

Report of the Head of Planning, Sport and Green Spaces

Address 82 ROYAL CRESCENT RUISLIP

Development: Two storey 3-bed dwelling with associated parking and amenity space, two storey rear extension to existing dwelling and installation of vehicular crossover.

LBH Ref Nos: 72669/APP/2017/927

Drawing Nos: Block Plan
02
Location Plan
03
04
04
05
06
01

Date Plans Received: 13/03/2017

Date(s) of Amendment(s):

Date Application Valid: 31/03/2017

1. SUMMARY

The application seeks planning permission for a two storey 3-bed dwelling with associated parking and amenity space and a two storey rear part single storey extension to the existing dwelling involving conversion of roof space to habitable use including a rear dormer and 2 front roof-lights.

The proposed two storey side/rear extension, by virtue of its siting in this open very prominent corner position and its projection beyond the return front building line of the adjacent properties to the rear on Royal Crescent, would result in the loss of an important gap which is characteristic to the area, resulting in a cramped appearance.

The roof alteration/extensions, by reason of, the location of the property in a visually prominent position, the size, scale, bulk and design of the rear dormer window would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene.

In addition the site is also shown in Flood Zone 2, so a Flood Risk Assessment (FRA) must be submitted. In the absence of a Flood Risk Assessment, and a detailed Flood Evacuation Plan, the application does not demonstrate the proposal does not increase the flood risk to the surrounding area and in accordance with the requirements of the Exception Test reduce that risk as well as managing the flood risk to the property. Therefore the application has failed to demonstrate that this is an appropriate location and that the site is safe and flood risk is suitably mitigated.

The proposal also fails to demonstrate both the retention and provision of adequate residential accommodation in terms of layout, size and amenity, resulting in a substandard form of living accommodation for both existing and future occupiers. In addition the scheme also fails to provide sufficient private amenity space for the proposed

dwelling in order to satisfy the adopted minimum standards to the detriment of the residential amenity of future occupiers.

The proposal is contrary to a number of National and Local Policies and therefore is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

In the absence of a Flood Risk Assessment in accordance with the National Planning Policy Framework and National Planning Practice Guidance, the application has failed to address the issues relating to flood risk and has failed to demonstrate that this is an appropriate location for the proposed use. The proposal is therefore contrary to Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 5.12 and 5.13 of The London Plan (2016), the National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

2 NON2 Non Standard reason for refusal

The proposed two storey side and part two storey, single storey rear extension, by reason of its siting in this open prominent position, size, scale, proximity to the side boundary and its projection beyond the return front building line of the adjacent properties to the rear on Gordon Road, would result in the virtual loss of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an over-development of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The roof alteration/extensions, by reason of the location of the property in a visually prominent position and the size, scale, bulk and design of the rear dormer window would fail to harmonise with the architectural composition of the original and extended dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

4 NON2 Non Standard reason for refusal

The proposed two storey side and part two storey, single storey rear extension and roof alterations, by virtue of their siting, size, scale and width, would together fail to appear as subordinate additions and would thus be detrimental to the architectural composition of the original house, to the character, appearance and general street pattern and layout of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential

Extensions.

5 NON2 Non Standard reason for refusal

The proposal fails to demonstrate both the retention and provision of adequate residential accommodation in terms of layout, size and amenity. The proposal would therefore give rise to a substandard form of living accommodation for both existing and future occupiers contrary to Policies BE19 and H7 (iv) of the Unitary Development Plan 'Saved Policies' September 2007 and design principles 4.7 and 4.8 of the Council's Design Guide 'Residential Layouts'.

6 NON2 Non Standard reason for refusal

The development fails to provide sufficient private amenity space for the proposed dwelling in order to satisfy the adopted minimum standards to the detriment of the residential amenity of future occupiers. The development is therefore contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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 (2016). 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.

2 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).

3 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) 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 (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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 3.3	(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
NPPF	National Planning Policy Framework
LPP 5.12	(2016) Flood risk management
OE7	Development in areas likely to flooding - requirement for flood protection measures

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In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located in a prominent corner plot on the South side of Royal Crescent at a point where the Crescent turns sharply, with the principal elevation facing North East. The site is currently occupied by a two storey end of terrace dwelling, which is one of a block of four. The terraces are similar in design having a projected front canopy at ground floor and a front bay at first floor level. The application dwelling is brick built and part rendered set under a hipped roof. To the side is an attached single storey garage and a gate leading to the rear garden. The area to the front is covered entirely in hard-standing with a low level brick wall along the front boundary and minimal soft landscaping to the side shared boundary with no.84, which is the immediately adjoining terrace. The rear garden is flat and laid to lawn enclosed with close board timber fencing and brick wall.

