

## Report of the Head of Planning, Sport and Green Spaces

**Address** 58 HALFORD ROAD ICKENHAM

**Development:** Boundary wall and gate to front (Part Retrospective)

**LBH Ref Nos:** 12657/APP/2013/3713

**Drawing Nos:** HLFRD-E301 Rev B  
HLFRD-E302 Rev B  
HLFRD-P301 Rev B  
HLFRD-L301 Rev B  
HLFRD-L201  
HLFRD-L001  
HLFRD-P201  
HLFRD-E201  
HLFRD-E202  
HLFRD-E203  
HLFRD-E303  
DESIGN AND ACCESS STATEMENT

**Date Plans Received:** 13/12/2013      **Date(s) of Amendment(s):** 13/12/2013  
**Date Application Valid:** 02/01/2014

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property is a rendered and half timbered detached bungalow situated on the north side of Halford Road off Swakeleys Drive, Ickenham.

The front garden of No. 58 is entirely given over to hard standing and including the driveway to the side provides off-street parking space for four/five vehicles. The side boundary to No. 58b Halford Road is fenced but the front roadside (south) boundary is enclosed by a dwarf red brick wall (approximately 1.0 metre in height) topped by black wrought iron curved railings (to 2m) and inset between piers and by a vehicle railing gate (both 1.85m) that have been erected without planning permission.

This area is residential in nature with a mixture of detached dwellings - mostly bungalows (some with roof additions) and properties of the same period, all forming part of a regular planned layout. Most of these properties have short dwarf garden walls, hedges or perimeter fences most without any gates, which give Halford Road a very open and suburban appearance.

The site is situated adjacent to the Ickenham Village Conservation Area and falls within the Developed Area of the Borough as identified in the Hillingdon Local Plan.

#### 1.2 Proposed Scheme

The amended proposal, which is part retrospective, would involve a substantial re-build of

the existing wall by reducing the height of the front piers and removal of the existing railings and gate. The dwarf wall sections between the piers to the front would also be reduced by one third in height and in their width and thus the only part that could be retained as built would be the rear half of the side wall between the two piers closest to the house.

Following requested amendments, the proposal therefore now seeks to erect two dwarf brick wall sections to a height of 0.75 metre on the road side (south) elevation, inset between three 1m high by 0.45m wide piers, with a 1m high vehicle gate and a fourth pier to the eastern side boundary. On the western boundary, from the front pier backwards the wall would be stepped up in height in three sections from 0.75m to 1.2m and 1.6m and then continued back at this height between two side piers (of 2.1m). Its total frontage length in Halford Road would be about 11.85 metres (of which 7.8m wall/piers plus 4.05m gates/end pier) with 8.4m to the side boundary with No. 60 Halford Road.

The dwarf and other walls and piers would be finished in red brick with a capping stone; the vehicle railing gate in wrought iron, painted black, similar to the existing ones.

### 1.3 Relevant Planning History

12657/A/85/1359                      58 Halford Road Ickenham

Householder development - residential extension

**Decision Date:** 16-09-1985              Approved                      **Appeal:**

12657/APP/2012/1098              58 Halford Road Ickenham

Retrospective application to retain the existing front boundary wall and entrance gate

**Decision Date:** 22-06-2012              NFA                              **Appeal:**

12657/B/88/2637                      58 Halford Road Ickenham

Continued use of existing domestic workshop for office business purposes

**Decision Date:** 08-03-1989              Refused                      **Appeal:**

9382/APP/2012/2595              3a Court Road Ickenham

Installation of gate to front

**Decision Date:** 17-12-2012              Refused                      **Appeal:**

#### Comment on Planning History

The application has been submitted and is thus referred to committee following the service of an Enforcement Notice (ENF/200/11 dated 3rd April 2012) which came into effect on 8th May 2012 and required the removal of the unauthorised construction of a front boundary wall with iron railing inserts and gate.

### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 5th February 2014

2.2 Site Notice Expiry Date:- Not applicable

### 3. Comments on Public Consultations

7no. neighbours have been consulted (3.1.2014) and in addition a site notice was

displayed (from 17.1.2014). No comments received.

Ickenham Conservation Area Panel (3.1.2014) - No comments received.

Ickenham Resident's Association (3.1.2014)- No objection:

This is a 'part retrospective' application. The wall and railings appear to be nearly 2m in height, whereas HDAS guidelines, section 10.0, allow 1m height in areas adjoining or fronting public roads without prior application. However, many houses have been given permission to build higher fences/walls, or have done it without permission, thus creating precedents.

