

## Report of the Head of Planning & Enforcement Services

**Address** 67 BERRYDALE ROAD HAYES MIDDLESEX  
**Development:** Single storey side extension (Part Retrospective)  
**LBH Ref Nos:** 64145/APP/2012/1534  
**Drawing Nos:** 1:1250 Location Plan  
1:500 Block Plan  
Proposed Floor Plan  
Proposed Side Elevations  
Proposed Rear Elevation

**Date Plans Received:** 25/06/2012      **Date(s) of Amendment(s):**  
**Date Application Valid:** 25/06/2012

### REASON FOR URGENCY

Although this report has not been before Members at least five working days before the date of committee, it is considered that the application merits an urgent decision in order to allow enforcement action to be expedited.

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site is located on the north eastern side of Berrydale Road, at its junction with Broadmead Road. It comprises a one-bedroom two storey house on the southern end of a terrace forming a total of 8 properties which has its main frontage onto Coulter Close, a spur road accessed from Berrydale Road to the west of the terrace. This property, together with its neighbour, No. 66 comprise houses fronting Berrydale Road, whereas the other 6 properties in the terrace are flats/maisonettes with entrances either onto Coulter Close or in the case of the ground floor units, the amenity space at the rear.

No. 67 has erected a single storey extension without planning permission on its south eastern side elevation which equates to the rear of the terrace. This is set in marginally from the side boundary with No. 32 Coulter Close and projects 4.9m from the side of the house to cover the full length of the garden area. With a depth of 4.2m, the extension extends across most of the depth of the house and has a mono-pitched roof, 2.4m high at the eaves and 3.4m high where it attaches to the house. This extension provides a kitchen and small additional bedroom. The only outdoor amenity space remaining is a small yard area to the front of the property, enclosed by a 1.6m high wall.

The street scene is residential in character and appearance and lies within the 'developed area' as identified in the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

## 1.2 Proposed Scheme

This application proposes to reduce the projection of the extension at the side of the house to 2.0m. As it is not proposed to alter the height or pitch of the roof, the eaves height would increase to 3.0m on its south eastern elevation. The existing fenestration would be altered with one window facing front and a new door and window inserted to the garden elevation on the side facing Broadmead Road with these upvc openings and all other external materials (brick, roof tiles) matching those used on the existing house. The extension would provide a kitchen.

## 1.3 Relevant Planning History Comment on Planning History

Planning permission 1217DN/83/547 for the development of these houses removed permitted development rights for extensions, windows and garages to these properties.

In October 2009, a retrospective application 64145/APP/2009/1813 that sought to retain the as built extension was refused for the following reasons:

1. The existing single storey rear extension, by reason of its excessive length of projection and overall size, constitutes a disproportionate and unsympathetic addition, failing to appear subordinate to the scale, form and appearance of the original house. The extension is detrimental to the character and appearance of the original house and the visual amenities of the surrounding area generally. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

2. The existing single storey rear extension, by reason of its overall siting in proximity to the side boundary with 32 Coulter Close, taken together with its length of projection beyond the rear elevation of that property, represents an overdominant/visually obtrusive form of development when viewed from the rear ground floor habitable room window on that property, compounded by a significant increase in overshadowing during the morning. As such the extension constitutes an un-neighbourly form of development, resulting in a material loss of residential amenity to the occupiers of 32 Coulter Close, contrary to policies BE20 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007), as well as section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

3. The existing development, fails to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, resulting in overdevelopment of the site and poor living environment, detriment to the residential amenity of the existing occupiers as well as the character, appearance and visual amenities of the surrounding area. The development is therefore contrary to policy 4B.1 of the London Plan, policies BE19 and BE23 of the Councils adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

A subsequent application, 64145/APP/2011/858 which proposed reducing the width of the extension to 3.0m was refused in August 2011 for the following reason:

1. The proposed development, fails to maintain an adequate amount of private usable

external amenity space for the occupiers of the property, resulting in overdevelopment of the site and poor quality living environment, detrimental to the residential amenity of the occupiers as well as the character, appearance and visual amenities of the surrounding area. The development is therefore contrary policy 7.1 of the London Plan (July 2011) and policies BE19 and BE23 of the Councils adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