No.84 is the immediately adjoining terraced property to the South, with nos.86 and 88 completing the terrace block. The application site, like most others is located within a long rectangular plot. However as this is a prominent corner location the site also has an extensive and visible frontage along the North Western boundary. In addition the side elevation of the existing dwelling is set forward of the return front building lines to the properties at the rear (South West) on 74 to 80 Royal Crescent. The corner is also prominent because the Crescent widens in front of properties on the North West side (105 to 121).

The street scene is residential in character and appearance comprising mainly semi-detached and terraced properties, with the majority of the terraced blocks on the application's side consisting of regular blocks of four. The application site is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property is shown in Flood Zone 2, which can be found on the

Environment Agency website and so a Flood Risk Assessment (FRA) must be submitted.

3.2 Proposed Scheme

Planning permission is sought for the erection of a two storey 3-bed dwelling with associated parking and amenity space, with a two storey rear part single storey extension to the existing dwelling involving conversion of roof space to habitable use including a rear dormer and 2 front roof-lights.

The proposal would involve replacing the existing garage to the side with a two storey side extension which would extend to the full width of the plot up to the side boundary. The two storey side extension would extend along the length of the existing dwelling and then a further 3.6 metres from the existing rear elevation. This two storey element would extend across virtually the entire rear elevation to extend part of the existing dwelling and set in just 2.9 metres from the immediately adjoining property. At ground floor level the rear extension would extend 3.6 metres across the entire rear elevation with the small single storey element set under a flat roof 3 metres in height. In addition the alterations to the existing dwelling would also involve converting the roof into habitable use with the introduction of a rear dormer spanning the full width of the existing and part extending into the proposed roof along with 2 front roof-lights.

The extensions and alterations would as proposed, result in the creation of one 3 bed dwelling in addition to the extended 3 bed dwelling. It is proposed that the existing dwelling would have two off-street parking spaces to the front garden with the provision of a new vehicle crossover to the front. The proposed new dwelling would have two off-street parking spaces located to the rear of the proposed garden again with the provision of a new crossover.

3.3 Relevant Planning History

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

One of the Core Planning Principles of The National Planning Policy Framework is to "encourage the effective use of land by re-using land that has been previously developed (brownfield land)".

The London Plan (July 2011) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure. In terms of new housing supply, the Borough of Hillingdon has been allocated a minimum target of 4,250 in the period from 2011-2021.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
NPPF	National Planning Policy Framework
LPP 5.12	(2016) Flood risk management
OE7	Development in areas likely to flooding - requirement for flood protection 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

20 neighbouring properties along with South Ruislip Residents Association were consulted on 04.04.2017 and a site notice was displayed to the front of the site on 05.05.2017.

As a result of the publicity 3 objections were received from neighbours which can be summarised as:

- 1) restricting the light to my property at the rear. In addition with the increase in properties, it will impact on the ever increasing parking problems in this Crescent even with the addition of the vehicular crossover and off road parking.
- 2) will cause extreme disruption to residents parking in this road which is already difficult in such a narrow road.

In addition a petition has been raised to 'Oppose Planning Permission' and signed by 25 signatories.

There has also been three repeated comments submitted from one household in the locality stating

that:

- It will provide much needed housing in a sympathetic way and has the added benefit of off-street parking for each house thereby reducing car parking issues. It will add benefit to the street and will be a good addition to this part of the road.

The responses also included 3 letters of support commending the design and the suggested parking provision.

Internal Consultees

FLOODS - Objection: No Flood Risk Assessment

The site is located in Flood Zone 2 according to the Environment Agency Flood Maps and so a Flood Risk Assessment must be submitted in accordance with the National Planning Practice Framework and Environment Agency advice. The FRA must address the Sequential Test.

Comments on the Planning Application:

The site lies in Flood Zone 2 and the proposal is to introduce a new dwelling to the flood plain. There is insufficient justification as to why a new dwelling should be sited in an area within the floodplain, and does not pass the sequential test.

