

Report of the Head of Planning, Transportation and Regeneration

Address 2 DUNSMORE CLOSE HAYES
Development: Conversion of roofspace to habitable use to include a rear dormer
LBH Ref Nos: 43764/APP/2018/1254
Drawing Nos: MG/2/2018/B
MG/2/2018/A

Date Plans Received: 04/04/2018 **Date(s) of Amendment(s):**

Date Application Valid: 04/04/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a detached dwelling located on the South Eastern side of Dunsmore Close, Hayes. The principle elevation of the property faces West. The site benefits from a large rear garden, with an outbuilding to the far end, and backs onto the residential gardens of properties on Fellowes Close. The site has been previously extended by way of a wraparound single storey side/rear extension.

The site lies within the Developed Area as identified within the Hillingdon Local Plan (Saved UDP Policies (November 2012)).

1.2 Proposed Scheme

The application seeks planning permission for the conversion of roof space to habitable use to include a rear dormer.

1.3 Relevant Planning History

43764/APP/2008/1192 2 Dunsmore Close Hayes

Conversion of roofspace to habitable use involving construction of a front dormer.

Decision Date: 29-07-2008 Refused **Appeal:**

Comment on Planning History

43764/APP/2008/1192 - REFUSAL - A full application was submitted proposing for the conversion of roofspace to habitable use, including a front dormer. The application was refused on the basis that it would constitute a bulky and incongruous form of design, it would result in overlooking and loss of privacy and would fail to sustain adequate private amenity space for the occupiers of 2 Dunsmore Close.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

7 neighbouring properties were consulted via letter dated 18.04.18 and a further site notice was displayed which expired on 18.05.18.

By the end of the 21 day consultation period 3 letters and a petition with 21 signatories received. The concerns raised can be summarised as follows:

1. The development would cause a loss of sunlight and overshadowing of the neighbouring gardens.
2. Overbearing outlook.
3. Loss of privacy.
4. Overdevelopment of the application site.
5. Landscape concerns.
6. Hazardous construction waste, dust, noise, vibration, pollution, hazardous air quality in the neighbourhood.
7. Loss of value of neighbouring property.

Planning officer comments: Material planning concerns will be addressed in the main body of this report.

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:

- | | |
|----------|--|
| 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. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| HDAS-EXT | Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008 |
| LPP 3.5 | (2016) Quality and design of housing developments |

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and

parking provision.

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. Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features 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 Supplementary Planning Document (SPD) HDAS: Residential Extensions states at Paragraph 7.4:

"Rear roof slopes which are only visible from surrounding gardens do impact on residential areas since these affect the character and appearance of a residential area. It is just as important for such roof extensions to relate well to the proportions, roof forms and massing of the existing house and its neighbours as elsewhere."

It goes on to state in Paragraph 7.5:

"It is important to create an extension that will appear secondary to the size of the roof face within which it will be set. Roof extensions that would be as wide as the house and create the appearance of an effective flat roofed third storey will be refused permission."

Paragraph 7.7 requires rear dormer windows to be set a minimum of 0.3m down from the ridge, 0.3m above the eaves and at least 0.5m from the sides of the roof but in Paragraph suggests that on larger detached and semi-detached houses these set-ins should be increased to at least 1m.

The proposed dormer would have a width of 4.4 m and a height of 2.4 m. The dormer is set in from the eaves by 0.8 m, down from the ridge by 0.3 m and from the sides by 0.5 m and 0.7 m. Whilst it may be argued that the proposal complies with the minimum set in requirements set out in the Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions, the proposed dormer would extend virtually the full width and height of the original dwelling. Paragraph 7.5 is clear in its requirement that the extension should appear secondary to the size of the roof face within which it is set and that those that would be as wide as the house and create the appearance of an effective flat roofed third storey will be refused permission. In this case it is considered that the dormer is not subordinate to the roof face but in effect results in a development which is neither secondary or proportionate to the main roof slope and would give the appearance of an effective flat roofed third storey.

As such it is considered that the proposal overall significantly increases the scale and bulk of the original house and is not subordinate to the original dwelling and out of character with the design and appearance of the original and adjoining dwellings and is detrimental to the visual amenity of the street scene and the wider area. Therefore the proposal fails to accord with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 7.0 of the adopted

Supplementary Planning Document (SPD) HDAS: Residential Extensions.

The rear dormer is not considered to result in an unacceptable loss of light, outlook or privacy to occupants of adjacent dwellings. The proposed roof extension is not considered to constitute an un-neighbourly form of development and as such, the proposal complies with Policies BE20, BE21 or BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The conversion of the roofspace to habitable use is considered to create an additional bedroom. Therefore it is considered that after development the property would result in a 4+ bedroom dwelling.

