

Report of the Director of Planning & Community Services Group

Address 33 PARKFIELD ROAD ICKENHAM

Development: Single storey brick outbuilding to rear for use as shed.

LBH Ref Nos: 40891/APP/2009/1338

Drawing Nos: 1:1250 site location plan
Arboricultural Survey and Report
09/2494/12 Rev. B
09/2494/11 Rev. A

Date Plans Received: 19/06/2009 **Date(s) of Amendment(s):** 26/06/2009

Date Application Valid: 24/07/2009 07/08/2009
30/11/2009

DEFERRED ON 19th November 2009 FOR FURTHER INFORMATION ON

This application was deferred from the committee of the 19th November 2009 to seek amended plans reducing the size of the proposed outbuilding.

The original proposal showed the building to be 4m wide and 6.5m deep, finished with a hipped roof at a maximum height of 4m.

Amended plans have now been received in line with the above request which show the building to be 3.7m wide and 6m deep, with a half hip roof, resulting in a building 3.6m high.

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a building plot, with a recently approved, partially constructed, detached dwelling on the south west side of Parkfield Road. To the south east of the site are two detached new dwellings of a similar size and design as the property currently under construction. To the northwest, is no.35, which is a bungalow. The road is characterised by detached properties, mainly bungalows, although there are two storey developments visible within the street scene. The site is within a developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a detached, brick built, outbuilding to the rear of the property, adjacent to the shared boundary with No.35. The building would be 3.7m wide and 6m deep, with a half hip roof, 3.6m high.

1.3 Relevant Planning History

40891/APP/2009/1051 33 Parkfield Road Ickenham

Demolition of bungalow (Application for Prior Notification for proposed demolition)

Decision Date: 08-06-2009 Withdrawn **Appeal:**

40891/APP/2009/280 33 Parkfield Road Ickenham

Erection of two-storey 3 bed detached dwelling with associated parking, installation of new vehicular crossover (involving demolition of existing dwelling)

Decision Date: 05-06-2009 Approved **Appeal:**

Comment on Planning History

None

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

External:

10 neighbours, the Parkfield Road/Oak Avenue Petition Group, and Ickenham Residents Association consulted and 5 letters and a petition with 28 signatures received making the following comments:

1. We object to the outbuilding, its situation midway down the garden, adjacent to the fence and would set a precedent, as all other sheds are either next to the house or at the bottom of the garden;
2. The height, width, and depth would dominate the adjacent rear gardens;
3. The application is misleading as in one document it is called a shed and in another a garage;
4. The site plan is inaccurate regarding No.35 (neighbouring property);
5. The shed will be an eyesore to no.35;
6. This proposal was removed from the original application at the officer's advice;
7. The size and construction materials mean this will be a permanent building, which will be inappropriate and out of keeping in the area;
8. The size of the building is far bigger than that normally associated with a normal residential house;
9. Due to its design, with garage type door, WC, water and sewerage connection, it would suggest more of a workshop, than a shed;
10. Not just the intentions of use of the current owner, but also any future owner should be considered;
11. The building would be over twice the height of the adjacent fence;
12. Due to the height the building would obstruct sunlight entering a large part of the rear garden;
13. The building would exceed the permitted development allowances and therefore should be moved further from the boundary or reduced to comply with permitted development guidance;
14. The inclusion of a toilet, washroom, electricity, is unpalatable especially if we are sitting in the garden, when the toilet is being used;
15. The proposal would infringe UDP Policies BE19, BE20, and BE21;

16. If permission were to be issued, I strongly request conditions are imposed regarding, no business use, car parking or conversion to habitable use;
17. The arboriculturalist states any buildings should be at least 14m from any trees over 300yrs, it is not clear from the plans whether this is the case, but 20m would be more appropriate given the foundations that would be required;
18. The outbuilding is acceptable providing no sewage services are laid or it can be open to habitable accommodation in the future.

Officer comment - with regard to point 6, the proposal was removed from the original scheme as further information was required in relation to the impact on nearby trees, and this matter has now been addressed. The other comments are addressed in the body of the report.

Internal:

Trees and Landscape Officer

Although there are a few trees on and close to site, there is only one protected Scots Pine (T5 on TPO 514) located in the rear garden of no.35, in proximity of the proposed works. The site frontage is dominated by an ornamental tree, landscaping and some hardstanding. An Arboricultural Report has been submitted with this application.

I agree with the conclusions of the Arboricultural Report, however, if a path is constructed to the shed, then a no-dig method must be applied to avoid damage to the RPA of nearby trees, especially T5 on TPO 514.

