

Report of the Head of Planning, Sport and Green Spaces

Address 65 MISBOURNE ROAD HILLINGDON

Development: Single storey rear extension and first floor rear extension involving demolition of existing extension

LBH Ref Nos: 21508/APP/2015/4174

Drawing Nos: 15067-P102
15067-P104
15067-P002
15067-P103
15095-P106
15067-P105

Date Plans Received: 12/11/2015 **Date(s) of Amendment(s):**

Date Application Valid: 30/11/2015

1. CONSIDERATIONS

1.1 Site and Locality

This application relates to a two storey semi-detached dwelling located on the southern side of Misbourne Road, a residential street leading off Long Drive within Hillingdon. The wider area is residential in character and the immediate vicinity is characterised by residential dwellings similar in design to the application property.

The application property falls within the "Developed Area" as defined in the Hillingdon Local Plan Plan: Part Two - Saved UDP Policies (November 2012).

There is an existing single storey rear extension which projects 3.3 metres beyond the rear elevation and extends across the full width of the house (4.95 metres). It has a flat roof measuring 2.5 metres in height.

Attached to this existing extension is a makeshift extension/shelter that is constructed of timber with a perspex flat roof. The makeshift shelter is a temporary structure, however, the applicant has inserted a uPVC window and door opening onto the rear garden. The makeshift shelter provides a large play space measuring 5 metres in depth and 2.5m in height and is 4.95 metres in width.

There are single storey rear extensions attached to the neighbouring properties Nos.63 and 67 Misbourne Road.

It is understood that the makeshift extension has been in situ for around 3 years and is the subject of an enforcement investigation.

1.2 Proposed Scheme

The application proposal is for the erection of an additional single storey rear extension and

first floor rear extension over the existing extension. The proposed development involves the demolition of the temporary makeshift extension.

The proposed single storey rear extension would form an addition to the existing single storey rear by a further 2.7 metres beyond the rear elevation of the existing extension and project across the full width of the house by 4.95 metres; it would have a flat roof covering measuring 2.5 metres in height.

The full depth of the combined extensions would be 6 metres, and there would be 2 sky lanterns inserted within the roof area.

The application proposal also involves a first floor extension over the existing single storey rear extension. The proposed first floor would extend 3.21 metres in depth and project 3.12 metres in width across the rear elevation. The proposed first floor extension would have a hipped roof covering which would be integrated into the main roof of the house.

1.3 Relevant Planning History

21508/APP/2015/2508 65 Misbourne Road Hillingdon

Construction of 2 story extension to rear of property 3m out from house and

Decision Date: 09-09-2015 NFA **Appeal:**

Comment on Planning History

No comment.

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

External Consultee

Nine neighbours were notified on 02.12.15 and a site notice posted on 17.12.15. One response was received commenting as follows:

- The applicant has already extended by about 3 metres, extending to 6 metres will make it deeper than the maximum allowance.
- the height of the first floor extension will also decrease significantly the amount of light entering my property.
- The plans don't show the side landing window or the box-room.
- They have not even taken down a the previous (makeshift) extension as has been requested. It is an eyesore.

Officer Comment: Issues raised by the objection are addressed within this report. However, the objectors have pointed out that there have been several requests for the applicant to remove the makeshift structure. The removal of the structure is the subject of enforcement action which have been placed on hold pending the outcome of this planning application.

Ministry of Defense (Defense Estates Safeguarding):

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Ward Councillor: Requests that the application is reported to committee.

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:

AM14 New development and car parking standards.

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.

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

LPP 3.5 (2015) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The site is located within the Developed Area as identified in the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012), the character of the immediate area is residential.

Guidance for residential extensions are outlined within the Council's adopted Supplementary Planning Document (SPD), Hillingdon Design and Accessibility Statement: Residential

Extensions.

Paragraph 3.0 of the SPD acknowledges that single storey rear extensions can be a cost effective solution to creating more internal space within dwellings. It goes on to say however, that this has to be assessed against any possible detrimental effect to neighbouring residents and their gardens, the appearance of the original house and the amount of garden remaining post-construction.

Paragraph 3.1 states that the extensions should always appear 'subordinate' to the original house and that particular regard should be made to ensuring the extension would not protrude out too far. Paragraph 3.3 sets as a maximum, a depth of 3.6 metres for terraced and semi-detached houses on plots greater than 5 metres in width. A single storey rear extension with a maximum depth of 3.6 metres would be appropriate for the application property given it has a plot width of 6 metres. However, in Paragraph 3.5 of HDAS: Residential Extensions the 3.6 maximum depth applies to the first time extensions alone, given that a second extension may result in the depth limit being exceeded. Furthermore, A second extension added to the first would normally be considered out of character with the original house.

The existing single storey rear extension to the application property projects 3.3 metres beyond the rear elevation of the original house. The proposed extension would add a further 2.7 metres, extending the ground floor of the house to 6 metres. This would exceed by a considerable amount, the maximum depth permitted in paragraph 3.3 of the SPD.