The Council would then need to be mindful of Local Plan Strategic Policy EM6: Flood Risk Management 'The Council will require new development to be directed away from Flood Zones 2 and 3 in accordance with the principles of the National Planning Policy Framework (NPPF)'.

The National Planning Policy Framework on page 23 states:

'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.

The developer should justify with evidence to the local planning authority what area of search has been used when making the application.

The Council needs to be assured that if they are placing new development in areas of flood risk, then there must be an appropriate reason. This development will introduce a new dwelling, into an area with a high probability of flooding.

This puts additional residents at risk as people returning to their homes may be inclined to navigate flood waters, or seek to retrieve flooded property (e.g. a vehicle) placing themselves at risk, and putting added burden on emergency services.

The Council has to be able to accept that the benefits of the development outweigh this risk by determining there is no available land at a lower risk of flooding.

It is for the applicant to satisfy the Council as to why a new development should be located in this area. Without suitable evidence the Council should look to alternative sites at a lower risk to fulfil its housing needs. The majority of the Borough is outside of flood zones 2 and 3, including its main centres. The Council's housing land studies suggest that there are many locations across the Borough not at risk of flooding.

To overcome the objection the applicant will need to demonstrate that there is clear justification for developing this area ahead of sites at a lower risk of flooding. The justification provided in the FRA "We believe that there is a shortage of other available areas for residential development in the area which justifies the development of this site" - is not considered sufficient when an adequate housing supply is identified in the emerging Local Plan Part 2.

The application should be refused as the applicant does not demonstrate that it is appropriate in location and that flood risk is suitably mitigated as required by:

- Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov 2012)
 - Policy 5.12 Flood Risk Management of the London Plan (March 2016)
- To be handled as close to its source as possible in compliance with:
- Policy 5.13 Sustainable Drainage of the London Plan (March 2016),

Conserve water supplies in accordance with:

- Policy 5.15 Water use and supplies of the London Plan (March 2016),
- National Planning Policy Framework (March 2012) and
- Planning Practice Guidance (March 2014)

ACCESS - Condition:

If the application was deemed acceptable then the following condition could have been added:

The dwelling(s) would be required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

REASON: To ensure an appropriate standard of housing stock in accordance with London Plan policy 3.8 c, is achieved and maintained.

HIGHWAYS:

This application is for the extension of an existing semi-detached dwelling in Royal Crescent so as to provide an additional 3 bed dwelling. Royal Crescent is a local road on the Council road network and the site has a PTAL value of 1b (very poor). This would suggest there will be a strong reliance on private vehicles for trip making. There are existing street trees on the boundary of the property. There is existing parking stress in the road as some dwellings do not have off-street car parking. The site has an existing vehicular access off Royal Crescent that leads to parking at the front of the dwelling as well as a garage. There are waiting restrictions in place outside the property to prohibit parking on the bend. The proposal involves the demolition of the existing garage and the construction of an extension on the existing building to create the new dwelling. The existing dwelling will have two car parking spaces provided at the front of the property accessed by a new vehicular crossover. The new dwelling will have two car parking spaces provided at the rear of the property via another new crossover. Please ask the tree officer if there is sufficient space to construct the crossover without interfering with the nearby street tree root structure. The existing crossover will be reinstated at the applicant's expense. The proposal will increase traffic levels in the area but this will not be significant. There is no secure covered cycle storage for either property but this can be conditioned (2spaces for each dwelling). There is no refuse/recycling bin storage for either dwelling shown on the drawings so once again please condition these facilities for each dwelling if approval is likely. On the basis of the above comments I do not have significant highway concerns over the above application.

Officer Comments:

The suggested and appropriate conditions could have been included if the application was recommended for approval.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF (March 2012) at paragraph 53, advises that LPAs 'should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

The London Plan (2016) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments.