In terms of the garden area at least 100 square metres of rear private garden should be retained to provide adequate amenity space for a 4+ bedroom dwelling, which is what the dwelling would be following the extension. The proposal would retain approximately 54 square metres of private amenity space. Although it is recognised that the development would not result in a further reduction of the usable rear amenity area, it would result in the creation of an additional bedroom. Whilst a 3 bedroom property requires 60 square metres of private rear garden space (closer to what is available), with an additional bedroom this requirement increases to 100 square metres. As such this space does not provide a reasonable standards of amenity space for the occupiers of the extended dwelling. The proposal would thus be contrary to Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is not considered that this level of deficiency is offset by any public open space or facilities nearby.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2016).

The parking provision would remain unaffected by the proposal.

The application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The rear dormer window, by reason of its size, scale, bulk, and design, 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 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.

2 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would result in

an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the 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 (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 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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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

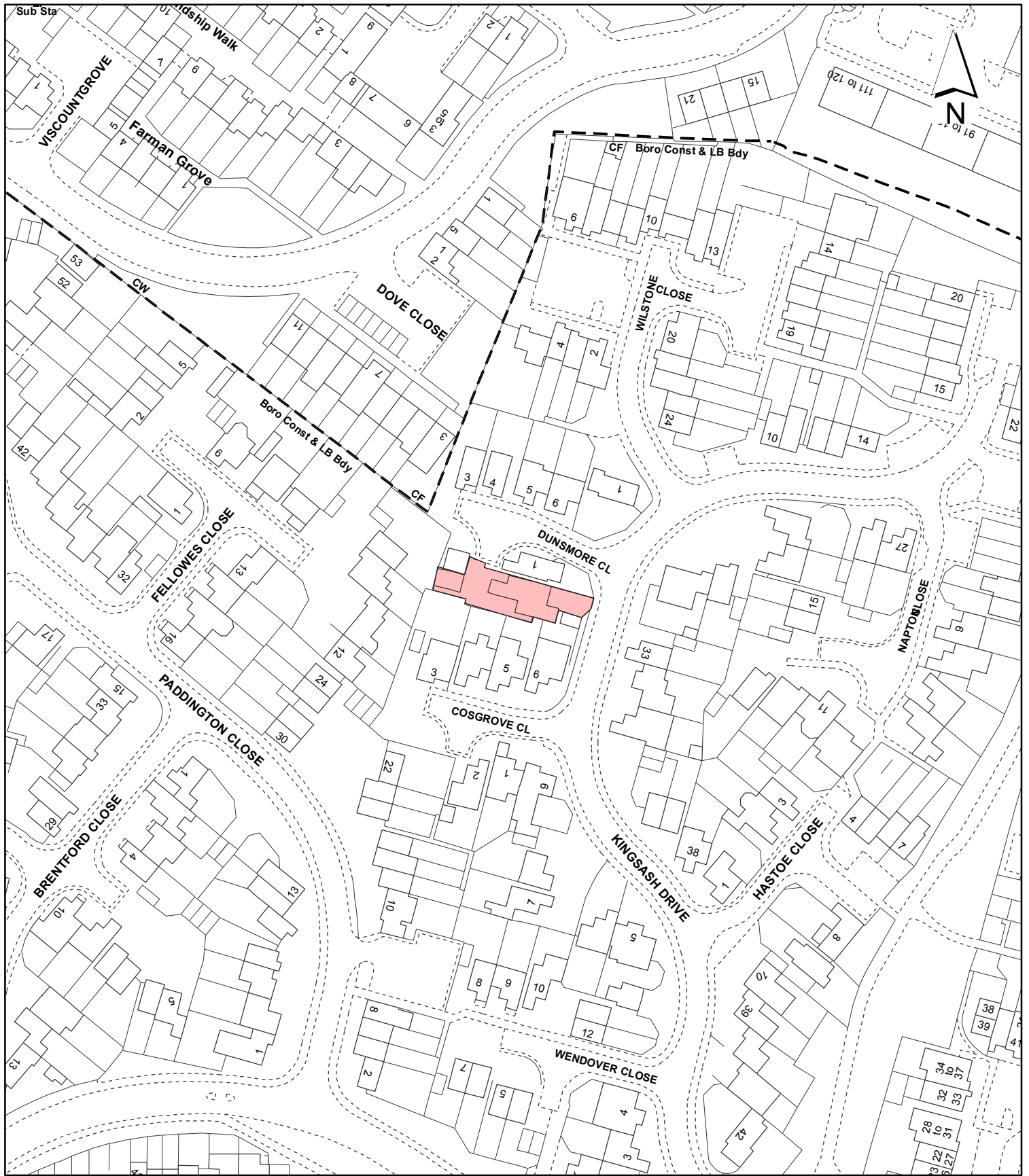
Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.
AM14 New development and car parking standards.
BE13 New development must harmonise with the existing street

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| | scene. |
| BE15 | Alterations and extensions to existing buildings |
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Notes:

 Site boundary

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 Hayes**

**LONDON BOROUGH
 OF HILLINGDON**
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 Telephone No.: Uxbridge 250111

Planning Application Ref:
43764/APP/2018/1254

Scale:
1:1,250

Planning Committee:
Central & South

Date:
June 2018



HILLINGDON
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