

Report of the Head of Planning, Sport and Green Spaces

Address 26 BURLEIGH ROAD HILLINGDON

Development: Single storey outbuilding to rear for use as a games room

LBH Ref Nos: 70683/APP/2016/1177

Drawing Nos: Location Plan (1:1250)
R1
R3
R4
R6

Date Plans Received: 22/03/2016 **Date(s) of Amendment(s):**
Date Application Valid: 22/03/2016

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of a two storey end terraced property located on the western side of Burleigh Road which lies within the Developed Area as identified within the Hillingdon Local Plan; Part Two - Saved UDP Policies (November 2012). The site lies in a Critical Drainage Area (CDA) identified in the Surface Water Management Plan (SWMP) for Hillingdon.

The property, which has been extended by way of a single storey rear extension with monopitched roof to the rear, is constructed of pebble dash render under a plain tiled roof. An access road to the rear of the properties within the terrace runs to the south of the property. The area is residential in character.

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey outbuilding to rear for use as a games room. The outbuilding would have a footprint of 30 square metres, sited 0.48m off each side boundary and would be finished with a pitched roof measuring 3.55m in height with an eaves height of 2.73m. The outbuilding is shown to comprise of a single room labelled as a games room with two windows and a door in the front elevation facing the rear elevation of the host dwelling.

1.3 Relevant Planning History

70683/APP/2015/751 26 Burleigh Road Hillingdon
Two storey side extension

Decision Date: 29-04-2015 Approved **Appeal:**
70683/APP/2016/538 26 Burleigh Road Hillingdon
Single storey side/rear extension

Decision Date: 22-04-2016 **Approved** **Appeal:**

Comment on Planning History

70683/APP/2016/538 - Single storey side/rear extension APPROVED

70683/APP/2015/751 - Two storey side extension. APPROVED but not implemented.

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 Oak Farm Residents Association and 5 neighbouring properties were consulted by letter dated 30.3.16 and a site notice was displayed to the front of the site which expired on 29.4.16 - No response received.

NATS Safeguarding - No objection.

MOD - No objection.

The application has been called to committee for determination by a Ward Councillor.

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.EM6 (2012) Flood Risk Management

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.

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

- LPP 3.5 (2015) Quality and design of housing developments
- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- LPP 5.15 (2015) Water use and supplies

5. MAIN PLANNING ISSUES

The main issues with the proposal are the impact on the street scene and amenities of the surrounding area; the design in terms of scale, proportion and bulk and the potential impacts on the amenities of the neighbouring occupiers. Parking and amenity space provision are also taken into account.

The Council's Supplementary Planning Document HDAS: Residential Extensions discusses detached outbuildings at section 9. The building needs to be related to normal residential activities ancillary to the main house such as storage use, a children's playroom, gym or hobby room and cannot be used for sleeping purposes or for separate cooking or bathroom facilities for self-contained accommodation. The outbuilding must also leave a practical amount of garden space for the main house. This should be 60 square metres for a 3 bedroom house.

Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015 states that a building within the curtilage of the dwellinghouse will be permitted if it is required for a purpose incidental to the enjoyment of the dwellinghouse. Similarly the HDAS: Residential Extensions indicates that such buildings will only be granted permission if the outbuilding is only to be used for normal domestic uses related to the residential use of the main house.

The footprint of the proposed outbuilding would measure approximately 30 square metres. The scale and proposed use of the outbuilding (shown as a games room) is considered to be of a scale that is suitable for incidental purposes. However, to ensure this continues to be the case a restrictive condition is proposed to prevent the future use of building as a separate unit of accommodation.

This single storey structure measuring 3.55m in height with an eaves height of 2.73m would not appear out of keeping with the site and locality. As a result it is considered that it would 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 the location of the outbuilding along the rear boundary and set in 480mm from the side boundaries with windows and doors being restricted to the front elevation and its separation distance from the rear elevation of the adjoining dwellings, it is considered that the proposed outbuilding would not result in an unacceptable loss of residential amenity to occupants of nearby properties.

Sufficient space is retained to comply with the Council's guidelines in terms of private amenity space of over 60m² for the three bedroom dwelling.

The site lies within a Critical Drainage Area (CDA) identified in the Surface Water Management Plan (SWMP) for Hillingdon. The site is also identified at risk of surface water

flooding on the Environment Agency Flood Maps as is the highway surrounding the property. It is therefore important all developments in this area contribute to manage the risk from surface water, and reduce the run off from their site. A condition is therefore recommended to secure details of sustainable water management prior to the commencement of development.

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 three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

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 R1, R3, R4 and R6.

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).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

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 Local Plan: Part Two Saved UDP Policies (November 2012)

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 of the development hereby approved.