The Mayor's Housing Supplementary Planning Guidance, March 2016 also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.44 advises:

London Plan Policy 3.5 A states that 'Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.' This locally sensitive approach reflects paragraph 53 of the NPPF. Where planning permission is required, boroughs are advised to consider proposals for development in gardens in the light of local circumstances, taking into account the value gardens have in addressing the range of strategic policy objectives, particularly in terms of:

- defining local context and character including local social, physical, cultural (Policy 7.4, 3.5);
- providing safe, secure and sustainable environments and play spaces for children (Policy 3.6);
- supporting biodiversity, protecting London's trees, 'green corridors and networks' (Policies 7.19, 7.21);
- flood risk management and sustainable drainage (Policies 5.12 and 5.13)
- mitigating the effects of climate change including the 'heat island' effect and urban greening (Policies 5.1, 5.9, 5.10); and
- enhancing the distinct character of suburban London (Policy 2.6).

The Council has adopted the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012). Policy BE1 advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk.

While there is in general no objection to the principle of an intensification of use on existing residential sites it is considered that in this instance the proposal would be detrimental to the site and local area. The proposed development would have a detrimental impact on the character and appearance of the general area, particularly in this open and prominent corner location.

In addition the application site is located within Flood Zone 2, therefore the Council needs to be mindful of the technical guidance that accompanies the National Planning Policy Framework. Paragraph 5 of the technical guidance states:

"The overall aim should be to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, local planning authorities allocating land in local plans or determining planning applications for development at any particular location should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required."

Therefore, the Council needs to be assured that if they are placing new development in areas of flood risk, then there must be an appropriate reason. This development will introduce a new dwelling into an area with a medium probability of flooding. The Council has to be able to accept that the benefits of the development outweigh this risk by determining there is no available land at a lower risk of flooding i.e a sequential test needs to be carried out to steer new development to areas with lowest probability of flooding. The applicant has not provided any evidence of a site search demonstrating that this is the only suitable site and has not therefore passed the sequential test. It is for the applicant to satisfy the Council as to why this new dwelling should be located in this area. Without suitable evidence the Council should look to alternative sites at a lower risk to fulfil its

housing needs. The majority of the Borough is outside of flood zones 2 and 3, including its main centres. The Council's housing land studies suggest that there are many locations across the Borough not at risk of flooding. To overcome the objection the applicant will need to demonstrate that there is clear justification for developing this area ahead of sites at a lower risk of flooding. This being the only site owned, is not suitable justification for putting people and property at risk of flooding. The proposal is therefore considered unacceptable and contrary to Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 5.12 of the London Plan (2016), the National Planning Policy Framework and National Planning Practice Guidance.

Thus, when balanced against the limited contribution the development would make toward achieving housing targets in the borough it is considered that the principle of the proposed residential development is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and H12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan, guidance within The London Plan Housing Supplementary Planning Guidance and the NPPF (March 2012).

7.02 Density of the proposed development

The density ranges set out in the London Plan are not used in the assessment of schemes of less than 10 units.

Minimum gross internal floor and storage is a further measure of the suitability of the size of a proposed dwelling. DCLG guidance identifies that two storey, 3 bedroom properties for 5 persons should provide a minimum 93 sq.m and 2.5 sq.m of inbuilt storage. The proposed new dwelling would have total floor area of 96 sq.m. However the single bedroom to the front would only be 5.61 sq.m and is therefore not suitable as it falls below the minimum standards for a single bedroom, which is 7.5 sq.m.

The existing dwelling including the proposed extensions would have a total floor area of 102.06 sq.m. However once again the bedroom to the front would only be 4 sq.m and is therefore not suitable as it falls below the minimum standards for a single bedroom, which is 7.5 sq.m. In addition the larger bedroom to the front is only 10.41 sq.m and is below the required size for a double which is 11.5 sq.m.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place.

Policy BE15 of the Hillingdon Local Plan Part Two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE5 requires development to harmonise with the materials, design, architectural style of the area and retain a form of symmetry. Policy BE13 requires the layout and appearance of new developments to harmonise with the existing street scene or other features of the area and Policy BE19

ensures any new development complements or improves the amenity and character of the area.

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of extensions which should appear subordinate in scale to the original building.

Section 3.0 Single Storey Rear Extensions states that extensions should always appear subordinate to the original house, and therefore should not protrude out too far from the rear wall. This is to prevent extensions from blocking the daylight and sunlight enjoyed by neighbouring properties. Paragraph 3.3 indicates that on semi-detached/terraced houses on a plot more than 5 metre wide an extension up to 3.6 metre deep is acceptable. In many areas a flat roof single storey extension will be acceptable and should not exceed 3 metre in height or 3.4 metre for a pitched roof. If adjoining neighbours already have a very deep extension, in such instances permission may be granted for a new extension of a similar depth if it does not result in adverse impact upon sunlight and daylight.