Urban Design & Conservation Officer:

Recommends that revisions are required in accordance with the guidance given in HDAS to sustain the appearance of the street scene, respect the character of the area and views in to and out of the conservation area. The dwarf garden wall (with piers) and gate to the front boundary is acceptable in principle as it matches the scale, height and design of others within the streetscene. However, the design could be more articulate and the plans revised to set back the central panels between the dwarf piers. In addition, the left-hand pier should match the others, with a better relationship with the party boundary return.

(Officer Comment - amended plans addressing the comments of the Conservation Officer were received on the 31.3.2014)

Highways (Transportation/Traffic) Officer:

No objection to the re-design of the front elevation boundary wall and gate on highway and transportation grounds. The applicant should however, ensure that the gate to be installed across the vehicular entrance gates shall in no circumstances open outwards across the footpath or carriageway in order to safeguard the safety of those who use the highway.

#### **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.

BE19 New development must improve or complement the character of the area.

BE4 New development within or on the fringes of conservation areas

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

AM14 New development and car parking standards.

CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

## 5. MAIN PLANNING ISSUES

The main issue for consideration are the impact of the proposal on the appearance and character of the surrounding area; and highways, traffic and pedestrian safety aspects.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all development to achieve a high quality of design in extensions, making a positive contribution to the area in terms of layout, form, scale and materials and protecting the amenity of surrounding land and buildings particularly residential properties.

Part Two - Saved UDP Policies of the Hillingdon Local Plan also contains development policies that seek variously to protect the existing appearance, character and amenity of an area. All development should thus harmonise with the street scene (Policy BE13) and complement or improve the amenity and character of the residential area in which it is situated (Policy BE19).

Similarly, Policy BE4 refers to the aim of preserving or enhancing the character and appearance of a conservation area. The application site is visible from, although about 20 metres beyond the western edge of Ickenham Village Conservation Area which runs along the rear boundaries of the properties in nearby The Grove.

The Council's adopted SPD, the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) also contains, in Section 10.0, guidance on Walls, Enclosures, Layouts and Materials. This states that all front walls and enclosures should make a positive contribution to the street scene, and be of such a design and height and utilise materials, that are in keeping with the character of the area.

Front gates and railings, including those mounted on existing boundary walls, that exceed one metre in height will generally therefore be refused permission because of their overbearing impact on the street scene.

The proposal would adhere to the maximum height of 1 metre normally accepted under HDAS for the enclosure of front boundaries to streets. The height and form of the wall, with both the brickwork and capping now shown to be set inside the corners (ie. of a shallower overall depth) of the piers and also kept below their height, would represent an improvement and provide some articulation and finish especially on the corner junction, where the existing wall, which effectively overlaps the corner pier, presents an awkward and obtrusive detail. This feature would also be carried back between the front and middle brick piers on the side (west) elevation, providing a visually pleasing return on this stepped up section.

As such, it is considered that the proposal would complement the amenity of the surrounding residential area and preserve or enhance the character and appearance of the nearby conservation area. It thus complies with the objectives of the relevant Hillingdon Local Plan - Saved Unitary Development Plan Policies BE4, BE13 and BE19 plus HDAS.

There has been no highways objection to the proposal. The type of mechanically operated gate proposed is set behind the piers and can not open outwards whilst the current off-street parking and turning space within the curtilage would not be altered. Similarly, the visibility for drivers exiting would not reduced and thus the safety and convenience of pedestrians is safeguarded. The existing vehicular access to the highway is not proposed to be altered.

In this regard therefore, the proposal is in accordance with Hillingdon Local Plan: Part Two - Saved UDP Policy AM14.

Given that there is an existing unauthorised boundary treatment at the site, it is recommended that a condition requiring the development to be commenced within 2 months of the permission and completed within 4 months is added to any approval.

The proposed development would regularise the unauthorised development and provide a boundary treatment which would have an acceptable impact on the visual amenities of the surrounding area, therefore, the application is recommended for approval.

## 6. **RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 HO1 Time Limit**

The development hereby permitted shall be begun before the expiration of 2 months from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990 and to ensure that in the interests of securing development in accordance with policy BE13 of the Hillingdon Local Plan (November 2012) and to ensure the existing unauthorised development is removed from the site in a timely manner.

#### **2 HO2 Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers HLFDRD-E301 Rev B, HLFDRD-E302 Rev B, HLFDRD-E303, HLFDRD-L301 Rev B and HLFDRD-P301 Rev B and the works shall be completed within 4 months from the date of this permission.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011) and to ensure the existing unauthorised development is removed from the site in a timely manner.

#### **3 NONSC Non Standard Condition**

The gates hereby permitted shall not open outwards over the public highway.

#### **REASON**

To ensure the protection of pedestrian and highway safety in accordance with Policy AM7 of the Hillingdon Local Plan (November 2012).

