

Report of the Head of Planning, Transportation and Regeneration

Address 40 BARNHILL ROAD HAYES

Development: 2 storey side extension and 1st floor rear extension

LBH Ref Nos: 20362/APP/2019/673

Drawing Nos: 01
02
Location Plan
02/B
03

Date Plans Received: 26/02/2019

Date(s) of Amendment(s):

Date Application Valid: 04/03/2019

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a 2 storey semi-detached residential dwelling located on the north-east of Barnhill Road. The dwelling is constructed with brick and has undergone a rear and a hip to gable roof extension in the past. The front of the site comprises of a combination of soft and hard landscaping which includes an area for off-street parking and access to the back garden garage unit. The existing dwelling has a fair sized rear garden.

The surrounding area is residential in character and is mainly made up of two storey semi-detached dwellings that are similar in size. The property backs onto the playing fields of Barnhill School.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey side extension and first floor rear extension to create a 6-bedroom home.

The current proposal is a re-submission from the previous application reference 20362/APP/2018/1087 that was refused on 23-07-18. The changes made under this application is the reduction of the first floor rear extension.

1.3 Relevant Planning History

20362/APP/2016/1390 40 Barnhill Road Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres

Decision Date: 07-06-2016

Approved

Appeal:

20362/APP/2018/1087

40 Barnhill Road Hayes

Part two storey, part single storey front/side extension and part first floor rear extension

Decision Date: 18-07-2018

Refused

Appeal:

Comment on Planning History

A full planning application under reference 20362/APP/2018/1087 was refused on 23-07-18 for part two storey, part single storey front/side extension and part first floor rear extension for the following reasons:

- failure to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, result in over-development of the site detrimental to the residential amenity of the existing occupiers
- siting, size, scale, width and design, including the lack of a set back from the front at all levels and the double hip roof to the rear would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house and the character, appearance and visual amenities of the street scene and the wider area
- size, scale, bulk and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property, 38 Barnhill Road giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the surrounding area

The current proposal is a re-submission of the above refusal.

A prior approval application under reference 20362/APP/2016/1390 was approved on 07-06-16 for erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.5 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres.

A planning consent under application reference 20362/FP/2007/498 was conditionally approved on 04-10-07 for a loft conversion.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 4th April 2019

3. Comments on Public Consultations

A planning notice was displayed between the dates 12/3/2019 and 4/4/2019. Six neighbouring occupiers were consulted and a total of three letters were received. Two of the letters were objection letters from an occupier and a councillor and one letter is from the local MP.

The issues highlighted in the letters received include concerns in regards to the site being over-developed, overshadowing neighbouring property resulting in a loss of light, reduce access to the garage, creating a terraced effect, the potential to become a HMO due to the number of additional bedrooms being created, strain on parking and affect council services such as waste collection.

A petition was received and the following concerns were raised:

- Over-development
- Past track-record of extension completed by the applicant may not comply with approved

planning application

- Safety of existing roof structure due to poor state of repair
- Overshadowing/loss of light to neighbouring properties
- Dominating frontage/street scene
- No access to the rear
- Strain on parking due to the increase in bedrooms proposed
- Drainage concerns

Officer note: The planning issues raised are addressed in the main body of the report. Applications cannot be determined on the basis of possible future uses and need to be considered on their own merits as submitted.

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. |
| 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. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

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. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the

design of existing and adjoining sites. BE19 ensure that new development within residential areas complements or improves the amenity and character of the area and BE23 states that new residential extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting.

The Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions contains the design guidance for extensions and minor work for household dwellings. Paragraph 5.1 of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions states that residential extensions and buildings of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property for the full height of the building. Paragraph 5.6 outlined that the ground and first floor should be set back 1m from the main front building line to ensure a subordinated appearance to the existing house. Paragraph 5.13 and 6.18 clearly states that for 4+ bedroom house, a rear garden area of 100 sq.m is to be retained. Paragraph 6.2 says that the first floor rear extension will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight and in addition, any extensions at first floor level should not extend beyond a 45-degree line of sight taken from the nearest of the first floor window of any room of the neighbouring property. Paragraph 8.1 explicitly notes that front extensions that extend across the entire frontage will normally be refused. Paragraph 11.2 states that where parking layouts are altered as part of an extension to a property at least 25% of the front garden may be required to be maintained for planting and soft landscaping.

The proposed side and first floor extension fail to comply with a minimum of 1 metre setback from the side boundary and 1 metre setback from the main front building line of the property. The side extension proposed is to extend the semi-detached house to the boundary line of the immediate neighbouring property, number 38 Barnhill Road. The surrounding area is characterised by semi-detached houses that are separated by the driveway access to the rear of the dwellings. Therefore, due to the lack of setback, the infilling of the space between the applicant dwelling and neighbouring dwelling would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house and the character, appearance and visual amenities of the street scene and the wider area. Overall, it is considered that the size, scale, bulk, width and design of the proposed two storey side extension will have detrimental impact as it would appear over-dominant within the street scene. The proposal 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 Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions.

The new roof resulting from the side extension will be 0.6m lower than the main roof which is more than the 0.5m requirement in accordance to the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions. The depth of extension permitted on a plot more than 5m wide is 3.6m and therefore the proposed first floor rear extension is compliant with the current 3.3m depth extension. The 45-degree of sight would not be breached from the nearest of the first floor window of any room of the neighbour property, therefore it is considered that the proposed rear extension will not result in significant over-dominance or loss of outlook and daylight on the occupants of both adjacent properties.

The proposed two storey side and first floor rear extension will result in two additional

bedrooms. Due to the increase in the number of bedrooms, a garden space of 100 sq.m is required for a four or more bedroom house in accordance to the HDAS guidance. However, the current private usable external amenity space is 72 sq.m, which falls short of the minimum standards. The proposal is therefore contrary to policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions.

Furthermore, the proposed front ground floor extension fails to comply with Section 8 of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions. The front extension spans across the entire frontage and is marginally beyond the existing building line, which will appear out of character in the local street scene.

The two off-street car parking spaces at the front of the house will be retained and is in compliance with the Council's parking standards and Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012). However, the proposed front projections would result in changes to the front garden which would justify the provision of 25% soft landscaping within the front garden. Should permission have been granted, this matter could have been secured by a suitable condition.

The site is not in a flood plain or known to have any specific drainage issues.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed two storey side extension and first floor rear extension, by virtue of its siting, size, scale, width and design, including the lack of a set back from the front at all levels and the hip roof to the rear would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house and the character, appearance and visual amenities of the street scene and the wider area. The proposal 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 adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed creation of additional habitable space due to the two storey side and first floor rear extension would, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, result in over-development of the site to the detriment of the residential amenity of the existing occupiers. The proposal is therefore contrary to policies BE19 and BE23 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the guidance contained within the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions (December 2008).

3 NON2 Non Standard reason for refusal

The proposed two storey side extension, by reason of its size, scale, bulk and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property, 38 Barnhill Road giving rise to a cramped form of development, which would be detrimental to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP 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 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

Contact Officer: Rebecca Lo

Telephone No: 01895 250230



Notes:



Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

**40 Barnhill Road
Hayes**

Planning Application Ref:

20362/APP/2019/673

Planning Committee:

Central & South

Scale:

1:1,250

Date:

April 2019

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



HILLINGDON
LONDON