

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

**Address** 1 SALCOMBE WAY HAYES

**Development:** Erection of a lean-to structure (Retrospective)

**LBH Ref Nos:** 48976/APP/2016/520

**Drawing Nos:** Proposed Front and Rear Elevations  
Proposed Floor Plan  
Proposed Side Elevation  
Supporting Photographs  
Block Plan (1:500) Received 23-03-2016  
Location Plan (1:1250) Received 23-03-2016

**Date Plans Received:** 09/02/2016                      **Date(s) of Amendment(s):** 24/02/2016

**Date Application Valid:** 23/03/2016

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property comprises of a modest two storey end terraced dwelling located on the south western side of Salcombe Way which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). A Council owned footway runs between the side boundary of the application site and the flank wall of the adjacent property, 50 Portland Road, leading to the rear gardens of the terrace in Portland Road. The timber lean-to providing bin, bicycle and general storage, which is the subject of this retrospective application, has been built between the flank wall of the application property and the footway.

#### 1.2 Proposed Scheme

The application seeks retrospective planning permission for the erection of a lean-to structure. The lean-to structure is constructed of timber with a felt roof. The maximum height of the roof is 2.42m and the maximum width is 1.37m. The lean-to structure has locked doors which would open over the adjacent footway and is used for general storage, bicycle storage and bin storage.

#### 1.3 Relevant Planning History Comment on Planning History

There is no planning history of relevance to this application.

### 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

12 neighbouring properties were consulted by letter dated 3.3.16 and a site notice was displayed to the front of the site which expired on 4.4.16. No response received.

Ward Councillor: Requests that the application is reported to committee for consideration.

Housing Services: No objection subject to a condition requiring the doors to remain shut and locked when not in use.

Tree and Landscape Officer: No objection

#### **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:

AM7 Consideration of traffic generated by proposed developments.  
AM14 New development and car parking standards.  
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.  
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 considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality and the impact upon the amenities of adjoining occupiers.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The Council's HDAS states requires side extensions to not exceed two thirds the width of the original dwelling. They should not also exceed 3.4m in height. This is to ensure that the extension appears subordinate to the main house.

Both in terms of its height and width, the lean-to accords with the above criteria and therefore would appear subordinate to the main property. Whilst the materials do not match those on the original dwelling, given its scale and being discrete in its siting with the three storey wall of the adjacent building providing a good screen from a number of public viewpoints locally, it is considered that it does not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Given that the flank wall of the adjacent building is blank, the lean-to does not harm the amenity of nearby residents through loss of daylight. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The bicycle store and bin store both have doors opening over the adjacent footpath which leads to the rear gardens of the adjacent dwellings. This footpath is Council owned and notice has been served in respect of this encroachment. The doors are currently locked by way of padlocks. The Council's Housing Services Department has raised no objection to the proposal subject to a condition requiring the doors to this structure being closed and locked when not in use to avoid any obstruction of this footway.

The parking provision would remain unaffected by the proposal.

The application is recommended for approval.

## **6. RECOMMENDATION**

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

#### **1 HO2 Accordance with approved**

The development hereby permitted shall not be retained out except in complete accordance with the details shown on the submitted plans, Proposed Floor Plan, Proposed Side Elevation and Proposed front and Rear Elevations.

#### **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 door to the bicycle and bin store, shall remain closed and locked when not in use.

