

Report of the Corporate Director of Planning & Community Services

Address 8TH HAYES SCOUT GROUP DERWENT DRIVE HAYES

Development: Erection of a single storey side extension and alterations to existing windows.

LBH Ref Nos: 8143/APP/2009/2250

Drawing Nos: 4493-III
Design and Access Statement
4493-II
4493-3

Date Plans Received: 16/10/2009 **Date(s) of Amendment(s):**

Date Application Valid: 16/10/2009

1. **SUMMARY**

The proposed extension would provide additional storage space for a building which is used for recreational purposes. The proposed extension would not result in a disproportionate change in the bulk and character of the original building and would not injure the visual amenities of the green Belt.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T8 **Time Limit - full planning application 3 years**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 OM1 **Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M2 **External surfaces to match existing building**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing

building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures).

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 TL7 **Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

7 HLC7 **Music**

No amplified or other music shall be played in the premises between 22.00 hours and 09.00 hours Mondays to Saturdays and at no time on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 DIS2 **Access to Buildings for People with Disabilities**

Development shall not commence until details of access to the new building entrance/exit (to include ramped approach complying with BS8300:2009, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The decision to GRANT 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 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national

guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.

3 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

6 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British

Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

7 143 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

8 146 Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

9 151 Notification of Commencement of Works

Written notification of the intended start of works shall be sent to Planning & Community Services, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a single storey building in use as a scout hut on open grassland to the rear of 7 to 11 (odd) Welwyn Way and 1 & 2 Blackpool Gardens. The building is accessed from Derwent Drive. The street scene and surrounding area is residential in character and appearance comprising two storey semi-detached houses, and the application site lies within the Green Belt as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of a side addition to the original building. The proposed extension would measure 7.5m by 7.8m, set flush with the existing front and rear walls, and finished with a gable end ridged roof matching the eaves and roof ridge of the original building.

The proposed extension would provide additional storage.

3.3 Relevant Planning History

Comment on Relevant Planning History

It is worth noting that conditions to restrict the hours during which amplified music could be played at the site and to require landscaping to be provided were imposed by the Committee on the earlier (and unimplemented) permission (Ref 8143/APP/2002/288).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.

Part 2 Policies:

OL1 Green Belt - acceptable open land uses and restrictions on new development
OL4 Green Belt - replacement or extension of buildings
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.
BE24 Requires new development to ensure adequate levels of privacy to neighbours.
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14 New development and car parking standards.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

15 adjoining owner/occupiers have been consulted. No comments have been received.

Internal Consultees

TREES AND LANDSCAPE

The site is an existing scout hut situated on designated Green Belt land to the rear of Blackpool Gardens and to the north of allotment gardens. The plot of land consists of open grassland with a car park / hardstanding to the east, accessed from Derwent Gardens. There are no trees - protected or otherwise - on the site.

The proposal follows the lapse of a previous application (ref. 2002/2288) to extend the scout hut.

The current application is for a simpler extension, which effectively lengthens the oblong-shaped timber building. The Design & Access Statement describes the existing landscape but makes no reference to landscape proposals.

Key Landscape Issues

The proposal will not have any impact on trees and no significant impact on the wider landscape. However, according to saved policy BE38 proposed developments should be accompanied by landscape enhancement, which is particularly relevant within the context of the Green Belt.

Recommendation

If you are minded to approve this application I have no objection subject to conditions TL5, TL6 and TL7

HIGHWAYS

Raise no objection.

ACCESS

This is a small extension, and it would be unreasonable to require that the building and all facilities (e.g. toilets etc) be made to comply with disabled access requirements.

At present the building is not able to be accessed by wheel chair users. While this is a minor extension, there is now an opportunity to provide access for disabled persons into the building.

A condition is recommended requiring ramped access and into the building through the new fire exit door proposed in the extension. Minor internal layout changes at the new entrance would also be required.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of extending the existing building is acceptable subject to the Council's policies and standards.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

The application site lies within the Green Belt.

Planning Policy Guidance Note 2: Green Belts (PPG2) states that the most important attribute of the Green Belt is its openness. Therefore, the construction of new buildings in the Green Belt is inappropriate unless it is for a limited range of uses, including agriculture, forestry, recreation, limited alteration/re-building of dwellings, and infilling major developed sites as identified in adopted plans.

PPG2 also makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations, and that it is for the applicant to show why permission

should be granted.

The existing building is used for recreational purposes; a use that is acceptable within the Green Belt and is therefore not inappropriate, in accordance with PPG2 and Policy OL1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Paragraph 3.6 of PPG2 states: 'Provided that it (the development) does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces.'

As a general rule, if the floorspace of the proposed extension and previous extensions would exceed 50% of the original floorspace of the building, it would constitute a disproportionate change in the bulk and character of that building and therefore be deemed inappropriate. The existing building has a floorspace of approximately 191sq.m. The proposed extension would provide an additional 59sqm or a 31% increase in floorspace. This increase in floorspace would be less than 50% and would not therefore represent a disproportionate change in the bulk and character of the original building.

As such, the proposal would not constitute 'inappropriate development' and would be consistent with Policy OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), as it would not result in any disproportionate change in the bulk and character of the existing building or significantly increase the built up appearance of the site.

Policy OL2 notes that where development proposals within the Green Belt are acceptable in principle, the Council will seek comprehensive landscaping improvements to achieve enhanced visual amenity and other open land objectives.

In this regard the Council Trees and Landscape Officer has advised that if minded to approve the application, conditions should be imposed requiring some amount of landscaping to be provided. It is worth noting that landscaping conditions were imposed by the Committee on the earlier (and unimplemented) permission (Ref 8143/APP/2002/288).