In order to safeguard the valuable trees and shrubs of the proposed site during the construction period, it is advisable to place a temporary protective fence in the rear garden, protecting the trees from construction related activity eg. storage of materials and to contain the working space close to the proposed shed. This matter can be dealt with by way of condition TL3.

Subject to tree protection measures, it is considered that the proposed development would not be detrimental to the health and public amenity value of the valuable trees, hedges and landscaping features on and close to the site.

Overall, the scheme makes provision for the long-term retention of the valuable trees, hedges on and close to the site. Subject to conditions TL2 (...'in accordance with drawing no. 09/2494/9A Rev A'...), TL3 (modified to include 'trees in the rear garden only'), TL5 (modified to include details on no-dig/porous surfacing only) and TL6, the scheme is acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the Saved policies UDP.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS	Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
BE19	New development must improve or complement the character of the area.

5. MAIN PLANNING ISSUES

The main considerations are design and impact upon the dwelling, the wider locality, and the impact upon the amenities of adjoining occupiers, and car parking considerations.

Policy BE13 of the UDP (Saved Policies September 2007) states development will not be permitted if the layout and appearance fail to harmonise with the existing street scene and policy BE19 states development within residential areas should compliment or improve the amenity and character of the area. The Hillingdon Design and Accessibility Statement Supplementary Planning Document (SPD): Residential Extensions: Section 9.0 states detached outbuildings should minimize any overshadowing and loss of daylight and they must also leave a practical amount of garden space and respect the design and appearance of the existing house.

With regard to the impact on the amenities of neighbouring properties, the SPD: Residential Extensions, Section 9.2 states in order to prevent over shadowing of adjoining houses and patios, any detached outbuildings should be positioned as far away from the house as possible and that they should be set in by at least 0.5m from the shared boundary. The site layout/block plan submitted with the application shows the proposed garage 0.9m away from the shared boundary and therefore would comply with this advice. Section 9.3 states that if a pitched roof is to be used it should not exceed 4m in height and at 3.6m the proposal would comply with this advice. As such, it is not considered that the proposal would have a material impact on the neighbouring property, particularly given that the roof would be hipped away from the shared boundary. Therefore the proposal would comply with policies BE20 and BE21 of the UDP (Shared Policies September 2007).

The SPD: Residential Extensions, Section 9.3 states that windows should only be placed on the elevation facing the owners' main house and the proposal would comply with this advice as no openings would face the adjacent shared boundary. It is therefore considered that the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007).

With regard to design and appearance, the roof of the proposed garage would mirror the design of the host dwelling and the materials to be used are of a similar nature to that of the original house. It is considered that the size, scale, design and appearance of the proposed outbuilding would be in-keeping with the original dwelling and the wider area. Therefore the proposal would comply with policies BE13, BE15 and BE19 of the UDP (Saved Policies

September 2007) and Supplementary Planning Document HDAS: Residential Extensions

With regard to the impact on existing trees and landscaping the Council's Tree and Landscape Officer states that although there are a few trees on and close to site, there is only one protected Scots Pine (T5 on TPO 514) located in the rear garden of no.35, in proximity of the proposed works. The site frontage is dominated by an ornamental tree, landscaping and some hardstanding. The tree officer agrees with the conclusions of the submitted Arboricultural Report but recommends a number of conditions relating to the protection of existing trees during construction. Overall, therefore the scheme makes provision for the long-term retention of the valuable trees and hedges on and close to the site and is considered to comply with policy BE38 of the UDP (Saved Policies September 2007).

A garden of more than 100 sq m would be retained and therefore would comply with Policy BE23 of the UDP (Saved Policies September 2007).

With regard to car parking, the proposal would not alter the existing situation and therefore adequate provision would remain and the development would comply with policy AM14 of the UDP (Saved Policies September 2007).

6. 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 Policies BE13 and BE15 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 on the existing property, No. 33 Parkfield Road.

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 RPD1 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 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 RPD13 Restrictions on outbuildings

The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings and shall not be used for purposes such as a living room, bedroom, kitchen, study, as a separate unit of accommodation or for any business purposes.

REASON

To avoid any future fragmentation of the curtilage or the creation of a separate residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

6 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained in accordance with approved drawing no. 09/2494/9A Rev A shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

7 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees in the rear garden, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be

commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 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: -

- Proposed finishing levels or contours,
- Means of enclosure,
- 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),
- details on no-dig/porous surfacing.

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).

9 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).

10 TL3 Protection of trees during site clearance and development

The path to be constructed to the shed shall use a no-dig method to avoid damage to the Root Protection Area of nearby trees, especially T5 on Tree Preservation Order No 514.

