

Report of the Head of Planning, Sport and Green Spaces

Address 67 BERRYDALE ROAD HAYES MIDDLESEX
Development: Single storey side extension (Part retrospective).
LBH Ref Nos: 64145/APP/2013/2176
Drawing Nos: 1:1250 Location Plan
1:500 Block Plan
1:100 Floor Plan
1:100 Rear Elevation
1:100 Side Elevation

Date Plans Received: 31/07/2013 **Date(s) of Amendment(s):** 31/07/2013
Date Application Valid: 06/09/2013

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 width 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 and its depth to 4.3m. As it is not proposed to alter the height or pitch of the roof, the eaves height would increase to 3.1m 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. Window and door frames would be upvc and all other external materials (brick, roof tiles) would match those

used on the existing house. The extension would provide a kitchen.

1.3 Relevant Planning History

64145/APP/2009/1813 67 Berrydale Road Hayes Middlesex
Single storey rear extension (Retrospective Application).

Decision Date: 29-10-2009 Refused **Appeal:**

64145/APP/2011/2204 67 Berrydale Road Hayes Middlesex
Single storey side extension (Retrospective)

Decision Date: 17-04-2012 Refused **Appeal:**

64145/APP/2011/858 67 Berrydale Road Hayes Middlesex
Single storey side extension (Part-Retrospective)

Decision Date: 19-07-2011 Refused **Appeal:**

64145/APP/2012/1534 67 Berrydale Road Hayes Middlesex
Single storey side extension (Part Retrospective)

Decision Date: 14-08-2012 Refused **Appeal:**

64145/APP/2012/2946 67 Berrydale Road Hayes Middlesex
Single storey side extension (Part retrospective).

Decision Date: 23-04-2013 Refused **Appeal:**02-JUL-13 Allowed

Comment on Planning History

Planning permission 1217DN/83/547 for the original housing estate 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 second 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 third application, 64145/APP/2011/2204 which further reduced the width 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.□

□

A fourth application, 64145/APP/2012/1534 which reduced the width of the extension to 2m was refused in August 2012 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. 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.□

□

The latest application 64145/APP/2012/2946 which reduced the width of the extension to 1.5m and depth to 2.5m was refused on 30/4/13 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. The development is therefore contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.□

□

A subsequent appeal was allowed by the Planning Inspectorate on the 2/7/13.

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 11/9/13. No responses have been received.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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 existing occupiers of this property.□

□

Having regard to the planning history on this site, Members have previously agreed that a 2.0m wide extension of this property was fully compliant with design guidance as regards

external dimensions and with such a depth, the proposal had overcome the reasons for refusal on previous applications for larger proposals of the extension which related to the impact of the extension upon the street scene and residential amenities of the neighbouring property. □

□

This leaves the only outstanding reason for refusal agreed at committee being the lack of amenity space/overdevelopment of the site. □

□

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. □

□

The Inspector on the previous scheme considered that a private amenity area of just under 36.0 sq. m represented a shortfall of 4 sq. m as compared to the Council's guidance and about 3 sq. m less than was originally available before the extension was built. The Inspector considered that the shortfall was not significant, particularly as the 40 sq. m standard related to a 2 bedroom house, whereas this is a one bedroom house for which there is no published guidance. □

□

This proposal would now retain an amenity space area of 28.8 sq. m. It is considered that on balance, the shortfall of amenity space would now be significant and there would not be sufficient space to meet the needs of the existing and future occupiers of the property, contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 3.0 of the Hillingdon Design & Accessibility Statement (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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

INFORMATIVES

1 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 (July 2011) and national guidance.

BE13 New development must harmonise with the existing street scene.

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- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- HDAS-E) Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- 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 (July 2011) and national guidance.
- BE13 New development must harmonise with the existing street scene.
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- HDAS-E) Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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 (July 2011) and national guidance.