7.07 Impact on the character & appearance of the area

The scout hut building is located to the rear of the properties in Welwyn Way and Blackpool Gardens and would not be visible from the street. Therefore, the proposal would not have an adverse impact on the street scene in accordance with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

The proposed extension would be some 40m from the rear wall of the nearest residential properties in Welwyn Way and Blackpool Gardens. This distance is sufficient to ensure that the proposal would not harm the residential amenities of the occupiers of those properties through visually intrusion, overdominant and overshadowing. No windows are proposed in the extension and therefore no overlooking will result. As such, the proposal would comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

There is a large hardstanding area which provides some 15-20 spaces. This would be sufficient to cater for the increase in floorspace. As such, no additional parking spaces are required, in accordance with policy AM14 of the opted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

This addressed at section 07.07.

7.12 Disabled access

The application was referred to the Council's Access Officer who advised that as this is a small extension, it would be unreasonable to require that the building and all facilities (e.g. toilets etc) be made to comply with disabled access requirements.

The Access Officer has advised that while full compliance would not be reasonable, there is now an opportunity to provide access for disabled persons into the building.

A condition is recommended requiring ramped access and into the building through the new fire exit door proposed in the extension.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, landscaping and Ecology

The proposed extension would not result in the loss of any trees nor would additional screening be required. The proposal would comply with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

There are no third party comments.

7.20 Planning obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the

Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

10. CONCLUSION

For the reasons outlined above, and given that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for approval.

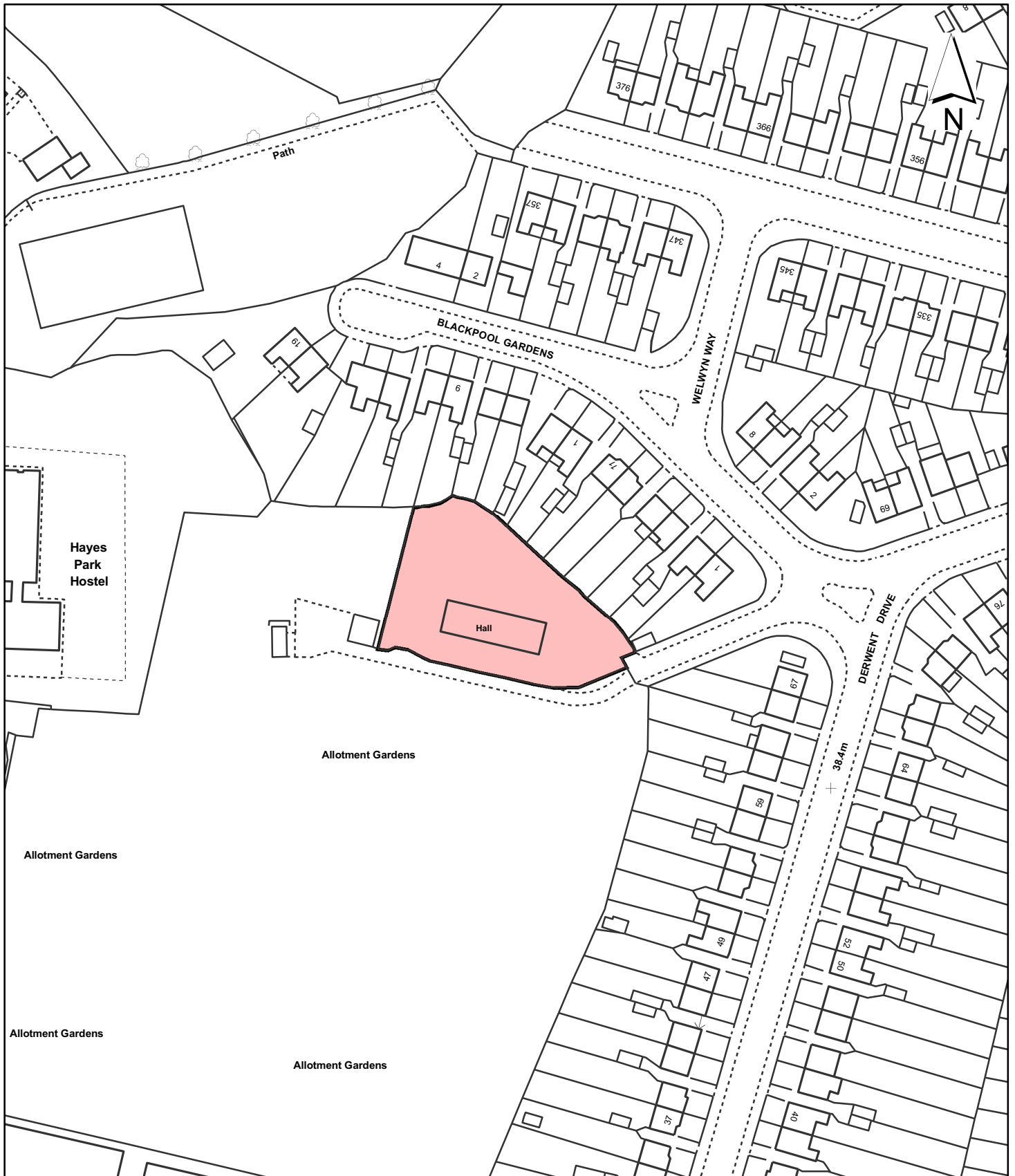
11. Reference Documents

Planning Policy Guidance Note 2: Green Belt


Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

Contact Officer: Sonia Bowen

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. All rights reserved. London Borough of Hillingdon 100019283 2009

Site Address	
8th Hayes Scout Group Derwent Drive Hayes	
Planning Application Ref:	Scale
8143/APP/2009/2250	1:1,250
Planning Committee	Date
Central and South	December 2009

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

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



HILLINGDON
LONDON