

## Report of the Head of Planning, Sport and Green Spaces

**Address** 8 POLE HILL ROAD HILLINGDON

**Development:** Two storey rear extension for use as a 4 bed self contained dwelling, alterations to existing dwelling to include additional windows and roof alterations

**LBH Ref Nos:** 57736/APP/2013/2065

**Drawing Nos:** 327/02  
327/03  
327/01  
327/04  
Design and Access Statement  
Location Plan (1:1250)

**Date Plans Received:** 22/07/2013                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 20/08/2013

### 1. SUMMARY

Full planning permission is sought for a two storey rear extension to an existing detached dwelling house, for the extension to be used as a new separate 4 bedroom dwelling. The proposal would involve alterations to the roof, including an increase in its height and fenestrational changes.

The proposed development would result in the inappropriate development of garden land and would be out of character with the established residential street pattern and thus fail to harmonise with the general form and layout of the existing residential development in the immediate surrounding area. The proposal would have a negative impact on the character and appearance of the host dwelling and the wider area due to the excessive size of the proposed extensions. It is also considered to have a detrimental impact on the residential amenities of neighbouring dwellings, due to a loss of privacy and the proposed development would fail to provide an acceptable level of accommodation for the future occupiers for the dwellings in terms of external amenity space. Lifetime Homes compliance has not been demonstrated. There would be a lack of off street parking spaces, leading to on street parking in an area already oversubscribed. The applicant has failed to provide a contribution in the form of legal agreement for the payment of the required sum of £9,088 for capacity enhancements in local schools.

As such, the proposal is considered to be unacceptable and is recommended for refusal.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1            NON2            Non Standard reason for refusal

The proposed development would result in the inappropriate development of garden land and would be out of character with the established residential street pattern and thus fail to harmonise with the general form and layout of the existing residential development in the immediate surrounding area. Additionally the size and scale of the building in this location would appear over-sized, imposing and overly dominant when viewed from the

street scene and neighbouring dwellings. The development by virtue of the loss of gardens, its size and design would erode the character, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.4 and 7.6 of the London Plan (July 2011), the Council's adopted Supplementary Planning Document HDAS: Residential Layouts and the National Planning Policy Framework.

**2 NON2 Non Standard reason for refusal**

The proposed two storey rear extension by reason of its excessive depth, width, increase in roof height, overall size and scale, would result in a disproportionate and incongruous addition that would fail to appear subordinate to the appearance of the original house. It would be detrimental to the appearance of the original house and would detract from the character and appearance of the surrounding area generally, contrary to Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

**3 NON2 Non Standard reason for refusal**

The proposed two storey extension and fenestration arrangement, by reason of the proximity to adjoining properties would result un-neighbourly form of development due to a loss of privacy for the occupiers of neighbouring dwellings. The proposal would therefore be contrary to Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

**4 NON2 Non Standard reason for refusal**

The proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policies 3.1, 3.8 and 7.2 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

**5 NON2 Non Standard reason for refusal**

The proposal fails to demonstrate amenity space of sufficient size and quality for the resultant dwellings, which is easily accessible and commensurate to the size and layout of the existing dwelling or the proposed residential unit to be provided. As such the proposal would provide a substandard form of accommodation to the detriment of the amenities of future residents contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS Residential Layouts.

**6 NON2 Non Standard reason for refusal**

The proposal, due to a lack of off street parking provision, would result in an increase in demand for on-street car parking, in an area where such parking is at a premium, contrary to Policy AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the Council's Parking Standards (Annex 1, adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)) and the Council's adopted Supplementary Planning Document HDAS Residential Layouts.

**7 NON2 Non Standard reason for refusal**

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development in respect of education. The scheme therefore conflicts with Policy R17 of the Hillingdon

Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Planning Obligations as amended by Revised Chapter 4 (September 2010).

