

Report of the Head of Planning, Transportation and Regeneration

Address 40 BARNHILL ROAD HAYES

Development: Part two storey, part single storey side extension and first floor rear extension

LBH Ref Nos: 20362/APP/2019/3359

Drawing Nos: 02
03
01
Location Plan (1:1250)

Date Plans Received: 13/10/2019 **Date(s) of Amendment(s):**
Date Application Valid: 29/10/2019

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 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 a part two storey, part single storey side extension and first floor rear extension.

1.3 Relevant Planning History

20362/APP/2016/1282 40 Barnhill Road Hayes
3.5 metre Single Storey Rear Extension

Decision Date: 23-06-2016 NFA **Appeal:**

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:**
20362/APP/2019/673 40 Barnhill Road Hayes
2 storey side extension and 1st floor rear extension

Decision Date: 09-04-2019 Refused **Appeal:**

Comment on Planning History

20362/APP/2019/673 - 2 storey side extension and 1st floor rear extension was refused for the following reasons:

1. 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. 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. 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.

Officer note: The scheme is identical to that previously refused.

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

3 neighbouring properties were consulted by letter dated 31.10.19 and a site notice was displayed to the front of the site which expired on 2.12.19

1 letter of objection and a petition of objection with 30 signatories have been received raising the following concerns:

- 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
- Concerns about the dormer extension that has been built and neighbours were not notified.

officer note: No application has been submitted for the rear dormer, although it is assumed that the development has been built as permitted development.

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. |
| DMHB 11 | Design of New Development |
| DMHD 1 | Alterations and Extensions to Residential Dwellings |
| 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 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.

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also required that there is no unacceptable loss of outlook to neighbouring occupiers. For side extensions it states:

- i) side extensions should not exceed half the width of the original property;
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards; iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres,

but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;

v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;

vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and

vii) in Conservation Areas, single storey side extensions may be required to be set back.

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.

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.

Overall, it is considered that the size, scale, bulk, width and design of the proposed two storey side extension will have a 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, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) Policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

Policy DMHB 1 states with regard to rear extensions:

vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;

vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;

viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and

ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

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. The previous application was refused as it did not comply with the requirement set out in the adopted SPD HDAS: Residential Extensions that a 4+ bedroom dwelling must provide a minimum of 100sq.m of amenity space. However, this has changed within Policy DMHD 1 which states:

"A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

vi) adequate garden space is retained."

Within the policy or in the explanatory paragraphs there is no reference to any numerical standard, as there was in the SPD. Thus it is for members to decide whether the remaining 72 sq.m, is adequate. In your officers view, given the size and character of other rear gardens in the vicinity of the site, a number of which contain fairly large outbuildings, a refusal on this ground is unlikely to be supported at appeal.

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), Policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 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 Policy 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), Policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) 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. This is a resubmission of a previously refused scheme, where the Officers Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

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:

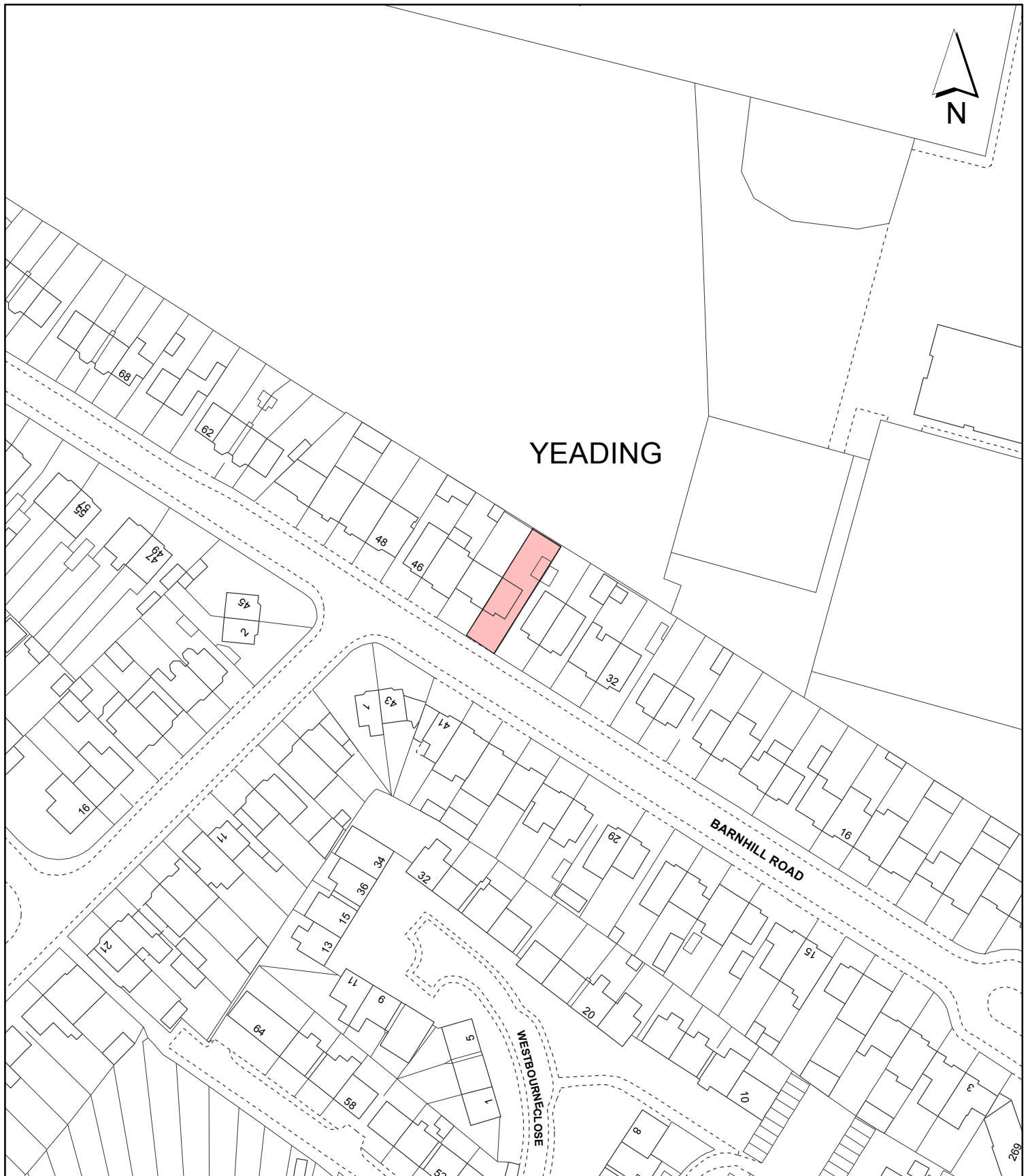
PT1.BE1 (2012) Built Environment

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
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LPP 3.5	(2016) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

**40 Barnhill Road
 Hayes**

Planning Application Ref:
20362/APP/2019/3359

Planning Committee:
Central & South

Scale:
1:1,250

Date:
January 2020

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

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