension would be 3.6m deep and 9.1m wide, spanning the width of the original propperty with a maximum roof height of 3.4m. The application, as originallly submitted, showed this rear addition at 12.8m wide spanning the rear of the property and the two storey extension to the side, this was amended at officer request to overcome the second reason for refusal from the previous application. The extensions would be constructed using materials to match the existing property

- Policy BE15 of the UDP requires extensions to harmonise with the scale, form, architectural composition and proportions of the original building. The adopted Supplementary Planning Document(SPD): Residential Extensions: Section 3.0 on single storey rear extensions and conservatories, states that careful thought must be given to the size, depth, location, height and overall appearance of the extension; Section 5.0: on two storey side extensions, states that these extensions should be considered in terms of their setting and with particular reference to the character and quality of the area; and Section 8.0 – Front extensions, porches and bay windows states changes and alterations to the front of the house must be minor and not alter the overall appearance of the house of character of the street.

- The main considerations are design and impact upon the dwelling and wider locality, the impact upon the amenities of adjoining occupiers, and car parking considerations.

- It is considered that the proposal would not cause an unacceptable loss of light or outlook to adjoining occupiers, this is a corner plot, which sits on the inside curve of a road, with highway land to the rear, and public open land to the side and front. Therefore the main/only property to be affected by this proposal would be No. 41 Kingsash Drive (to the North). Due to the distances involved it is not considered the front/side additions would have an affect on this property, and with regard to the rear addition, this would be 3.6m deep. The SPD: Residential Extensions: Section 3.3 (single storey rear extensions) states extensions should not protrude too far from the rear wall of the original house, and on a detached property an extension of up to 3.6m deep is acceptable, and section 3.7 states they should not exceed 3.4m in height, because it may block daylight or sunlight to neighbouring properties, and this proposal complies with this advice. Furthermore this addition would not protrude past the front building line of No.41 (the property is orientated the opposite way from the application site), and therefore it is considered would accord with policies BE20 and BE21 of the UDP.

- With regard to loss of privacy, there are no windows shown in the flank walls of the proposal, and therefore no loss of privacy would arise. However a condition is recommended to any permission given restricting any further openings. This proposal therefore accords with Policy BE24 of the UDP and with HDAS Supplementary Planning Document: Residential Extensions.

- With regard to the design of the front extension, this would comprise a porch with a pitched roof and a front facing gable. It is considered this would mirror the design of the eave height dormer window constructed on this elevation, ~~with these two elements providing balance to each other.~~ ~~Therefore~~ complying with the advice in sections 8.0 and 8.2 of the SPD: Residential Extensions, which states extensions to the front of the house should be minor in nature and should be individually designed to follow the characteristics of the original dwelling.

- With regard to the design and appearance of the side extension, this would replace an existing

large, ~~the properties are staggered so that there is no building line~~ it would
replace an existing porch/integral garage that has a similar roof height and projects
~~0.9m~~ the increase in its forward projection from 0.9m to 1.75m would
not appear incongruous in the street scene given the staggered relationship
of properties. Furthermore, the design would mimic the gables of adjoining
properties and the site is relatively well screened. There are no objections by the ~~to~~ existing
~~the~~ first floor window.

attached garage. To the front, this addition would be single storey, then once a depth of 1 metre had been reached, the extension would rise to two storey, finished under a subordinate pitched roof (0.5m below the existing ridge line). This extension would be 3.5m away from the boundary to the side, and therefore comply with section 5.1 of the SPD: Residential Extensions which states it should be a minimum of 1m from the boundary. Section 5.3 states where extensions are proposed when the side of the house joins a road or open space, any extension should ensure the openess of the area is not compromised, and any return building lines are respected, and the proposal complies with this advice, as the extension would be set in from the boundary (3.5m) and does not breach any adjoining building lines. The width of the proposed side extension would be 3.6m wide, which is within the half to two thirds rule as set out in section 5.10 of the SPD, and Section 5.9 states the design of the roof should follow that of the existing roof, and a pitched roof should be extended with a subordinate pitched roof, and the proposal complies with this advice.

- The single storey rear extension would comply with the guidance in the SPD: Residential Extensions. Section 3.3 indicates that single storey rear extensions to detached properties should be a maximum of 3.6 metres deep, this addition would comply with this guidance, ~~and is~~ 3.6m deep. The roof would be mono-pitched, and set at a shallow angle, with the highest point at 3.4m, and therefore would comply with section 3.7.

- It is therefore considered that the proposed extensions would be both clearly articulated and visually subordinate to the main dwelling, such that its character would not be unduly harmed and therefore would comply with policies BE13, BE15, BE19 and the intentions of BE22 of the UDP and to the HDAS Supplementary Planning Document: Residential Extensions.
- The ~~parking spaces are proposed as part of this development~~ and therefore the proposal would comply with policy AM14 of the UDP.
- A garden of more than 100 sq m would be retained and therefore it would comply with ~~AM~~BE23 of the UDP.
- In summary the proposal is recommended for approval.

(7) RECOMMENDATION

Approval *(*Delete as appropriate)*

Conditions & Reasons *(*ref. nos. or ref. nos. with inserts only)*

1. T8 & standard reason (3 yrs).
2. M2 & standard reason
3. RPD1 & standard reason `41 Kinsash Drive, Hayes.'

Informatives *(*ref. nos. with inserts only. INFORMATIVE 1 IS COMPULSORY FOR ALL APPS)*

1. The decision to GRANT planning permission has been taken having regard to all relevant planning legislàtion, 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).

adequate outlook and natural lighting, in accordance with Policies OE12 and BE20 of the UDP. As regards the study, this would be accessed from the lounge by double doors that could open up the room. The room also has an internal window and as a similar arrangement was not previously refused on this ground, it is considered that the proposed arrangement is not so deficient as to justify a reason for refusal now.

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2. The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Unitary Development Plan set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

- BE13 – New development to harmonise with the appearance of the existing street scene and area
- BE15 – extensions to harmonise with the scale, form, architectural composition and proportions of the original building
- BE19 – New development to compliment and improve the amenity and character of the area
- BE20 – ensure adequate daylight and sunlight can penetrate into and between buildings and the amenities of existing houses are safeguarded
- BE21 – siting, bulk and proximity of extensions not result in a significant loss of residential amenity
- BE22 – Two storey extensions
- BE23 – sufficient external amenity space
- BE24 – design to protect privacy of occupiers and neighbours
- AM14 – car parking standards
- Supplementary Planning Document "Residential Extensions.

- Council's interim Car Parking Standards (Dec 2001)

This report is written having undertaken a formal site inspection and having had regard to all material representations and considerations. ☒

Front facing west



3. (1) Building to Approved Drw. 4. (2) Encroachment
5 to. (3) Building Regs.
6. (4) Neighbours consideration
7. (5) Party Walls
8. (6) Property Rights / Rights to Light
9. (47) Damage to verge
10. (51) Notification of commencement of works.

Rear facing Kingsash Drive