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

The proposed development, by reason of the relationship between the amenity space for the existing dwelling and the windows to the kitchen and study in the proposed new dwelling would result un-neighbourly form of development due to a loss of privacy for the occupiers of the proposed dwelling. The proposal would therefore be contrary to Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## **INFORMATIVES**

### **1 I52 Compulsory Informative (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 I53 Compulsory Informative (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 (July 2011) and national guidance.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
BE22	Residential extensions/buildings of two or more storeys.
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.
H7	Conversion of residential properties into a number of units
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply

LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application relates to a two storey detached dwelling with a hipped roof profile located on the eastern side of Pole Hill Road. The existing dwelling has a part single storey rear extension and a bay window to its frontage. The dwelling benefits from a hard standing parking area to the front of the property and a rear garden area. There is space between the flank walls of the dwelling and the neighbouring sites. The drawings submitted indicate a gap of around 1.7m to the boundary with the site to the north No. 10 Pole Hill Road and around 3m between the southern flank wall and the boundary with the site to the south No. 6 Pole Hill Road. The 3m gap depicted is considered to be misleading and is believed to be around 2.5m. Both neighbouring dwellings are semi-detached. There is a gap of around 19m from the rear elevation of the existing dwelling to the rear elevation of the property directly to the rear of the site, No. 5 Butler Street.

Both neighbouring properties have sizeable two storey rear extensions, with habitable room windows facing the application site.

The dwellings to the north and south of the application site are semi-detached types, as is the character of the street scene generally, with terraced houses further afield.

The application site has a public transport accessibility level of 2. Access from Pole Hill Road is via a vehicular crossover, shared with No. 6 Pole Hill Road. Four parking spaces have been indicated, however, the layout indicated is considered to be unworkable.

The street scene is residential in character and appearance and the application site lies within the developed area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). No additional designations apply to the application site.

#### 3.2 Proposed Scheme

Full planning permission is sought for the erection of a two storey rear extension, an increase in ridge height and alteration of the original roof form and fenestrational alterations including new openings. The existing rear extension would be demolished and the rear elevation of the original dwelling would be bricked up.

The roof would be increased from 8.4m to 9.2m. The existing roof ridge runs parallel to

the street, as a result of the changes, the ridge would run along the length of the site.

The proposed two storey rear extension would be 8.1 metres in depth and would span the width of the existing dwelling and is proposed to be used as a separate four bedroom dwelling to the existing four bedroom property. Additional windows would be provided in the side elevation of the existing dwelling to provide outlook and light into habitable rooms to the rear of the building.

There would be off street parking to the frontage, with amenity space proposed to the rear and to the side; the rear garden being split into two portions and the southern side garden also being used as amenity space. It is assumed the main rear amenity space would be associated with the new dwelling to the rear, with the space to the side/rear to be used by the original dwelling.

The front driveway has been indicated to accommodate four off street parking spaces. A layout with three cars has been shown. Given the location of the crossover, the layout would be not be accommodated.

### 3.3 Relevant Planning History

57736/APP/2002/2252 8 Pole Hill Road Hillingdon  
ERECTION OF A TWO STOREY REAR EXTENSION

**Decision:** 10-04-2003 Refused **Appeal:** 05-12-2003 Dismissed

57736/APP/2006/1412 8 Pole Hill Road Hillingdon  
ERECTION OF PART FIRST FLOOR AND PART TWO STOREY REAR EXTENSION WITH  
ASSOCIATED PARKING TO CREATE A TWELVE-BEDROOM HOUSE.

**Decision:** 22-10-2007 NFA

#### Comment on Relevant Planning History

Application 57736/APP/2002/2252 for 'ERECTION OF A TWO STOREY REAR EXTENSION' was refused on 30/04/2003. The application was dismissed at Appeal.

## 4. Planning Policies and Standards

### 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:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.
BE22	Residential extensions/buildings of two or more storeys.
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.
H7	Conversion of residential properties into a number of units
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LPP 3.1	(2011) Ensuring equal life chances for all
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LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Five neighbouring occupiers were consulted on 21/08/2013. Three neighbouring occupiers were consulted on 13/09/2013.