## **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. 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 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 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) 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.
BE19	New development must improve or complement the character of the area.
BE4	New development within or on the fringes of conservation areas
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

- 3 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 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 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, Environment and Community Services, Building

Control,

3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.
- 8 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.
- 9 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.

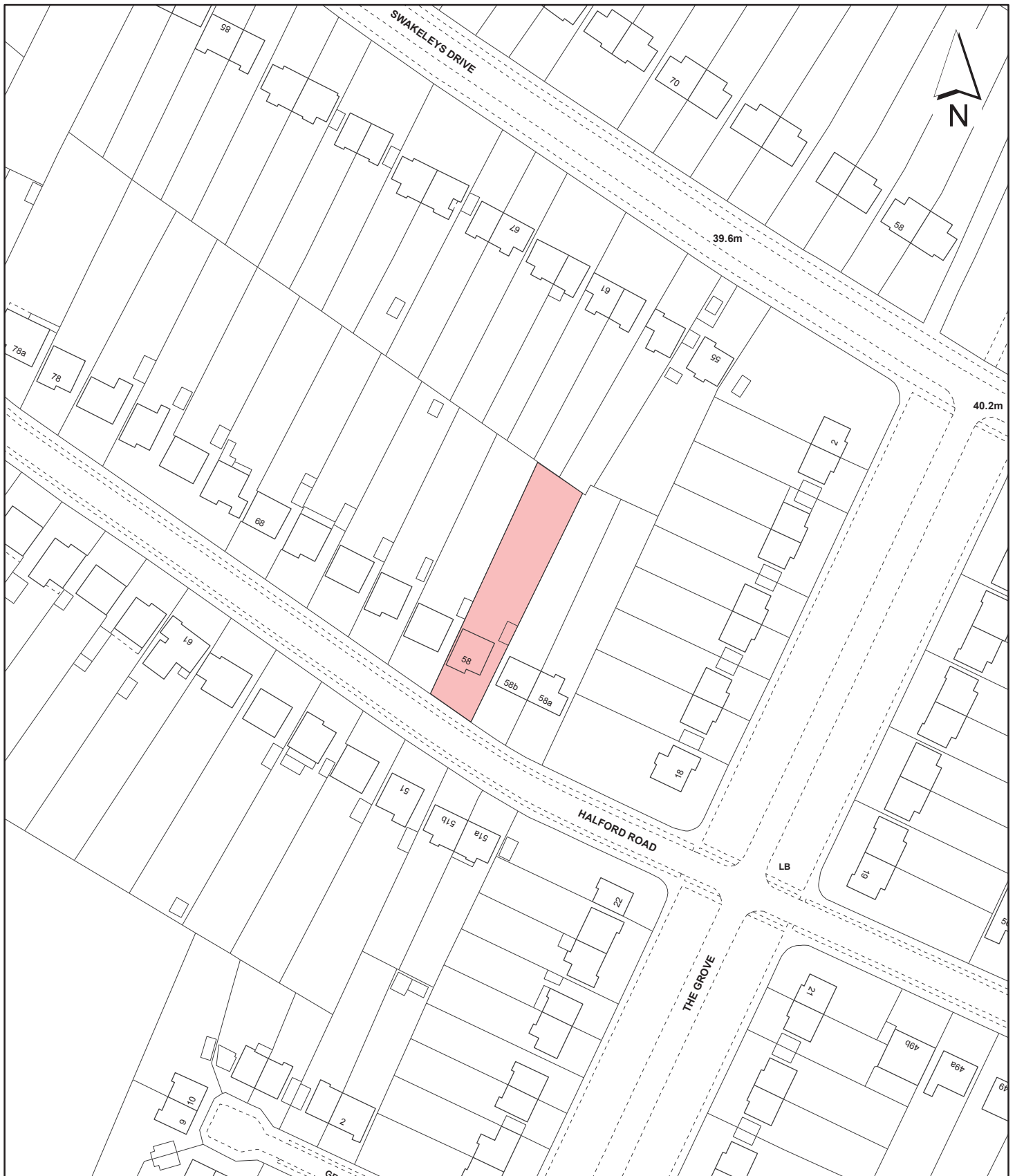
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the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

- 10 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.
- 11 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 (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Contact Officer:** Daniel Murkin

**Telephone No:** 01895 250230





**Notes**

 Site boundary

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Site Address

**58 Halford Road  
 Ickenham**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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

Planning Application Ref:  
**12657/APP/2013/3713**

Scale  
**1:1,250**

Planning Committee  
**North Application**

Date  
**April 2014**



**HILLINGDON**  
 LONDON