REASON

To ensure that trees to be retained are not damaged during construction work and to ensure that the development conform with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 NONSC Non Standard Condition

The outbuilding hereby approved shall not be used for the parking of any vehicles nor shall a vehicular access be created to it.

REASON

To protect the amenity of adjoining residential properties in accordance with Policies OE1, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

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) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Policy No.

BE13	New development must harmonise with the existing street scene.
BE15	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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
HDAS	Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
BE19	New development must improve or complement the character of the area.

- 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 & 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 & Community Services Reception Desk, Level 3, 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.

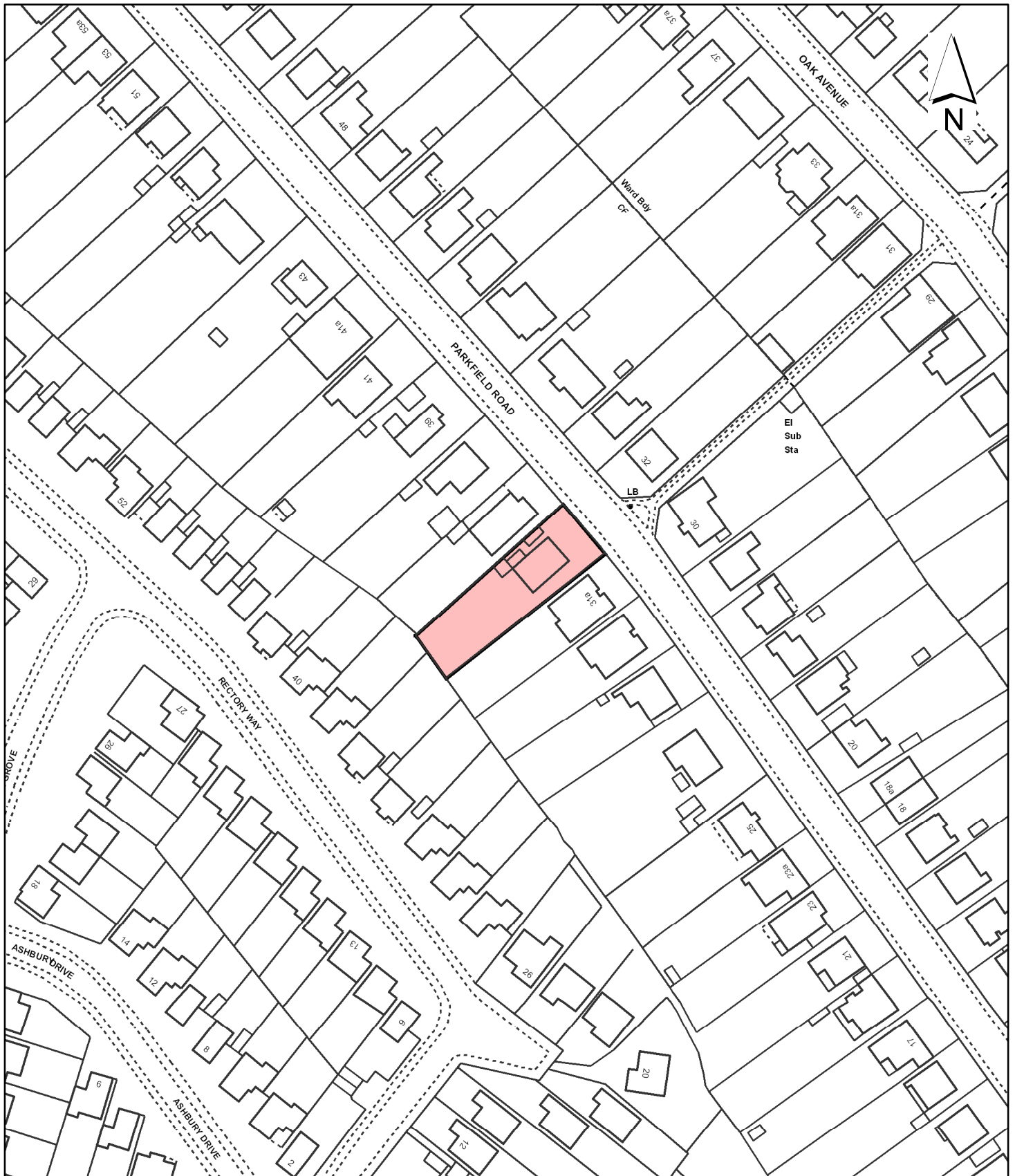
You are advised to consult the Council's Environmental Protection Unit, 3S/02,

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: Catherine Hems

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**33 Parkfield Road
Ickenham**

Planning Application Ref:

40891/APP/2009/1338

Planning Committee

North

Scale

1:1,250

Date

November 2009

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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



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