The neighbour to the north objected stating that a double storey rear extension would destroy their privacy. The extension would block the sunlight. There is also the issue of overcrowding. Parking



issues would increase.

The neighbour to the rear of the site at No. 5 Butler Street objected stating that a similar proposal was refused during 2003. They object to the proposal again, due to overlooking into their property and impacting their privacy. Light into their garden would be impacted also. They also object, stating the existing dwelling has been converted into six self contained units. The proposal would result in parking issues.

Ward Councillor requests that the application is reported to committee.

### **Internal Consultees**

Highways:

The development proposals are for the construction of a two storey rear extension, to form an additional dwelling within the boundary of the site. As part of the proposals 2 car parking spaces will be provided to serve each dwelling. When considering the proposals, it is noted that the PTAL index within the local area is 2, which is classified as poor. Therefore, the maximum car parking provision of two parking spaces per dwelling is required. However, it is noted that the parking area shown on the submitted drawings will only accommodate 3 parking spaces and will not enable vehicles to park independently of each other. As a result, the development will lead to an increased parking demand along the adjacent highway in an area that has a high demand for kerbside parking. Therefore, an objection is raised to the development, as the proposals would be contrary to Policies AM7 and AM14 of Part 2, of the adopted Hillingdon Local Plan, 2012.

Environmental Protection Unit:

No objection, standard informative recommended.

Access Officer:

The proposal seeks to demolish an existing rear extension and erect a two-storey, four-bedroom house to the rear of the existing main building. In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon adopted January 2010. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. The following access observations are provided:

1. Level access should be achieved. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.
2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.
3. A minimum of one bathrooms/ensuite facility should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
4. To allow the entrance level WC and first floor bathroom to be used as a wet room, a floor drain should be shown and specified on plan.

5. The plans should indicate the location of a future 'through the ceiling' wheelchair lift.

Conclusion: Revised plans should be requested as a prerequisite to any planning approval.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site is located within an established residential area and forms part of the 'developed area' as defined in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). It involves considerable development of rear garden land and can be termed 'garden grabbing.'

The proposed development would result in the inappropriate development of garden land and would be out of character with the established residential street pattern and thus fail to harmonise with the general form and layout of the existing residential development in the immediate surrounding area. Additionally the size and scale of the building in this location would appear over-sized, imposing and overly dominant when viewed from the street scene and neighbouring dwellings. The development by virtue of the loss of gardens, its size and design would erode the character, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan (July 2011), the Council's adopted Supplementary Planning Document HDAS: Residential Layouts and the National Planning Policy Framework.

### **7.02 Density of the proposed development**

Policy 3.4 of the London Plan (2011) seeks to ensure that new development 'takes into account local context and character, the design principles in Chapter 7 and public transport capacity .... development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.'

The site has a Public Transport Accessibility Level (PTAL) of 2. The London Plan (2011) range for sites with a PTAL of 2-3 in a suburban area is 150-250 habitable rooms per hectare. As such, based on a total site area of 0.037ha the site would have a residential density of 405 habitable rooms per hectare. The application proposal significantly exceeds the guidelines of the London Plan (2011) with regard to density. It is considered that the redevelopment of the application site at the proposed density would be to the detriment of the local context of the area. The proposals would therefore be contrary to Policy 3.4 of the London Plan (2011).

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

The application site is not located within an Archaeological Priority Area, a Conservation Area, an area of Special Local Character or adjacent to any Listed Buildings. The proposal does not raise any concerns relating to these matters.

### **7.04 Airport safeguarding**

The proposal does not give rise to any concerns regarding airport or aerodrome safeguarding.

### **7.05 Impact on the green belt**

The application site is not located in proximity to the Metropolitan Green Belt.

