

Report of the Head of Planning, Sport and Green Spaces

Address 6 CHURCHILL AVENUE HILLINGDON

Development: Single storey detached outbuilding to rear for use as a granny annex involving demolition of existing shed

LBH Ref Nos: 71202/APP/2015/3325

Drawing Nos: Granny Annexe Commentary
Granny Annexe Information
0290-08-15/01A
0290-08-15/02A
0290-08-15/03A
Planning, Design and Access Statement
0290-08-15/04A
0290-08-15/05A

Date Plans Received: 02/09/2015 **Date(s) of Amendment(s):**
Date Application Valid: 08/09/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a two storey mid-terrace dwelling along Churchill Avenue, Hillingdon. The property is characterised by a pebble dash render to the front elevation with a two storey bay window. The house benefits from a front garden which is made up of soft landscaping and trees along its common boundary, and two off road parking spaces. The rear garden has an existing garage sited at the end with access from a rear service road.

The application dwelling falls within a residential area of Hillingdon and is characterised mainly by two storey terrace dwellings that are set back from the main highway and benefit from some form of front amenity area.

1.2 Proposed Scheme

Permission is sought for the construction of a single storey detached outbuilding within the rear garden which it states would be used as a granny annexe.

The proposed building would be positioned at the bottom of the rear garden in place of the existing garage and would be characterised by a flat roof with a maximum height of 3m and floor area of 27.5m². The annexe would benefit from a bedroom, lounge, bathroom and W.C.

1.3 Relevant Planning History Comment on Planning History

There is no previous planning history.

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**

The two adjoining neighbours at Nos. 4 and 8 Churchill Avenue were consulted via letter on 10.09.15. A site notice was attached to the front of the premises on 07.09.15 with an expiry date of 01.10.15. No comments received.

Ward Councillor: Requests that the application is reported to Planning Committee.

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:

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.

AM14 New development and car parking standards.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

LPP 3.5 (2015) Quality and design of housing developments

5. **MAIN PLANNING ISSUES**

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenity and light levels of the adjoining neighbours. In addition the form of building is considered, including the potential for independent occupation.

The HDAS Supplementary Planning Guidance Section 9.0 Detached Outbuildings, states outbuildings cannot be used as a separate business or as a self contained residential unit. The role of the detached outbuilding is to be used solely as an ancillary building to the main house and cannot be used for sleeping purposes or separate cooking or bathroom facilities for self contained accommodation.

The proposed outbuilding would benefit from a bedroom with its own lounge, kitchen and WC. Additionally the property benefits from a side pedestrian access and the possibility of

creating an additional entrance via the rear access road resulting in no requirement for communication or reliance on the main dwelling. Given the facilities provided and the availability of independent access, the proposal is considered to be tantamount to a separate dwelling within the rear garden which, in principle is considered unacceptable.

The applicant has cited special circumstances, which have been taken into consideration, in respect of requiring their independent space as the elderly relative requires carers twice a day to prepare their meals and wash clothes. However the level of independent facilities available within the annexe would deem it able to operate as an independent dwelling with its personal access via the side or rear of the dwelling. A request by the Council to reduce some elements of the facilities such as the kitchen area and lounge to ensure there is some form of reliance on the main dwelling was not taken up and no revised plans were forthcoming.

The proposed outbuilding would be within the rear garden and in line with the neighbouring outbuildings and by virtue of its size, scale, and position is considered to have a negligible impact on the character and appearance of the main dwelling and surrounding environment.

The proposed building would be sited at the bottom of the rear garden which equates to a separation distance of 15 metres beyond the rear wall of the main dwelling and adjoining neighbours. The building would benefit from a set of patio doors and a bedroom window facing the main dwelling, with a single obscure glazed window to the rear elevation facing the rear access road. By virtue of its size, separation distance and siting, the building is considered not to have an adverse impact on the light levels and residential amenities of the adjoining neighbours. 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).

The proposed outbuilding would retain approximately 90sq m of garden space to the rear, however the potential for the outbuilding to be used as a separate residential unit would result in a reduction of private usable amenity area which would not be sufficient to serve the needs of the occupiers of the existing and potentially new separate residential unit and would therefore be considered to be contrary to Policy BE23 of the Hillingdon Local Plan Part Two: Saved UDP Policies.

The proposed outbuilding if used as ancillary space in connection with the main dwelling would not lead to an increase in demand for off-street parking, however the potential for it to be occupied as a separate independent residential unit would result in an increase in traffic flow and an increase in demand for on street parking and would therefore be considered to be contrary to Policy AM14 of the Hillingdon Local Plan.