Paragraph 5.1 of the adopted HDAS SPD: Residential Extensions (December 2008) requires all extensions and buildings of two or more storeys to be set back a minimum of 1 m from the side boundary of the property for the full height of the building. Paragraph 5.3 of the HDAS SPD specifies that where two storey side extensions are proposed in the case where the side of the house adjoins a road, there may be some scope for flexibility on the set-in. It further specifies that where an existing return building line exists, any extension should ensure that the openness of the area is maintained and that the return building line is not exceeded.

Paragraph 4.5 of the adopted Supplementary Planning Document HDAS: Residential Extensions states "In order to appear subordinate, the width..... of the extension should be considerably less than that of the main house and be between half and two thirds of the original house width."

The original house width measures 5.5 m and the side extension would measure 5.3 m which would be well in excess of the maximum two thirds width stated in the SPD. The side extension would also not be set in from the side boundary by the minimum 1 metre along its entire length at double storey and would thus occupy all of the space to the side and rear of the dwelling resulting in an extension of a significant overall size and bulk, which would be viewed in the street scene as an overlarge addition which would not be subordinate to the host dwelling. As such, the proposed extension would not appear subordinate and would represent a visually overdominant and unsympathetic form of development that would detract from the character and open appearance and architectural composition of the original house and the visual amenity of the street scene and the character and appearance of the surrounding area. The proposal would therefore be contrary to Policy BE1 of the Council's Local Plan: Part 1 - Strategic Policies and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) BE13, BE15 and BE19.

Whilst some of the properties in the vicinity have been extended there is nonetheless a

prevailing uniformity of space between and around the properties and in the main most of the buildings follow a common building line. These positive attributes add distinctive character to the locality. The application site represents a very prominent corner plot. The front, side and rear of the property can be easily viewed from other public positions in Royal Crescent. The rear of the property is very conspicuous when travelling North along Royal Crescent towards the site and the bend in the road.

Given the width of the proposed side extension and being set virtually on the boundary, the whole side extension would project well beyond the return front building line of the adjacent properties to the rear on the South Eastern side of Royal Crescent. It is instructive to note that the adjacent properties (the closest being No. 80 Royal Crescent) have an established and uniform front building line and the front gardens and the rear garden area of the application property results in a sense of spaciousness not only at the road junction but along the road. The proposal would result in the infilling of this space as a result of the proposed width of the side extension and would result in the loss of this prominent open space feature to the detriment of the visual amenity of the street scene and the wider area.

Section 7.0 of the Hillingdon SPD relating to Loft Conversions and Roof Extensions states careful consideration should be given to the volume, height, proportion and position and overall appearance of any dormer windows. It is important to create an extension that appears secondary to the size of the roof face within which it will be set. Roof extensions as wide as the house can create the appearance of an effective flat roofed third storey which will be refused permission. Dormer windows to larger semi-detached houses, set ins should be increased to at least 1 m. Rear roof slopes which are visible only from other gardens can still impact upon the character and appearance of the residential area, and is just as important for such roof extensions to relate well to the proportions and massing of the existing house and its neighbours.

The proposed development also proposes to convert the roof space to habitable use involving a rear dormer and 2 x front roof lights. The proposed rear dormer would virtually cover the full width of the upper elevation and is therefore considered too large and excessive especially when taking into account the overall scale of the proposal and change in roof design. By reason of, the location of the property in a visually prominent position, the size, scale, bulk and design of the rear dormer window together with the double storey side and rear extension, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene.

In conclusion it is considered that the proposals are substantial and would significantly alter the character and appearance of the original property. The proposal is unacceptable in regards to its bulk, scale, design and will therefore have a detrimental impact on the character and appearance of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

The Council's adopted Supplementary Planning Document, the Hillingdon Design and

Accessibility Statement: Residential Extensions (December 2008) (HDAS) sets out the design criteria including external dimensions by which proposals are assessed with the general aim of ensuring that these are 'subordinate' to the original house. Rear extensions will only be allowed where there is no significant over-dominance, overshadowing, loss of outlook or daylight.