A further application, 64145/APP/2011/2204 which further reduced the depth of the extension to 2.5m was refused in May 2012 for the following reason:

The proposed development fails to maintain an adequate amount of private usable external amenity space for the occupiers of the property, resulting in overdevelopment of the site and poor quality living environment, detrimental to the residential amenity of the occupiers. The development is therefore contrary policy 7.1 of the London Plan (July 2011), Policy BE23 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

## **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 have been consulted and a site notice has displayed on the 10/7/12. No responses have been received.

On the last application, the Council's Environmental Protection Unit recommended that informatives relating to potential landfill gas and site contamination be attached to any approval and the Council's Access Officer raised no objection.

## **4. UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments
NPPF	National Planning Policy Framework (March 2012)

## 5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area and on the residential amenities of adjoining and future occupiers.

In the officer's report on the last application presented to the Central and South Committee meeting on 17/4/12, it was noted that the then proposed extension with a 2.5m projection was fully compliant with design guidance and with such a depth, the proposal had overcome the reasons for refusal which related to the impact of the extension upon the street scene and residential amenities of the neighbouring property. With the further reduction in depth to 2.0m now proposed, the impacts of the extension on the street scene and neighbouring property would be further reduced. The current proposal would have an overall size, siting, design, appearance and projection which harmonises with the character and proportions of the original property. In particular, the extension would be sufficiently set below the first floor window to appear subordinate to the original house. The extension, due to the reduction in its depth and shortening of the length of its sloping roof, would have an increased height of eaves on its south eastern elevation, but it is

considered that the extension would still be of a proportion and design that would harmonise with the existing property. In this regard therefore, the proposal would comply with Policies BE13, BE15 and BE19 of the Saved UDP (September 2007).

As regards the impact upon the neighbouring property, No. 32 Coulter Close projects by some 0.5m beyond the original side elevation of the application property so that this proposal would only project by some 1.5m. Furthermore, this extension would not contain any side windows so that there would be no overlooking of the neighbouring property. The application would therefore not have an adverse impact upon the adjoining property in terms of loss of overdominance, loss of sunlight or privacy and complies with Policies BE20, BE21 and BE24 of the Saved UDP (September 2007).

The leaves the outstanding reason for refusal of the overdevelopment of the site/lack of amenity space. Paragraph 3.13 of HDAS states that for a two bedroom house (the smallest size of house specified) a minimum of 40sqm of usable garden space should be provided. At present, due to the construction of the unauthorised extension in 2009 there is only 17sqm remaining, though both of these figures exclude the area of front garden which is enclosed by a 0.5m high wall. The latest scheme refused in May 2012 would have increased this provision to 28.7sqm which was considered to represent an inadequate level of external amenity provision to afford adequate amenity for future occupiers.

The current proposal would provide 32.0sq.m of external amenity space, an increase of only 3.3sq.m from the previously refused scheme. It is accepted that the extension would enhance the provision of internal living space and facilities available for future occupiers of the application site and it is noted that the flats/maisonettes have little in the way of usable amenity space. However the level of external amenity space would remain significantly below the standards set out within the HDAS-Residential Extensions and it is not considered that the provision of an additional 3.3sq.m of external amenity space would overcome the harm to future occupiers identified under the previous refusal.

On balance, it is considered that the proposal would provide inadequate external amenity space to meet the needs of future occupiers contrary to Policy BE23 of the Saved Policies UDP and guidance within the HDAS - Residential Extensions.