The application is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 **NON2** Non Standard reason for refusal

The proposed outbuilding by virtue of its layout, the provision of facilities and the existence

of an independent access, would be tantamount to the creation of a self contained separate dwelling, where such a dwelling would not be acceptable due to its impact on the the host and adjoining dwellings and the wider locality, the need for additional parking and amenity space and issues relating to impact on the existing and adjoining dwellings. Therefore the proposal would be contrary to Policies AM14, BE13, BE15, BE19, BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's 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 (2015). 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.

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:

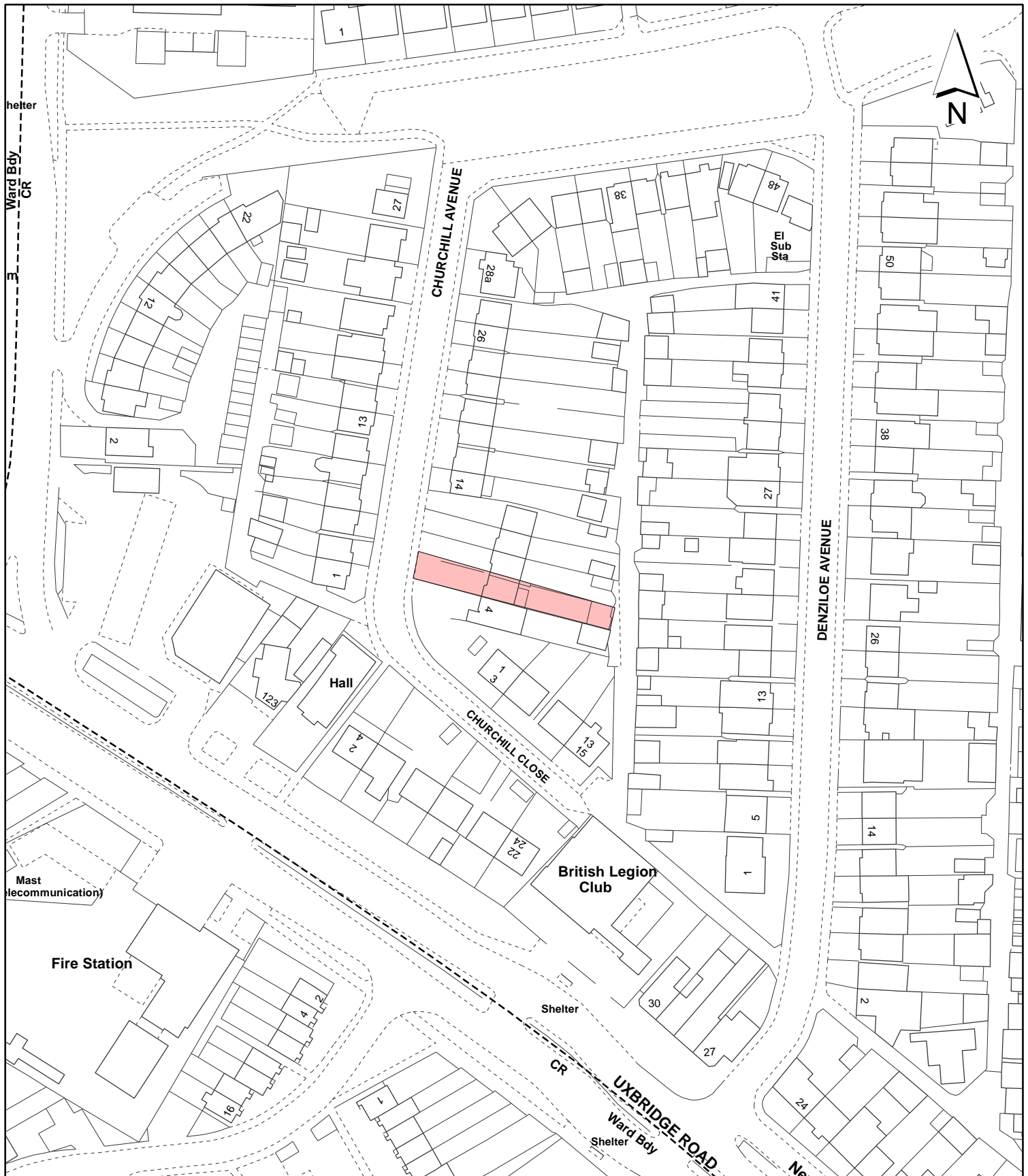
BE13	New development must harmonise with the existing street scene.
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to neighbours.

AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

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Notes:

 Site boundary

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Site Address:

**6 Churchill Avenue
 Hillingdon**

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

71202/APP/2015/3325

Scale:

1:1,250

Planning Committee:

C&S

Date:

December 2015



HILLINGDON
 LONDON