### **7.07 Impact on the character & appearance of the area**

The proposed extensions would be readily visible from the street scene on Pole Hill Road given the wide gaps between the building and the neighbouring properties. Such views would also be available from neighbouring dwellings to either side and the rear of the site



on Butler Street. The two storey rear extension would be a dominant addition to the parent property, increasing its ridge height by 0.8m and its length from 7.3m, to 15.4m, an increase of 8.1m, more than doubling the original dwelling's length. The proposal would be completely at odds with the subordination principles as advised by section 6 of the SPD HDAS: Residential Extensions.

Therefore, the proposal is considered to have an unacceptable impact on character and appearance of the existing dwelling and by virtue of inappropriate development, would have a detrimental impact on the visual amenities of the surrounding area, contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and section 6 of the HDAS: Residential Extensions guidance.

It is noted that the dwelling flanking the application site has been extended to provide additional residential units, however, this was done prior to the Council's current design standards and would not set a precedent which would overcome the serious contravention of the design policies contained within the current policies and SPD.

#### **7.08 Impact on neighbours**

The proposed extension would span across the full width of the rear elevation of the dwelling and would measure over 8m in depth, maintaining a gap of around 5.5m from the rear boundary of the site.

The two storey rear elevation would be within a distance of 14m from the rear elevation of the dwelling to the rear of the site No. 3 Butler Street. The rear elevation of this dwelling contains habitable room windows, as would the rear elevation of the proposed development containing the new dwelling. This would be less than the minimum 21m separation distance specified within paragraph 4.12 of the SPD HDAS: Residential Layouts. The habitable rooms and rear amenity space of No.3 and No.5 Butler Street would be unduly compromised by the proposal due to a loss of privacy. Furthermore, The flank elevations of the proposed rear extension as well as the flank elevations of the existing dwelling would have a number of habitable room windows as part of the application scheme. As the neighbouring properties to either side of the site, No. 6 and No. 10 Pole Hill Road contain habitable room openings in their side elevations, the proposal would result in unacceptable overlooking and a loss of privacy to the occupiers of the dwellings flanking the application site.

The proposal would be contrary to Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and paragraph 4.12 of the HDAS: Residential Layouts guidance, appearing overbearing, dominant and un-neighbourly and resulting in a loss of privacy to the occupiers of the neighbouring property.

#### **7.09 Living conditions for future occupiers**

The new dwelling would have a GIA of 138 sq.m. This would exceed the guidance of 107sq.m specified within London Plan Policy 3.5 required for a 4 bedroom (6 person dwelling).

The amenity space to the rear of the property, assumed to be for the use of the new dwelling within the two storey rear extension, would amount to some 60sq.m. The amenity space to the southern side of the site would also amount to 60sq.m (measured from in line with the front of the original dwelling to the rear boundary of the site), however, given the width of 3m and the amenity space being open to the frontage of the site, would neither be usable nor private. Both amenity areas would be less than the 100sq.m as advised within HDAS: Residential Layouts.

The development fails to provide adequate amenity space in order to afford an acceptable standard of residential amenity for its occupiers, contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Furthermore, the amenity space to the side of the dwelling would provide unacceptable views into the study room and kitchen of the proposed new dwelling, resulting in an unacceptable loss of residential amenity to the occupiers of this dwelling through a loss of privacy, contrary to Policy BE24 of the Hillingdon Local Plan (November 2012).

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The existing hardstanding to the frontage would provide parking for three vehicles, however, this would involve tandem parking. Given the PTAL rating of 2 and the two 4 bedroom dwellings resulting, the requirement would be for two parking spaces for each dwelling. The proposal, due to a lack of off street parking provision, would result in an increase in demand for on-street car parking along the adjacent highway in an area that has a high demand for kerbside parking, contrary to Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Parking Standards (Annex 1, adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)).

Any enlargement to the crossover to provide suitable access into the parking spaces would not be accepted due to the width of the crossover provided resulting in issues of pedestrian and highway safety.