Part 1 Policies:

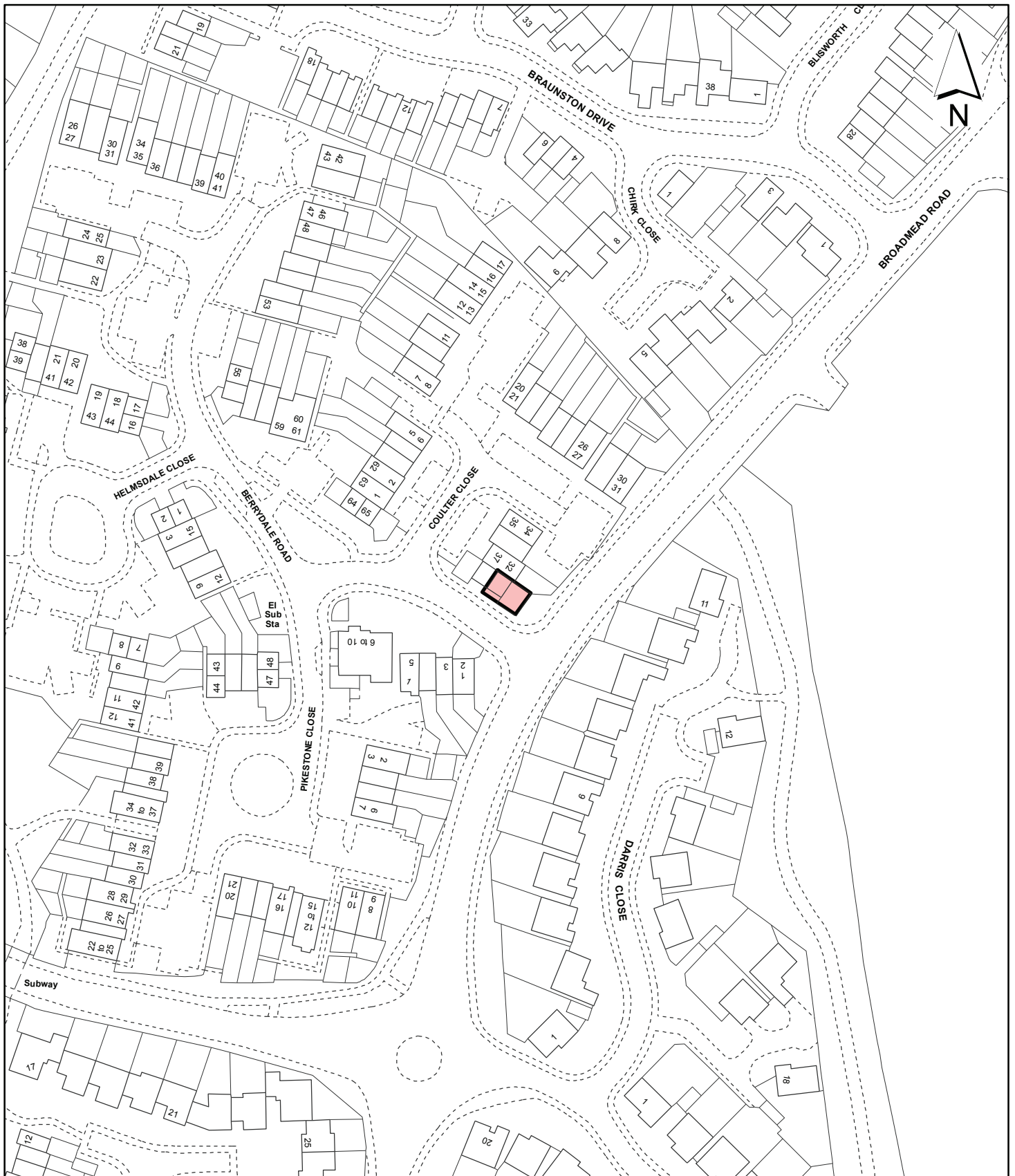
PT1.BE1 (2012) Built Environment



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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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<p>Notes</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).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">67 Berrydale Road Hayes</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">64145/APP/2013/2176</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">Central and South</p>	<p>Date</p> <p align="center">October 2013</p>	
		 <p>HILLINGDON LONDON</p>	