#### **REASON**

To ensure that there is no obstruction of the adjacent footpath and to avoid any conflict with use by pedestrians in accordance with Policy AM7 of the Hillingdon Local Plan - 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 (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 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:

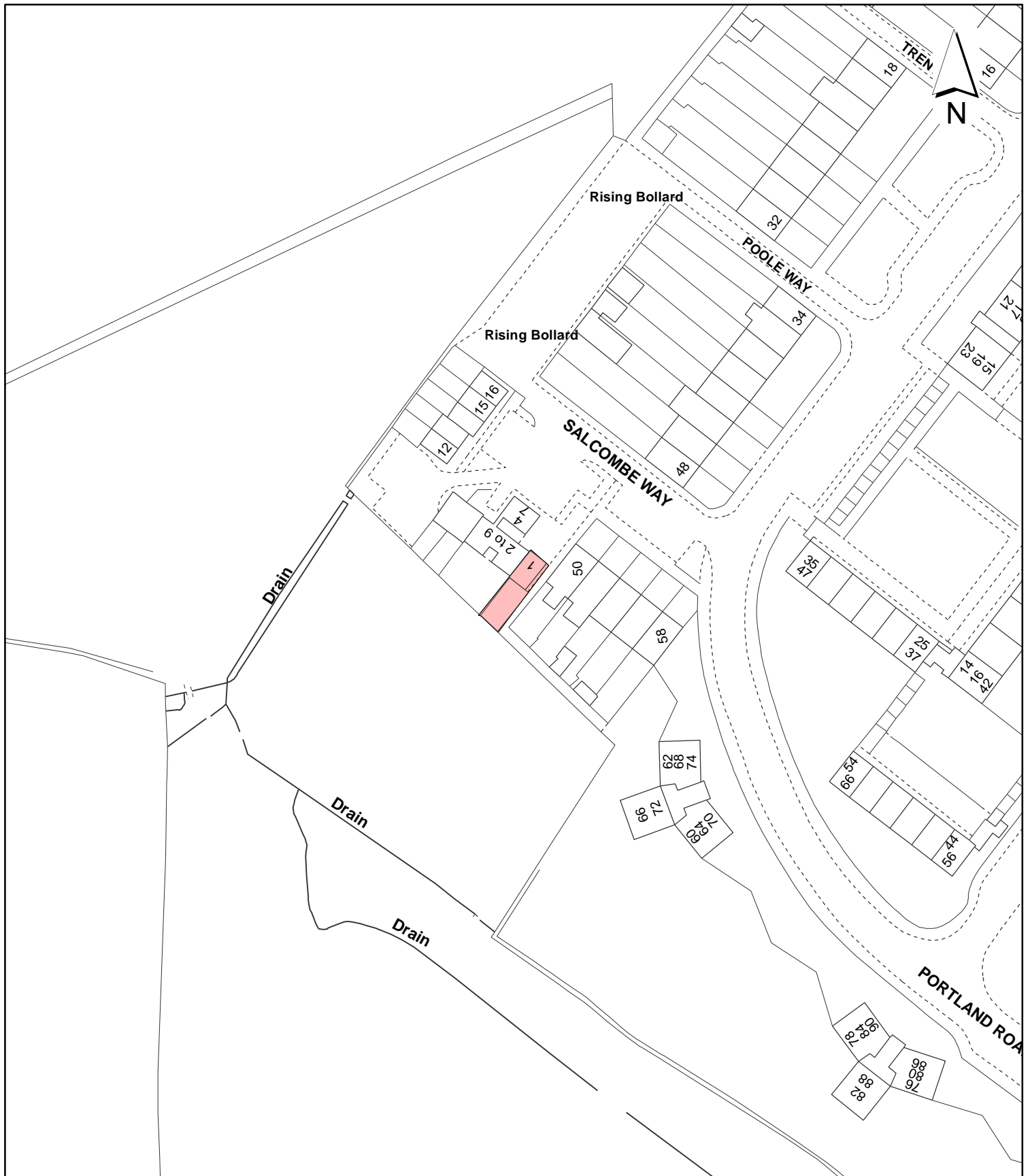
AM7	Consideration of traffic generated by proposed developments.
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HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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- 3 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:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**1 Salcombe Way  
 Hayes**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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

Planning Application Ref:  
**48976/APP/2016/520**

Scale:  
**1:1,000**

Planning Committee:  
**Central & South**

Date:  
**May 2016**

