

Report of the Head of Planning, Transportation and Regeneration

Address 1 AND 3 CONWAY DRIVE HAYES

Development: First floor side/rear extension to No.1 and first floor rear extension to No.3

LBH Ref Nos: 73741/APP/2018/2574

Drawing Nos: Location Plan (1:1250)
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Date Plans Received: 11/07/2018

Date(s) of Amendment(s):

Date Application Valid: 11/07/2018

1. SUMMARY

The application seeks planning permission for a first floor side/rear extension to No. 1 Conway Drive and an infill rear extension at first floor level to No. 3 Conway Drive. The application is a resubmission of application Ref: 73741/APP/2018/1409 which was refused. This is a joint application, to overcome issues relating to the residential impacts the developments may have on neighbouring properties. The development is not considered acceptable by reason of the proposed roof form, shape and design.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed rear extensions, by reason of their siting in this open visually prominent position, size, scale, bulk, width and design, including the substantial double hipped roof elements to each property, would fail to harmonise with the architectural composition of the original dwellings 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.

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).

I53

2 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) 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.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

3 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.

4 I71 LBH worked applicant in a positive & proactive (Refusing)

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.

In order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant by the case officer during the processing of the application to identify the amendments to address those elements of the scheme considered unacceptable. However, the amendments required to make the application acceptable are substantial and would materially change the development proposal. They would require further consultation to be undertaken prior to determination which could not take place within the statutory determination period specified by the Department of Communities and Local Government. You are therefore encouraged to consider the submission of a fresh application incorporating the material amendments set out below which are necessary to

make the scheme acceptable.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises of 2, two storey semi-detached dwellings situated on the West side of Conway Drive, and on the corner junction of a narrow access road leading to a block of garages. No. 1 Conway Drive is finished in a part pebbledash render to the ground floor with a form of box profile metal cladding to the first floor. This property benefits from a front garden, capable of accommodating two vehicles to park off street. No. 3 Conway Drive is characterised with a gable ended roof and is set back from the frontage to accommodate a fair sized front garden enclosed by a low level boundary wall.

The properties are set back from the adjacent highway to the front and side, and both benefits from a detached outbuilding situated within the rear garden.

The surrounding area is residential in character and is made up of predominantly semi-detached dwellings that are of a similar size and scale.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a first floor side/rear extension to No.1 and first floor rear extension to No.3. The extension to No. 3 will infill the gap existing at first floor level, located towards the Southern boundary. The proposed scheme differs from the previously refused application Ref: 73741/APP/2018/1409 in terms of the roof design to the first floor rear extensions. The previous application proposed flat roofs, whilst the current application proposes a double pitched hipped roof.

3.3 Relevant Planning History

73741/APP/2018/1409 1 And 3 Conway Drive Hayes

First floor side/rear extension to No.1 and first floor rear extension to No.3

Decision: 11-06-2018 Refused

Comment on Relevant Planning History

Both sites have been extended previously, and the current application seeks to extend further.

1 Conway Drive - This property has been extended by way of a single storey side extension and single storey rear extension. The planning permission relates to application references: 47127/APP/2017/4441 and 47127/APP/2017/3051.

3 Conway Drive - This property has been extended to the side by way of a two storey side extension, which is set back from the front building line. To the rear, the extension is part single part two storey. The two storey element is located towards the Northern boundary. These developments relate to planning application reference 44399/APP/2017/3285.

If proposed individually there could be unacceptable amenity impacts upon each other. This scheme seeks to overcome that by making one application, and if otherwise acceptable would require a condition to require both schemes to be undertaken at the same time.

A joint application has also been refused recently, Ref: 73741/APP/2018/1409. The application was refused on the basis that the proposed rear extensions, by reason of their siting in this open visually prominent position size, scale, bulk, width and design, including substantial flat roof elements would fail to harmonise with the architectural composition of the original dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.

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:

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.

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.

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. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 neighbouring properties were consulted via letter dated 23.07.18 and a site notice was displayed to the front of the property which expired on 22.08.18.

By the end of the 21 day consultation period one objection was received with concerns regarding:

1. Noise nuisances.

2. Water cut off.
3. Damage to public/council roads.

Planning officer comments: None of the issues raised are planning considerations and are covered by other legislation.

Ward councillor: Requests that the application is reported to committee for consideration.

Internal Consultees

None.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is not located in a Conservation Area and the building is not listed. There are no policies which prevent the development of the property by way of first floor side/rear extension to either property, in principle.

