

Report of the Head of Planning & Enforcement Services

Address 41 PRINCES PARK LANE HAYES

Development: Single storey rear extension.

LBH Ref Nos: 67590/APP/2011/299

Drawing Nos: Site & Location Plan Rev A
Ground Floor Plan & Front Elevation Rev A
Side & Rear Elevations Rev A

Date Plans Received: 11/02/2011

Date(s) of Amendment(s): 23/05/2011

Date Application Valid: 30/03/2011

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two storey, semi detached house located on the east side of Princes Park Lane.

1.2 Proposed Scheme

Planning permission is sought for the erection of a single storey extension to the rear of the existing house to provide a new kitchen and dining area. The extension would have a depth of 3.6 metres from the existing rear wall with a dummy pitch roof to a height of 3.4 metres.

1.3 Relevant Planning History

Comment on Planning History

Planning permission was granted on appeal on 4 June 2010 for the erection of a detached 2 bedroom single dwelling on part of the rear gardens of 41 and 43 Princes Park Lane with access from Princes Park Parade (Ref. 65520/APP/2009/1116). This permission has not been implemented yet.

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

6 neighbouring occupiers were notified of the application. 5 replies including a petition signed by 25 persons have been received objecting to the proposal on the following

grounds:

1. The site already has permission for the erection of a detached house in the rear garden adjacent to 1 Princes Park Parade.
2. The proposed development does not meet the guidelines in the Hillingdon Design and Accessibility Statement.
3. The depth of the extension exceeds 3 metres.
4. The extension should only cover a maximum of 50% of the rear garden and given that part of the rear garden is already earmarked for the new house, this rule cannot be met.
5. The rear window and door in the extension would only be 8-9 metres from the new house in the rear garden and even closer to the side amenity space for the new house.
6. The rear garden would be less than the required 60 sq metres for a 3 bed house. There are also potential flooding concerns.
7. The right to light for rear windows in the extension will be challenged because of the proximity of the new house in the rear garden.
8. Larger houses mean more cars in an already congested area for parking and therefore a vehicle crossover should be a condition if planning permission is granted. In addition, soft landscaping should be provided around the parking spaces.
9. Should the applicant give up his right to erect the new dwelling, then we would be willing to reconsider the above objections, subject to the extension complying with the requirements of the Hillingdon Design and Accessibility Statement.

The above issues are dealt with in the body of the report.

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:

- | | |
|------|--|
| BE15 | Alterations and extensions to existing buildings |
| 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. |

5. MAIN PLANNING ISSUES

Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building. The proposed extension would incorporate a dummy pitch roof to match the hipped roof of the existing dwelling and be finished in matching materials. As such, it is considered that it would harmonise with the design of the existing dwelling in accordance with this policy.

Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards. Since the number of dwellings is not increasing, the Council's car parking standards do not require any additional car parking facilities to be provided in this instance.

Paragraph 3.3 of the Hillingdon Design and Accessibility Statement Residential Extensions Supplementary Planning Document (December 2008) states that a single storey rear extension up to 3.6m deep is acceptable on a semi-detached house on a plot more than 5m wide. Paragraph 3.7 further states that in the case of a pitched roof this should not exceed 3.4m at its highest point. The existing house has a plot width of approximately 6.5m. The depth of the extension would not exceed 3.6m and its overall height would not exceed 3.4m in accordance with the aforementioned guidelines.

Paragraph 4.9 of the Hillingdon Design and Accessibility Statement Residential Layouts Supplementary Planning Document states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally, 15m will be the minimum acceptable distance.

The two storey flank wall of the approved dwelling on part of the rear gardens of 41 and 43 Princes Park Lane would be within a 45 degree angle taken from the centre line of the windows proposed in the rear of the proposed extension. These would be within 15m of the approved dwelling on part of the rear gardens of 41 and 43 Princes Park Lane. There is significant concern that given the close proximity of the proposed extension to the dwelling which has already been approved in the rear of 41 and 43 Princes Park Lane the out look from the extension would be compromised. The 2 storey elevation of the dwelling already approved would have an overly dominant visual impact, and objection is raised to the proposed extension in this regard.

Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) states that the Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area. Policy BE23 further states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. Paragraph 4.9 of the Hillingdon Design and Accessibility Statement Residential Extensions Supplementary Planning Document states that sufficient garden space should be retained as a consequence of an extension. Two bedroom houses should retain at least 40 sq metres of private usable rear garden space, 3 bed houses at least 60 sq metres and 4 bed houses at least 100 sq metres.

The existing 3 bedroom house would retain a rear garden area of approximately 58 sq m in the event of both the proposed single storey rear extension and the approved dwelling on part of the rear gardens of 41 and 43 Princes Park Lane being constructed. While this shortfall of 2sqm is less than the minimum guidance, it is not considered the shortfall would be so great as to result in an unacceptably cramped site layout and poor living conditions for the occupiers.

Other Issues.

The planning permission for the erection of the new dwelling on part of the rear gardens of

41 and 43 Princes Park Lane remains extant. It is unlikely that the applicant would forgo the right to implement this permission.

There is no evidence that the proposal would increase the risk of flooding.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The close proximity of the rear extension to the two storey flank wall of the approved dwelling, Appeal Reference APP/R5510/A/09/2115264/NWF, on part of the rear gardens of 41 and 43 Princes Park Lane, would result in an unacceptable loss of light into and unacceptable outlook from the rear windows of the proposed extension, resulting in a poor standard of amenity for the occupiers. As such, the proposal would fail to accord with the aims of Policies BE19 and BE21 of Hillingdon Unitary Development Plan Saved Policies (September 2007) and Paragraph 4.9 of the Hillingdon Design and Accessibility Statement Residential Layouts Supplementary Planning Document (July 2006).

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, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE15 Alterations and extensions to existing buildings

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.

Standard Informatives

1 The decision to REFUSE planning permission has been taken having regard to

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- 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.

BE15	Alterations and extensions to existing buildings
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.

Contact Officer: Mark Smith

Telephone No: 01895 250230



Notes



Site boundary

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Site Address

**41 Princes Park Lane,
Hayes**

Planning Application Ref:

67590/APP/2011/299

Planning Committee

Central and South

Scale

1:1,250

Date

June 2011

**LONDON BOROUGH
OF HILLINGDON**

**Planning,
Environment, Education
& Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111



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