

Report of the Head of Planning, Sport and Green Spaces

Address 6 PINNER ROAD NORTHWOOD

Development: Single storey detached outbuilding to rear for use as a cinema room (Part Retrospective)

LBH Ref Nos: 6511/APP/2014/2437

Drawing Nos: 1273-os-01
1273-pl-02

Date Plans Received: 10/07/2014 **Date(s) of Amendment(s):**

Date Application Valid: 10/07/2014

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a two-storey semi-detached property situated on the northern side of Pinner Road. It has previously been extended with a single storey side and rear extension and rear outbuilding. The adjoining half of the semi-detached pair remains unextended to the rear.

The streetscene is residential in character and appearance comprising two storey semi-detached houses. To the east of the site (next door but one) is the Church of the King parish church.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

1.2 Proposed Scheme

The application seeks a part retrospective planning consent for the erection of a single storey detached outbuilding in the rear garden for use as a cinema.

The outbuilding measures 4.9 metres in depth by 5.92metres in width and has a flat roof with a maximum height of 2.5 metres. This is an amendment to a previously refused scheme attempting to overcome the reason for refusal by removing the apex roof and replacing it with a flat roof, thereby reducing the overall height from 4 metres.

1.3 Relevant Planning History

6511/APP/2012/420 6 Pinner Road Northwood

Single storey side/rear extension and installation of front porch, involving demolition of conservatory and attached garage.

Decision Date: 27-04-2012 Approved **Appeal:**

6511/APP/2013/3186 6 Pinner Road Northwood

Single storey side/rear extension and single storey detached outbuilding to rear for use as a cinema (Retrospective)

Decision Date: 30-12-2013 Refused **Appeal:**20-MAY-14 Part Allowed

Comment on Planning History

Planning permission was granted for a single storey side and rear extension in April 2012. The planning permission was not built in accordance with the approved plans. The enforcement team was notified and the applicant applied for retrospective consent along for the extensions and an outbuilding.

That application was refused permission but allowed on appeal insofar as it related to the single storey extensions. The appeal against refusal for the outbuilding was dismissed.

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 following neighbours were consulted for a period of 21 days expiring on the 4 August 2014 as follows: -

- 2 Pinner Road
- 4 Pinner Road
- 25 Pinner Road
- 8 Pinner Road
- 27 Pinner Road

The expiry for responses for the site notice expires 13/8/14.

No responses have been received.

Northwood Hills Residents Association: No response has been received.

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.
- 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.

5. **MAIN PLANNING ISSUES**

The previous application thoroughly assessed the merits of the outbuilding against the policy considerations and HDAS requirements, including remaining usable garden space, position in the garden, the location of the door and window and materials used, and ultimately refused consent for the following reason: 'The detached outbuilding, by reason of its height and design has resulted in an over dominant and visually obtrusive form of development, which is detrimental to the character and appearance of the original house and the visual amenities of adjoining residential properties. Therefore the proposal would be contrary to policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

In the Planning Inspectors decision he also considered the impact of the outbuilding. He acknowledged that the materials used and the overall footprint are in line with local guidance and would not result in harm to the original building. However that did not outweigh the concerns in relation to the bulky design and its harm to the surrounding area.

This proposal seeks to address the reason for refusal by changing the design of the roof to a flat roof thereby reducing the height and bulk of the building, which will now measure 2.5 metres at the highest point. This significantly reduces the bulk of the building and its impact on the character and appearance of the surrounding area. As such it is considered that the proposal is no longer in conflict with policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

It should be noted that under Class E of the Town and Country Planning (General Permitted Development) Order 1995, the erection of any building for a purpose incidental to the enjoyment of a dwellinghouse is permitted development subject the total ground coverage not exceeding more than 50% of the total area of the cartilage and the height not exceeding 2.5 metres. It would therefore be possible for the applicant to remove the existing structure and erect an outbuilding exactly as identified in this planning application without requiring planning permission.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 NONSC Time Limit - Compliance

The existing pitched roof shall be demolished and replaced with a flat roof, all equipment and materials brought onto the land for the purposes of such use and all materials resulting from the demolition shall be removed within 4 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

(i) A timetable with no longer than an aggregate 3 month period from the date of the local planning authority's approval of the timetable to the last day for the substantial completion of the development permitted by this decision notice shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this

notice of planning permission;

(ii) If within 4 months of the date of this planning permission the local planning authority refuse to approve or do not determine the timetable within the prescribed period a valid appeal shall have been made to the Secretary of State;

(iii) If an appeal is made in pursuance of (ii) above, the appeal shall have been finally determined and the submitted timetable shall have been approved by the Secretary of State;

(iv) The development, including the demolition of the existing pitched roof above all portions of the rear ground floor extension, shall have been carried out and completed in accordance with the approved timetable.