REASON

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

5 NONSC Non Standard Condition

Prior to commencement, a scheme for the provision of sustainable water management

shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:

ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iii. provide details of water collection facilities to capture excess rainwater;

iv. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled and handled as close to its source as possible to ensure the development does not increase the risk of flooding in compliance with Policy EM6 of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies 5.12, 5.13 and 5.15 of the London Plan (2015) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

6 RPD13 Restrictions on outbuildings

The outbuilding hereby approved shall only be used for the purposes stated on the application form and approved drawings. 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 - Saved UDP Policies (November 2012).

INFORMATIVES

- 1** The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 2 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
PT1.EM6	(2012) Flood Risk Management

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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.13	(2015) Sustainable drainage

- LPP 5.14 (2015) Water quality and wastewater infrastructure
LPP 5.15 (2015) Water use and supplies

- 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.

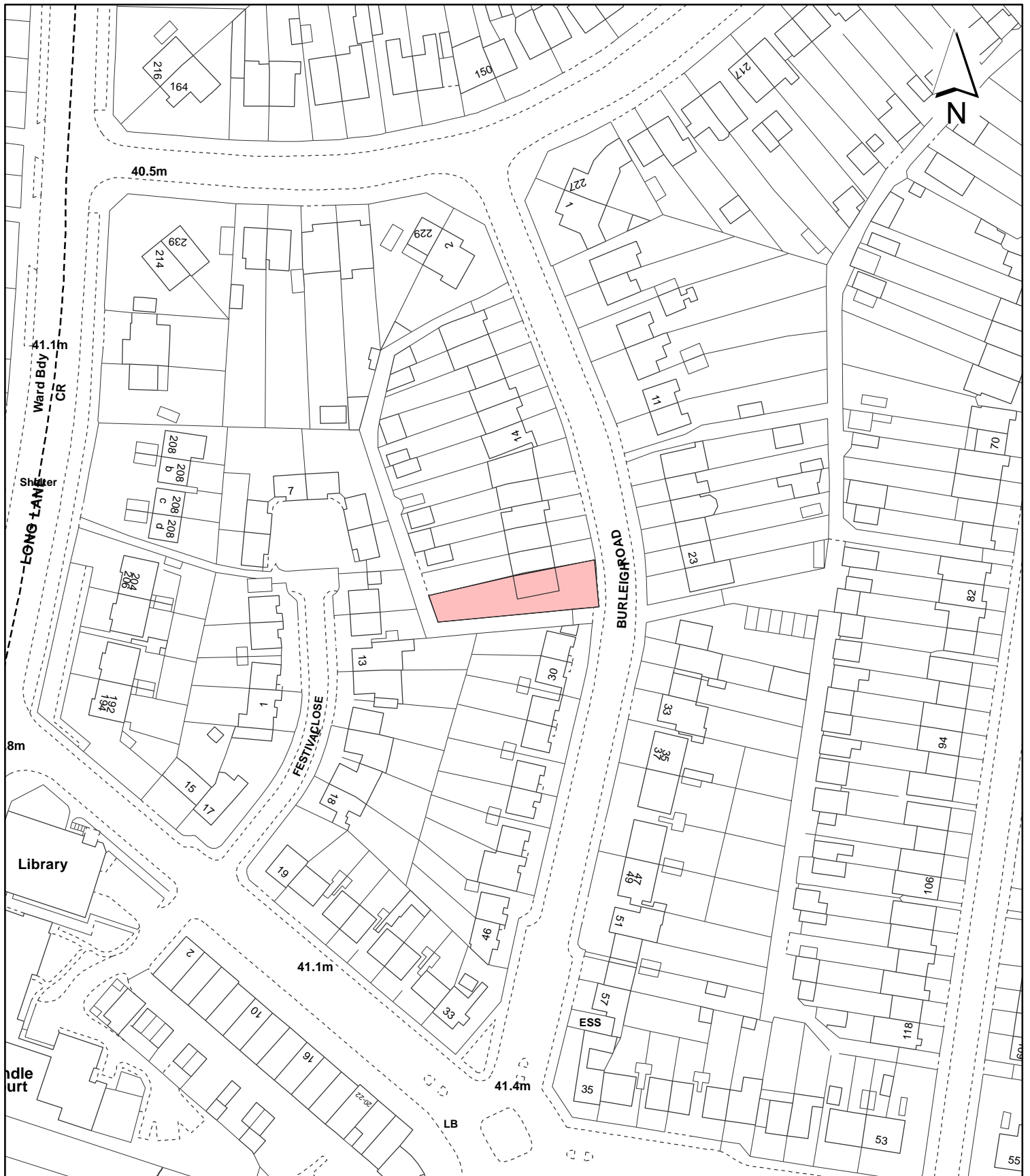
11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality

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: Nicola Taplin

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

26 Burleigh Road

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

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

Planning Application Ref:

70683/APP/2016/1177

Scale:

1:1,250

Planning Committee:

Central & South

Date:

June 2016



HILLINGDON
 LONDON