

Report of the Head of Planning, Sport and Green Spaces

Address 17 THE AVENUE ICKENHAM

Development: Single storey outbuilding to rear for use as a workshop involving demolition of existing timber shed (Retrospective)

LBH Ref Nos: 71616/APP/2016/553

Drawing Nos: 17TH-001 Rev A
17TH-002 Rev A
17TH-003 Rev A
17TH-004 Rev A
17TH-101
17TH-102

Date Plans Received: 11/02/2016

Date(s) of Amendment(s):

Date Application Valid: 24/02/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application site is a detached property located within the Ickenham Village Conservation Area. The rear garden is long and currently has other outbuildings used as ancillary space to the main house. The streetscene is residential with detached properties and long rear gardens. To the rear of the site are the rear gardens of Ivyhouse Road.

1.2 Proposed Scheme

The applicant seeks retrospective planning permission for a single storey outbuilding to rear for use as a workshop involving demolition of existing timber shed. The outbuilding measures 7.529m wide, 3.859m deep with a pitched roof 3.939m high reduced to 2.433m at the eaves. The footprint of the outbuilding is 29 square metres, slightly bigger than the previous outbuilding (25 square metres).

1.3 Relevant Planning History

Comment on Planning History

There is no relevant planning history.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- 28th March 2016

3. Comments on Public Consultations

8 neighbouring properties have been consulted on 25th February 2016 and a site notice was displayed on 8th March 2016.

1 joint letter of representations has been received from the occupiers of No.40, 42 and 44 Ivy House Road. The objections and officer responses to these are summarised below:

1. The outbuilding is an eyesore and visible from neighbouring properties.
2. Various well established trees, consisting of several Mountain Ash, Hawthorne, Elderflower and a huge Honeysuckle, have been removed from the boundary between our gardens and the garden of 17 The Avenue.
3. The roof of the new building exceeds the height of the old building at its highest point by 1.5m. The old building was not visible from our properties firstly because of its height and secondly because it was hidden from view by the trees which have now been removed.
4. The use of the outbuilding is described as a workshop to store and renovate old motorcycles. Is this a hobby or a business?

Officer comments:

1. Issue 1 is addressed in the main body of the report.
2. There are no TPOs on site and the outbuilding has replaced a similar sized outbuilding in this location.
3. Issue no. 3 is addressed in the main body of the report.
4. The outbuilding is used to store motorcycles as a hobby.

PETITIONS

One petition has been received against the scheme with 36 signatures.

A local ward councillor has requested this application be determined at committee.

CONSERVATION AND URBAN DESIGN COMMENTS:

This is a detached property located within the Ickenham Village Conservation Area. The rear garden currently has other outbuildings acting as ancillary space to the main house.

Whilst the new outbuilding has substantially increased in size compared to the previous, in relation to its overall bulk, height and scale and taking into account the building's positioning on the site, there are in principle no objections in this instance.

The materiality of the building would need to be clearly indicated.

Materials would need to be clearly indicated, no objections.

Officer comment: The application form clearly states the materials that have been used. Furthermore, the site photos clearly show the materials, as such, the materials are considered to be acceptable. The conservation officer has no objections and does not require a condition for materials.

LANDSCAPING/TREE OFFICER:

No objection to current proposals.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

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.

BE22 Residential extensions/buildings of two or more storeys.

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.

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 issues for consideration relate to the effect of the proposal on visual amenity, residential amenity, private amenity space, the effect on neighbouring properties and the impact on the conservation area.

Paragraph 4.42 of the Hillingdon Design & Accessibility Statement Supplementary Planning Document -Residential Extensions, states that outbuildings should always appear subordinate in size and appearance to the main dwelling and retain or enhance the character of the surrounding area.

In respect of the scale of the building, the proposal at 29sq.m in footprint represents a size 21.75% that of the 75sq.m of the original house. This is considered to fall within a scale subservient to that of the main house and the design would have an acceptable impact on the appearance of the area.

With regard to the impact on the amenities on neighbouring properties, the SPD: Residential Extensions, Section 9.2 states in order to prevent overshadowing 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 0.50m from the shared

boundary. The existing outbuilding is an acceptable distance from the boundaries (1.2m minimum) to not encroach on adjoining properties.

Section 9.3 states if a ridged roof is proposed, the ridge should not be higher than 4m and at 3.93m the proposal would comply with the advice. Furthermore, the outbuilding is set approximately 55m from the houses on Ivyhouse Road and 85m from the houses on The Avenue. As such, it is considered that the proposal would not have a material impact on the neighbouring properties. Therefore the proposal would comply with policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed development would only have windows facing into the site. It is therefore considered the proposed outbuilding would cause no unacceptable overlooking of the neighbouring occupier and would comply with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that the size and scale of the proposed outbuilding would be in-keeping with the original dwelling and the wider area. Therefore the proposal would comply with Policies BE4, BE13, BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Extensions.

There have been concerns raised about the use of the building. A restrictive condition is therefore recommended to strengthen the Council's position in future should a material change of use occur.