There is a narrow accessway between Nos. 65 and 63 such that the proposed extension would not be readily visible in the street scene. The scale of the back gardens on this side of the road, coupled with the number of extensions and outbuildings of various types and sizes in these back gardens, are important features in defining the overall character of the area. In this context, it is considered that the proposed extension would not appear unduly incongruous or dominant. The proposal would thus not be harmful to the character and appearance of the original dwelling and the area around Misbourne Road and would not conflict with Policies BE13, BE15 or BE19 of the Hillingdon Local Plan Plan: Part Two - Saved UDP Policies (November 2012).

Impact on Neighbouring properties

UDP policy BE21 seeks to ensure that extensions by reason of their siting, bulk and proximity would not result in a significant loss of residential amenity. The neighbouring properties Nos. 63 and 67 Misbourne Road have each extended at ground floor level to depths of approximately 3.3m, with windows adjacent to the shared boundary with the application property. The additional depth to the application property would result in a single storey rear extension of considerable depth compared to the original rear wall of the neighbouring properties. However, given the existence of the extensions on each adjoining property, the proposed extension would extend beyond the ground floor windows by 2.7m, which in itself is not considered to result in an overbearing presence or result in a loss of residential amenity.

First Floor Extension

Paragraph 6.0 of the SPD states that the Council will consider proposals for two storey rear

extensions in terms of their setting and with particular reference to their proximity to neighbouring houses. With regard to the General Principles around two storey rear extensions, paragraph 6.1 sets out a general presumption against two storey first floor extensions to semi-detached and terraced properties where the extension would abut or come close to the shared boundary with the adjoining house.

The proposed development comprises a hipped roof covering at first floor level that would match the main roof of the house in terms of style. Paragraph 6.6 of the SPD requires such roofs to be 0.5 metres lower than the main roof of the house to appear subordinate to the host property. The application property measure 6.14 metres in height to the ridge of the main roof, and the proposed development would measure 5.6 metres to the ridge, which achieves the 0.5 metres lower ridge height. The eaves of the proposed development would be parallel with the eaves line of the main house. In this respect the proposed development is considered to conform to the SPD.

There are no windows proposed within the side elevation of the proposed extension. It is not considered that the proposed extension would result in overlooking and loss of privacy which would be contrary to Policy BE24.

Paragraph 6.4 reiterates the need for a subordinate appearance to the original house, adding that rear extensions would only be approved where there is no over-dominance, over-shadowing loss of outlook or daylight. Furthermore, the rear extension should not extend beyond a 45-degree line of sight taken from the nearest first floor window (para 6.2). Moreover, a semi-detached house on a plot more than 5 metres width should not extend more than 3.6 metres.

The proposed first floor extension is seeking to extend an existing bedroom. It would extend the western side of the house adjacent to the shared boundary with No.67 Misbourne Road, by 3.3 metres in depth and project 3.1 metres in width across the rear elevation. The proposed extension would have a hipped roof which would integrate into the main roof of the house. However, there is a bedroom window situated in the rear elevation of the adjoining property No.67 Misbourne Road, which is located adjacent to the shared boundary with the application property. The proposed extension would breach the 45-degree angle and given its overall height and bulk, would result in a significant impact on the amenities of the adjoining occupier. Given that the outlook from the rear of the properties is oriented due south, and the application property is sited on the eastern side of the adjoining neighbour, the proposed development would result in a loss of daylight and sunlight. Overall, by reason of overdominance, overshadowing, loss of light, loss of outlook and visual intrusion the proposed development would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan Plan: Part Two - Saved UDP Policies (November 2012).

Garden Space

The application property is a two-bedroom house. UDP Policy BE23 requires new development to maintain amenity space sufficient for the amenity of occupants, and which is usable in terms of its shape and siting. The policy is supported by paragraph 6.18 in the SPD which requires a 2-bed dwelling to retain at least 40sq. metres of private amenity space. The proposed development would on completion retain approximately 182sq. metres of rear garden area. The proposed development is considered to conform to policy BE23 of the Hillingdon Local Plan Plan: Part Two - Saved UDP Policies (November 2012).

Parking

Council policy AM14 requires a maximum of 2 spaces. There is existing off-street car parking for two vehicles within the forecourt at the front of the house. The proposed development is considered to conform to policy AM14 of the Hillingdon Local Plan Plan: Part Two - Saved UDP Policies (November 2012).

Conclusion

The proposed first floor extension would result in an unacceptable impact on the amenities of the adjoining occupier at No.67 Misbourne Road and the application is thus recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NONSC Non Standard Condition

The proposed first floor rear extension, by virtue of its size, bulk, depth, height and proximity to the shared boundary, would be detrimental to the amenities of the adjoining occupier at 67 Misbourne Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

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:

AM14	New development and car parking standards.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

**65 Misbourne Road
 Hillingdon**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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

Planning Application Ref:

21508/APP/2015/4174

Scale:

1:1,250

Planning Committee:

Central and South

Date:

February 2016



HILLINGDON
 LONDON