#### **7.11 Urban design, access and security**

Issues relating to design have been addressed within the 'Impact on the character & appearance of the area' section above. Issues relating to access have been addressed within the 'Disabled Access' section below.

If the scheme were recommended for approval, a condition could be imposed requiring the development to meet Secure by Design standards.

#### **7.12 Disabled access**

Policy 3.8 of the London Plan (2011) and the SPD HDAS: Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards. The proposal would fail to meet all the relevant Lifetime Home Standards, contrary Policies 3.1, 3.8 and 7.2 of the London Plan (2011) and the SPD HDAS: Accessible Hillingdon .

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, landscaping and Ecology**

Subject to standard conditions, the proposal would be considered acceptable with regards to landscaping and the impact of the development on trees.

#### **7.15 Sustainable waste management**

Subject to a condition to secure details of the setting out of the collection area and the management of the bins on collection days there is no objection to the proposed development in terms of suitability of the proposed facilities for refuse and recycling storage.

#### **7.16 Renewable energy / Sustainability**

No details of the renewable energy sources or sustainability measures have been provided in support of this application. However, these requirements could have been secured by way of a suitable planning condition.

#### **7.17 Flooding or Drainage Issues**

Subject to a condition requiring the use of sustainable urban drainage on site it is

considered that the proposal would not give rise to any concerns relating to flooding or drainage.

#### **7.18 Noise or Air Quality Issues**

The application seeks permission for a residential development within a residential area. It is considered that the proposal does not give rise to any concerns regarding noise for either future or neighbouring occupiers of the main site or neighbouring occupiers of the site.

#### **7.19 Comments on Public Consultations**

See paragraph 6.1 above.

#### **7.20 Planning obligations**

All development involving an increase in 6 or more rooms would be assessed against the Planning Obligations Supplementary Planning Document (SPD). The proposal has been assessed against this criteria and a contribution of £9,088 towards school facilities in Hillingdon would be required, given that there is a considerable shortfall in the number of school places available in the area. The applicant has failed to offer or provide a contribution in the form of legal agreement or unilateral undertaking for the payment of the required sum of £9,088 for capacity enhancements in local schools. In the absence of this legal agreement, the application is considered contrary to Policy R17 of the Hillingdon Local Plan (November 2012).

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics, are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

### **9. Observations of the Director of Finance**

Not applicable to this application.

### **10. CONCLUSION**

Full planning permission is sought for a two storey rear extension to an existing detached dwelling house, for the extension to be used as a new separate 4 bedroom dwelling. The proposal would involve alterations to the roof, including an increase in its height and fenestrational changes.

The proposed development would result in the inappropriate development of garden land and would be out of character with the established residential street pattern and thus fail to harmonise with the general form and layout of the existing residential development in the immediate surrounding area. The proposal would have a negative impact on the character and appearance of the host dwelling and the wider area due to the excessive size of the proposed extensions. It is also considered to have a detrimental impact on the residential amenities of neighbouring dwellings, due to a loss of privacy and the proposed development would fail to provide an acceptable level of accommodation for the future occupiers for the dwellings in terms of external amenity space. Lifetime Homes compliance has not been demonstrated. There would be a lack of off street parking spaces, leading to on street parking in an area already oversubscribed. The applicant has failed to provide a contribution in the form of legal agreement for the payment of the required sum of £9,088 for capacity enhancements in local schools.