695sqm of private amenity space would be retained in compliance with HDAS: Residential Extensions and policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is noted that concerns have been raised with regard to the loss of unprotected trees at the site. The Council's Arboricultural Officer has been consulted and has raised no objection to the proposals.

In light of the above, it is considered the outbuilding is recommended for approval.

6. RECOMMENDATION

APPROVAL subject to the following:

1 HO2 Accordance with approved

The development hereby permitted shall not be retained except in complete accordance with the details shown on the submitted plans, numbers 17TH-002 Rev A, 17TH-102, 17TH-003 Rev A.

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 (2015).

2 NONSC Non Standard Condition

The outbuilding hereby approved shall only be used for the purposes 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 Local Plan: Part Two - Saved UDP Policies (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.
- 2 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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
PT1.HE1	(2012) Heritage

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas

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.
BE22	Residential extensions/buildings of two or more storeys.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

- 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).

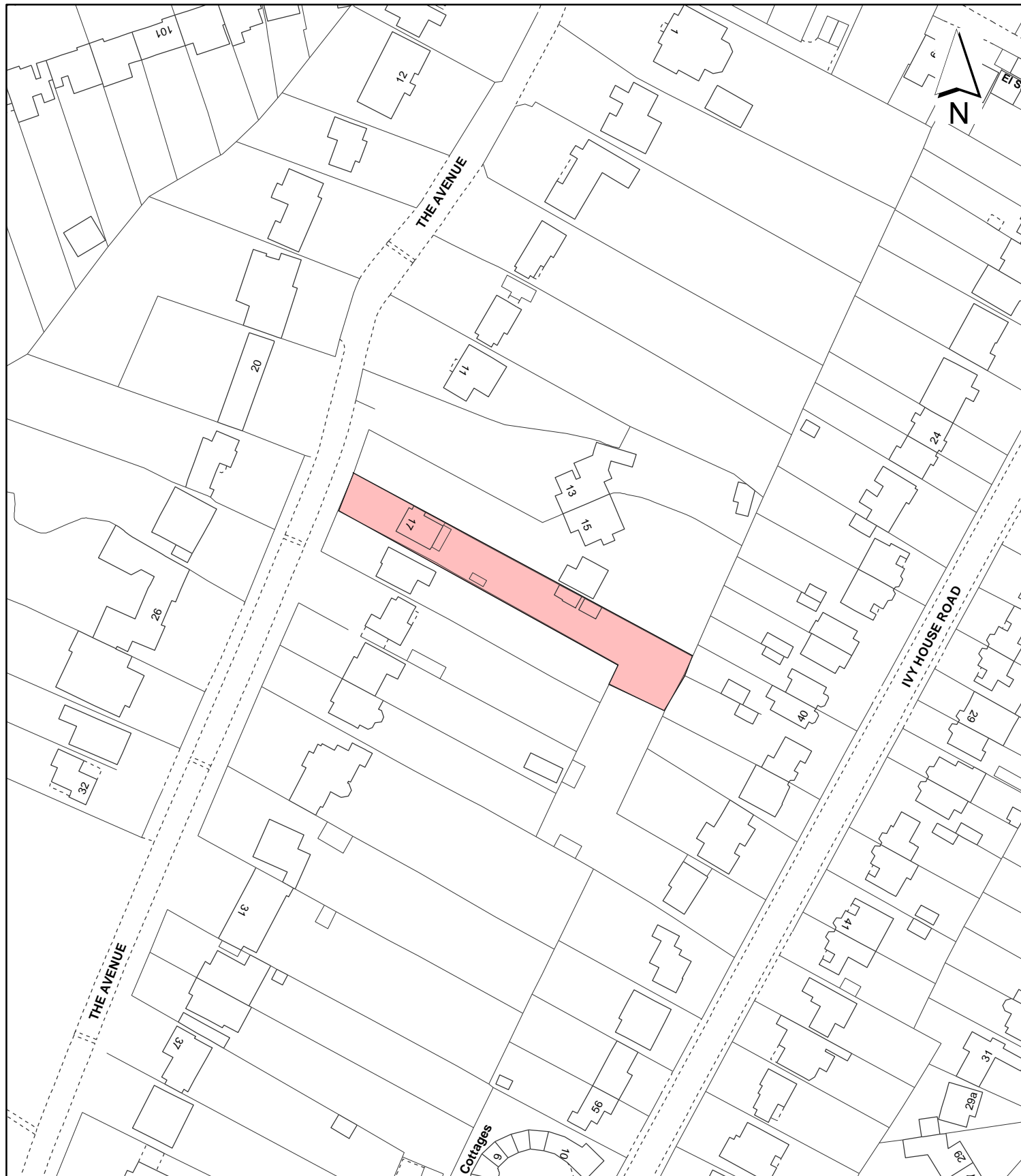
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure 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: Mandeep Chaggar

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**17 The Avenue
Ickenham**

Planning Application Ref:

71616/APP/2016/553

Planning Committee:

North

Scale:

1:1,250

Date:

May 2016

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



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