## **6. RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The proposed development fails to maintain an adequate amount of private usable external amenity space for the occupiers of the property, resulting in overdevelopment of the site and poor quality living environment, detrimental to the residential amenity of the occupiers. The development is therefore contrary to Policy BE23 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

## 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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:  
**Policy No.**

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.
BE23	Requires the provision of adequate amenity space.
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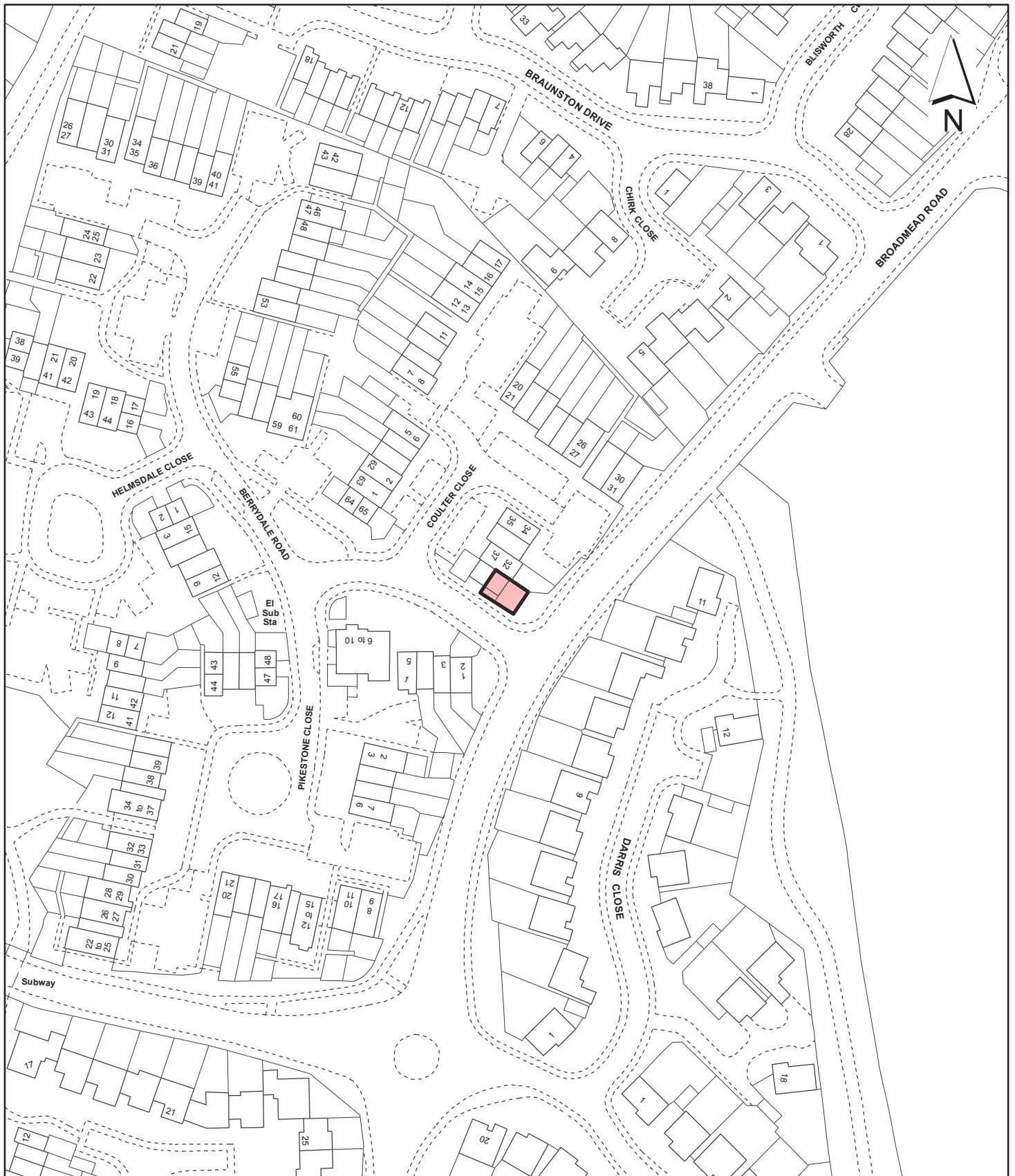
NPPF


National Planning Policy Framework (March 2012)

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<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>67 Berrydale Road Hayes</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b> Planning, Environment, Education &amp; Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>64145/APP/2012/1534</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>Central and South</b></p>	<p>Date</p> <p><b>August 2012</b></p>	



**HILLINGDON**  
LONDON