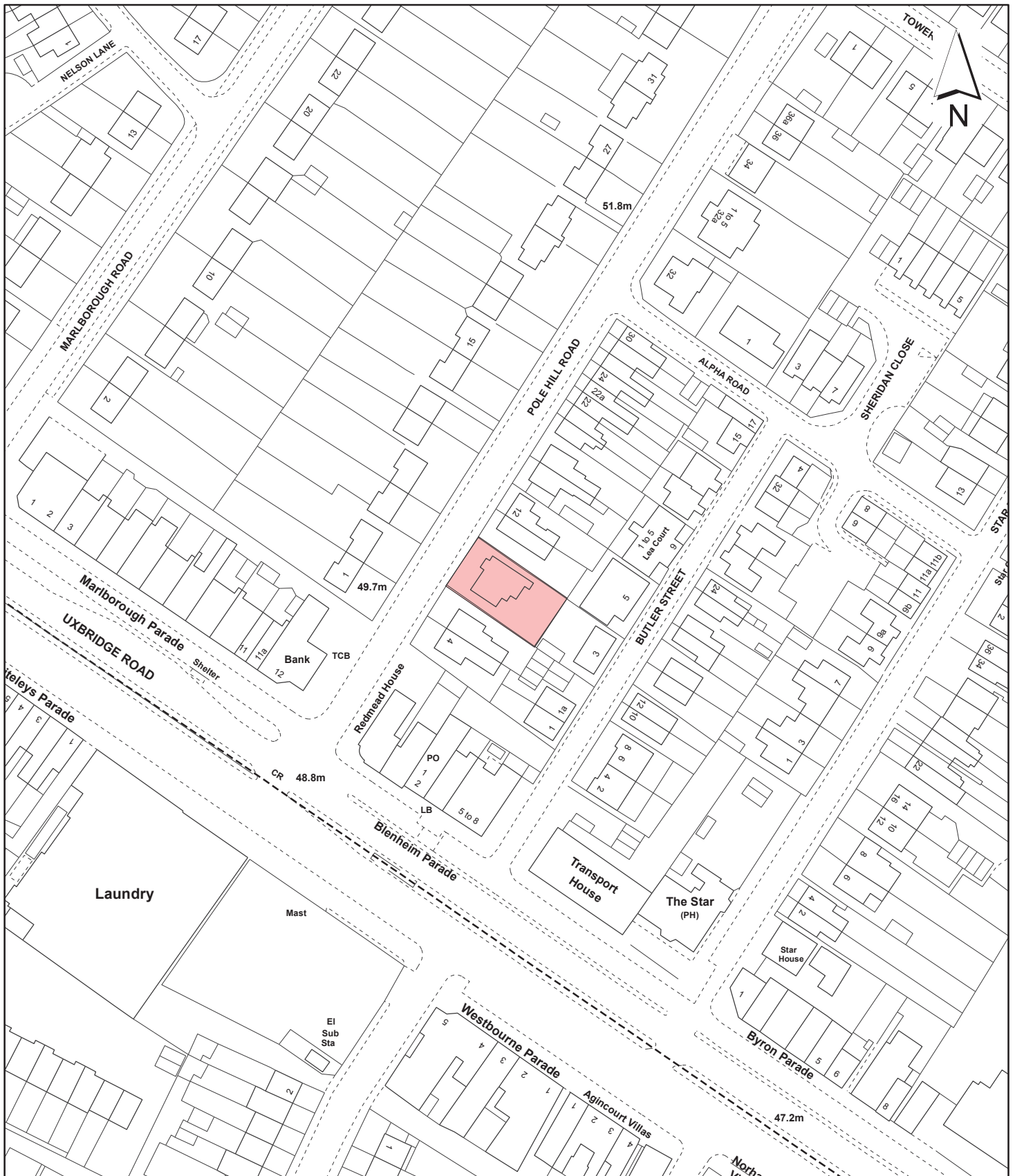
As such, the proposal is considered to be unacceptable and is recommended for refusal.

## **11. Reference Documents**

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).  
Hillingdon Design and Access Statement 'Residential Layouts'.  
Hillingdon Design and Access Statement ' Residential Extensions .  
The London Plan 2011.  
Supplementary Planning Document - Accessible Hillingdon (May 2013).  
National Planning Policy Framework.

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**Notes**

 Site boundary

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Site Address

**8 Pole Hill Road  
 Hillingdon**

Planning Application Ref:

**57736/APP/2013/2065**

Planning Committee

**Central & South**

Scale

**1:1,250**

Date

**April 2014**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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