The proposed extension to the rear would have a maximum depth of 3.6 metres and the single storey element closest to the immediately adjoining property, no.84, would be set under a flat roof with a maximum height of 3 metres. Therefore the proposal whilst it is considered are substantial and excessive would not result in any direct adverse impact to neighbouring amenity in terms of loss of daylight/sunlight or overlooking.

It is considered that the proposed development would not result in an unacceptable loss of light, outlook or privacy and as such, the proposal would not represent an unneighbourly form of development, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London intends to adopt the new nation technical standards through a minor alteration to The London Plan. This alteration is in the form of the Housing Standards Policy Transition Statement and it sets out how the existing policies relating to Housing Standards in The London Plan should be applied from October 2015. Appendix 1 of the Transition Statement sets out how the standards stemming from the policy specified in the 2012 Housing SPG should be interpreted in relation to the national standards.

The Minor Alterations to the London Plan (2016) sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. DCLG guidance identifies that two storey, 3 bedroom properties for 5 persons should provide a minimum 93 sq.m and 2.5 sq.m of inbuilt storage. The submitted plans illustrate that the proposed dwelling would have two double bedrooms and a single, totalling 5 persons. The proposed dwelling would have total floor area of 96 sq.m. However the single bedroom to the front would only be 5.61 sq.m and is therefore not suitable as it falls below the minimum standards for a single bedroom, which is 7.5 sq.m.

The existing dwelling including the proposed extensions would have a total floor area of 102.06 sq.m. However once again the bedroom to the front would only be 4 sq.m and is therefore not suitable as it falls below the minimum standards. In addition the larger bedroom to the front is only 10.41 sq.m and is below the required size for a double which is 11.5 sq.m.

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the houses and the character of the area. The minimum level of amenity space required to meet Council standards for a 3 bedroom dwelling would be 60 sq.m. The existing dwelling would have 65 sq.m however the proposed dwelling would only have 47.38 sq.m and therefore does not meet the council's requirements as it fails to provide adequate amenity space for future residents.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Highway Officer has stated that:

Royal Crescent is a local road on the Council road network and the site has a PTAL value of 1b (very poor). This would suggest there will be a strong reliance on private vehicles for trip making. There are existing street trees on the boundary of the property. There is existing parking stress in the road as some dwellings do not have off-street car parking. The site has an existing vehicular access off Royal Crescent that leads to parking at the front of the dwelling as well as a garage. There are waiting restrictions in place outside the property to prohibit parking on the bend.

The proposal involves the demolition of the existing garage and the construction of an extension on the existing building to create the new dwelling. The existing dwelling will have two car parking spaces provided at the front of the property accessed by a new vehicular crossover. The new dwelling will have two car parking spaces provided at the rear of the property via another new crossover. The existing crossover will be reinstated at the applicant's expense.

The proposal will increase traffic levels in the area but this will not be significant. On the basis of the above comments I do not have significant highway concerns over the above application. There is no secure covered cycle storage for either property but this can be conditioned (2spaces for each dwelling). There is no refuse/recycling bin storage for either dwelling shown on the drawings so once again please condition these facilities for each dwelling if approval is likely.

If the application was recommended for approval then the appropriate conditions could have been included relating to bin storage and covered cycle storage. The new vehicle crossover to the rear for the new dwelling is close to the rear amenity space. However given that there is an existing private road for access to the rear of the properties it is not considered that the proposed crossover or new parking spaces would result in a significant adverse impact to justify a refusal.

7.11 Urban design, access and security

Urban design issues have been covered elsewhere in the report and with regard to access and security, had the application not been recommended for refusal, conditions could have been included to ensure compliance with these requirements.

Secured by Design is now covered by Part Q of the Building Regulations which the development would be required to accord with, if the application had been recommended for approval.

7.12 Disabled access

If the scheme is found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

An appropriate scheme of landscaping and landscape protection could have been secured by condition if the application was recommended for approval.

7.15 Sustainable waste management

Policy 5.17 of the London Plan requires that all new development provide adequate facilities for the storage of waste and recycling.

7.16 Renewable energy / Sustainability

Not applicable to this application.

Given the potential scale and nature of the proposed development, it is not considered likely to raise significant sustainability concerns.