REASON

The planning permission is intended to remedy a current breach of planning control. In the interests of the proper planning of the area the authority is of the view that the remediation of the breach of planning control and the implementation of this planning permission should take place as expeditiously as reasonably possible.

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 plan, number 1273-pl-02.

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).

3 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 NONSC Non Standard Condition

The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings, which is storage incidental to the use of the main dwelling. It shall not be used for purposes such as a living room, bedroom, kitchen, bathroom, study or as a separate unit of accommodation.

REASON

To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

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

- 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.

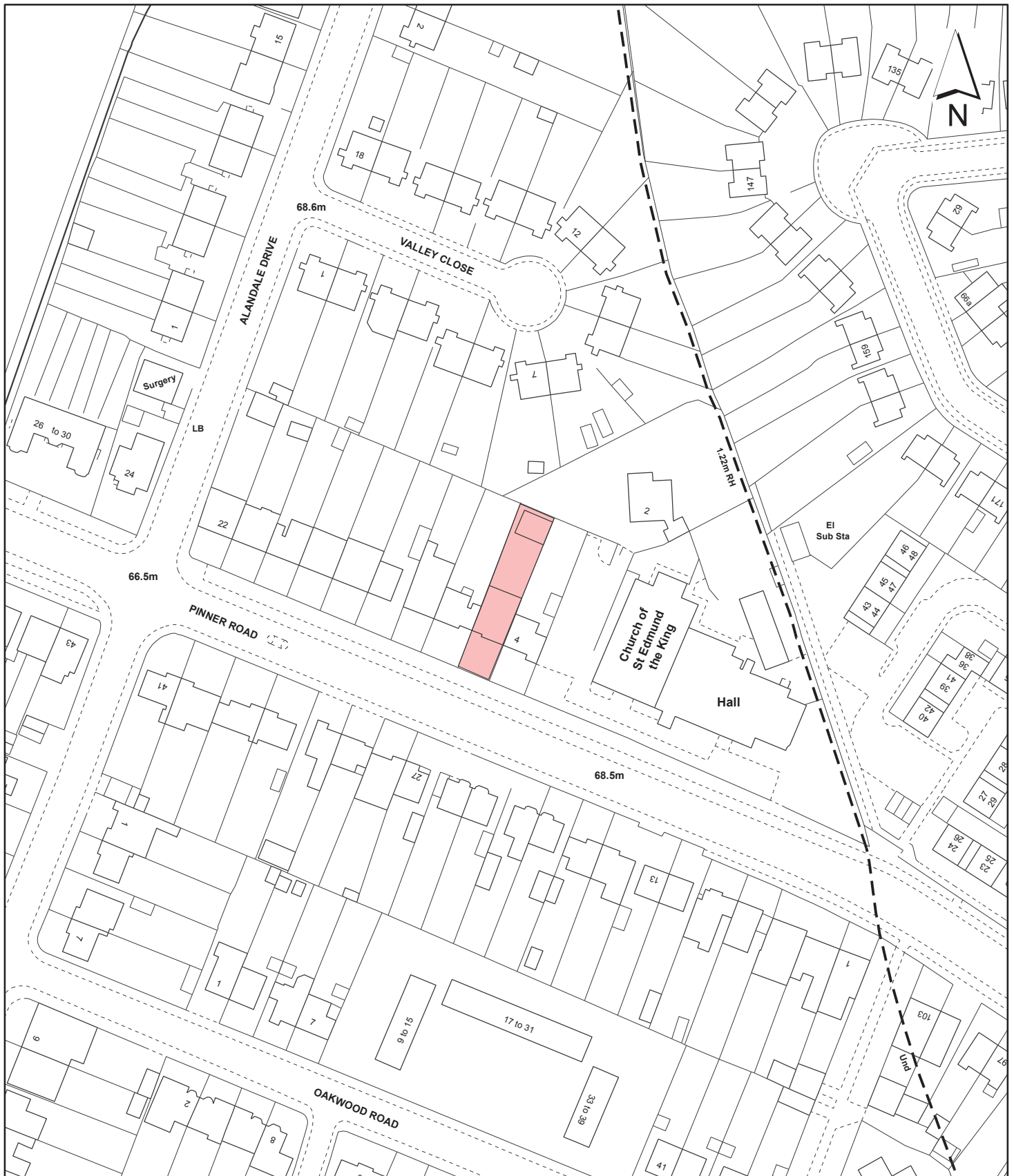
D) No bonfires that create dark smoke or nuisance to local residents.

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 (CO2) 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: Liz Arnold

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**6 Pinner Road
 Northwood**

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**

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

Planning Application Ref:

6511/APP/2014/2437

Scale

1:1,250

Planning Committee

North

Date

September 2014



HILLINGDON
 LONDON