7.02 Density of the proposed development

Not applicable to this application.

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.

7.06 Environmental Impact

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) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires extensions to harmonise with the architectural composition of the original property.

The proposed first floor side extension proposed to No. 1 Conway Drive is set back by 1 m from the front building line and set in from the side boundary by 1 m. The extension spans across the entire side elevation of the property and to the rear extension. The rear elements proposed to both properties would project a maximum of 3 m in depth, would have a double hipped roof for each property, resulting in four hipped roof elements which are set at varying heights below the main ridge. The roof proposed for the side extension would be a gable ended roof which would reflect the gable ended roof form of the attached property (No.3). The plans differ from previously refused application with respect to the roof design to the rear extensions. The current application proposes two hipped roofs to each property. The site is located in a visually prominent position, where the rear of the dwellings are clearly visible. The proposed design involving a double hipped roof for each property, resulting in four hipped roofs, which are set at varying heights below the main ridge would result in a development which would not be subservient or subordinate to the main dwellings, given that they would stretch across the full width and beyond of the existing properties, and would not reflect the architectural character of the property.

Thus, the proposed rear extensions, by reason of their siting in this open visually prominent position, size, scale, bulk, width and design, including the substantial double hipped roof elements to each property, would fail to harmonise with the architectural composition of the original dwellings 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.

7.08 Impact on neighbours

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity would not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

Section 5.0 Side and First Floor Side Extensions should retain a minimum of 1 m distance from the side boundary at both levels, and if to a detached dwelling should be integrated with the existing house. If an existing ground floor side extension exists within 1 m to the side boundary, the first floor element should retain a minimum of 1.5 m from the side boundary. Also, for a semi-detached house, the roof height of the extension should be 0.5 m lower to that of the main house with matching eaves. The width should be considerably less than that of the original house and be between half and two thirds depending on size and character of the area. Design of the roof should follow that of the existing roof.

Section 6.0 Two storey Rear or first floor rear Extensions states that for semi-detached houses, an extension up to 3.6 m deep is acceptable. The new roof should appear subordinate to the original roof and so have a ridge height at least 0.5 m lower than the original roof. Moreover, section 6.2 states large two storey extensions, which are positioned close to a boundary, may not be acceptable if they have a significant overshadowing and overbearing effect on the habitable rooms of adjoining dwellings. In this respect any two storey extension extending beyond a 45° horizontal angle measured from the middle of a principle window to a habitable room on the adjoining dwelling may not be acceptable.

The proposed side extension to No. 1 Conway Drive has been previously approved under application Ref: 47127/APP/2017/4441. This extension was not considered to cause a loss of residential amenities to any neighbouring property. The proposed first floor side/rear extension to No. 1 and the proposed first floor rear extension to No. 3 would protrude 3.0 m beyond the rear building line. The rear extension to No. 3 will in essence infill the extension to the rear at first floor level, and hence the entire rear elevation to both properties will be extended by 3 m at first floor level. As both properties will be extended by the same distance it is considered that the extension would not breach the 45 degree line from the central point of either properties habitable windows. The proposed extensions comply with the criteria set out in the Supplementary Planning Document HDAS: Residential Extensions. The proposed development would not have any windows on the side elevations which would prevent overlooking and loss of privacy to adjoining occupiers. One window is proposed to the side extension, serving a shower room. This window could be conditioned to remain obscure glazed if approved. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal would not result in any alteration to the existing car parking layout and as such would continue to comply with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The application sites following the completion of the single storey side/rear extension would retain approximately 65 sq m of private rear amenity area.

The proposed development would result in the creation of a fourth bedroom to No. 1 Conway Drive, and a potential fourth bedroom to No. 3 which has not been explicitly shown on plans submitted. The proposed infill rear extension measures a total floor area of 9.1 sq. m and has a window serving it directly. As such this area can be used as a bedroom in the future with an internal wall installed.

As such the development would require the retention of 100 sq. m of private garden space to both properties, which the properties fail to provide. However, although the proposal would fall considerably short of this minimum standard, it is considered that as the proposal would be erected directly above the existing single storey side/rear element it would not result in a further reduction of the usable rear amenity area and given the site lies within walking distance of Bourne Farm playing fields and Pinkwell Park it would not be sufficiently detrimental to the residential amenities of the current and future occupiers of the application dwelling as to justify refusal.

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 the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The comment received does not raise any planning considerations.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

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

Not applicable to this application.