7.17 Flooding or Drainage Issues

The application site is located within Flood Zone 2, therefore the Council needs to be mindful of the technical guidance that accompanies the National Planning Policy Framework. Paragraph 5 of the technical guidance states:

"The overall aim should be to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, local planning authorities allocating land in local plans or determining planning applications for development at any particular location should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required."

Therefore, the Council needs to be assured that if they are placing new development in areas of flood risk, then there must be an appropriate reason. This development will introduce a new dwelling into an area with a medium probability of flooding. The Council has to be able to accept that the benefits of the development outweigh this risk by determining there is no available land at a lower risk of flooding i.e a sequential test needs to be carried out to steer new development to areas with lowest probability of flooding. The applicant has not provided any evidence of a site search demonstrating that this is the only suitable site and has not therefore passed the sequential test. It is for the applicant to satisfy the Council as to why this new dwelling should be located in this area. Without suitable evidence the Council should look to alternative sites at a lower risk to fulfil its housing needs. The majority of the Borough is outside of flood zones 2 and 3, including its main centres. The Council's housing land studies suggest that there are many locations across the Borough not at risk of flooding. To overcome the objection the applicant will need to demonstrate that there is clear justification for developing this area ahead of sites at a lower risk of flooding. This being the only site owned, is not suitable justification for putting people and property at risk of flooding. The proposal is therefore considered unacceptable and contrary to Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 5.12 of the London Plan (2016), the National Planning Policy Framework and National Planning Practice Guidance.

7.18 Noise or Air Quality Issues

No issues raised.

7.19 Comments on Public Consultations

The comments raised through the consultation process and the potential concerns relating to the impact of the development on adjoining occupiers have been considered in the main body of the report.

7.20 Planning Obligations

The Council's Community Infrastructure Levy Charging Schedule was adopted on 1st August 2014. The additional habitable floor space created will be chargeable at £95 per

square metre.

The scheme would also be liable for payments under the Community Infrastructure Levy. On the 1st April 2012 the Mayoral Community Structure Levy came into force. The London Borough of Hillingdon falls within Charging Zone 2, therefore, a flat rate fee of £35 per square metre would be required for each net additional square metre added to the site as part of the development.

Community Infrastructure Levy:

The Council adopted a Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development are currently as follows:

Hillingdon CIL = £20,779.75

Mayoral CIL = £8,136.32

Total = £28,916.07

7.21 Expediency of enforcement action

There are no enforcement issues raised by 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 and also the guidance contained in Probity in Planning, 2009.

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

None.

10. CONCLUSION

The application seeks planning permission for a two storey 3-bed dwelling with associated parking and amenity space and a two storey rear part single storey extension to the existing dwelling involving conversion of roof space to habitable use including a rear dormer and 2 front roof-lights.

The proposed two storey side/rear extension, by virtue of its siting in this open very prominent corner position and its projection beyond the return front building line of the adjacent properties to the rear on Royal Crescent, would result in the loss of an important gap which is characteristic to the area, resulting in a cramped appearance.

The roof alteration/extensions, by reason of, the location of the property in a visually prominent position, the size, scale, bulk and design of the rear dormer window would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene.

In addition the site is also shown in Flood Zone 2, so a Flood Risk Assessment (FRA) must be submitted. In the absence of a Flood Risk Assessment, and a detailed Flood Evacuation Plan, the application does not demonstrate the proposal does not increase the flood risk to the surrounding area and in accordance with the requirements of the Exception Test reduce that risk as well as managing the flood risk to the property. Therefore the application has failed to demonstrate that this is an appropriate location and that the site is safe and

flood risk is suitably mitigated.

The proposal also fails to demonstrate both the retention and provision of adequate residential accommodation in terms of layout, size and amenity, resulting in a substandard form of living accommodation for both existing and future occupiers. In addition the scheme also fails to provide sufficient private amenity space for the proposed dwelling in order to satisfy the adopted minimum standards to the detriment of the residential amenity of future occupiers.

The proposal is contrary to a number of National and Local Policies and therefore is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
Technical Housing Standards - Nationally Described Space Standard (March 2015)
National Planning Policy Framework

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Notes:

 Site boundary

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 Planning Section
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 Telephone No.: Uxbridge 250111

Planning Application Ref:
72669/APP/2017/927

Scale:
1:1,250

Planning Committee:
North

Date:
October 2017