10. CONCLUSION

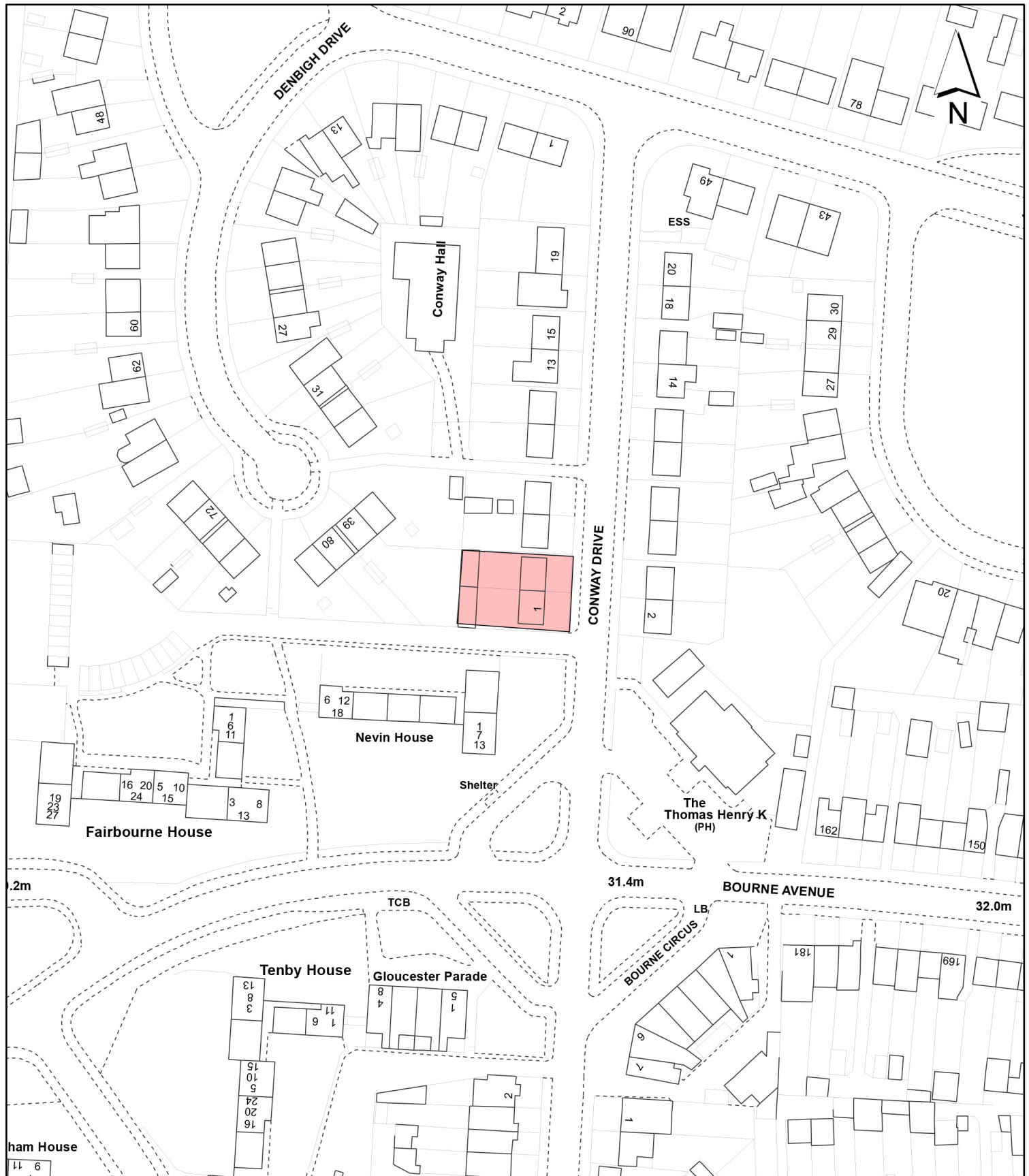
The proposed extensions are considered acceptable in terms of their impact upon the occupants of adjoining and adjacent dwellings in terms of light, outlook and privacy. However, the proposed roof design to the extension/s is considered unacceptable. Furthermore, the site lies within a prominent corner location and as such the development would have a negative impact upon the visual amenities in the area. As such the development is considered unacceptable and 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)
Hillingdon Design and Accessibility Statement: Residential Extensions
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

1 and 3 Conway Drive

Planning Application Ref:

73741/APP/2018/2574

Planning Committee:

Central & South

Scale:

1:1,250

Date:

October 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
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