

Report of the Head of Planning, Sport and Green Spaces

Address 203 PARK ROAD UXBRIDGE

Development: Single storey detached outbuilding to rear for use as an ancillary granny anne

LBH Ref Nos: 19088/APP/2016/2395

Drawing Nos: Planning Commentary
Planning, Design and Access Statement
161019v3kl/01A
161019v4kl/03A
161019v3kl/02A
161025v2kl/04A
Tree Method Statement
Pad Foundations Details

Date Plans Received: 20/06/2016 **Date(s) of Amendment(s):** 20/06/2016
Date Application Valid: 22/06/2016 27/10/2016

DEFERRED ON 13th October 2016 FOR FURTHER INFORMATION ON

The application was deferred at the meeting of the 13th October 2016 for the submission of revised plans as the originally submitted plans showed trees on the land adjacent to the proposed building and it was not clear how these would be affected and there was some concern about the size and height of the building and the impact this would have on neighbours.

Revised plans have been submitted which show a reduction in the footprint of the building from 46sqm to 38sq.m and a slight reduction in the height from 3.7m to 3.62m. The revised plans are assessed in the report below.

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of a two storey detached house located on the western side of Park Road, towards the junction with Belmont Road, which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey detached outbuilding to the rear for use as a granny annexe. The outbuilding would have a footprint of 38 square metres with a ridge height of 3.62m and would contain a bedroom, WC and lounge. The applicant has confirmed that the use of the annexe will be ancillary to the main dwelling with strong functional links between them. It is intended that the occupants will be regularly preparing and eating meals in the main dwelling, watching television/relaxing, and all laundry arrangements will be undertaken using existing household facilities.

1.3 Relevant Planning History Comment on Planning History

There is no recent planning history of relevance to this application site.

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

The North Uxbridge Residents Association and 3 neighbouring properties were consulted by letter dated 27.6.16 and a site notice was displayed to the front of the site which expired on 27 July 2016.

2 letters of support and a petition, with 108 signatures, in support has been received.

INTERNAL:

Tree Officer: The site is the rear garden of 203 Park Road, just north of the junction with Belmont Road. There are number of young trees in the rear garden and off-site conifers in the rear/side garden of 141 Belmont Road.

COMMENT: There are no protected trees on, or close to, the site. No tree survey has been submitted, but the 'Existing Site Plan' shows the approximate position of trees close to the development site. While no trees are likely to be directly affected by the proposed outbuilding, it will be close to trees in the garden and oversailed by the canopy of the off-site conifers. A tree protection method statement has been submitted, to which there is no objection. However, a plan is required showing the accurate position of the trees and the alignment of the proposed protective fencing.

RECOMMENDATION: No objection subject to conditions RES8 (plan to accompany existing method statement) and RES10.

ADDITIONAL COMMENTS: I confirm receipt of the drawing showing the location of the proposed protective fencing.

No objection and no further comment.

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

5. MAIN PLANNING ISSUES

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 proposed outbuilding, positioned at the end of the property, and at a footprint of 38 square metres and height of 3.62m is considered, on balance, to appear uncharacteristic of an outbuilding within a domestic curtilage and is considered to compete with the existing dwelling, rather than being a subordinate structure contained within the rear garden. Due to the outbuilding's significant size, it would be readily visible from the rear gardens of surrounding dwellings and therefore, it is considered to be an incongruous addition to the residential environment, which is harmful to the character and appearance of the existing dwelling and the wider area and is considered contrary to Policies BE13, BE15 and BE19 of the Local Plan.

Policies BE20 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that new developments in residential areas should not result in the loss of sunlight or loss of host and neighbouring residential amenity, and that they should protect the privacy of both the host and neighbouring buildings.

Section 9 of the HDAS Residential Extensions Guidance, states: Outbuildings cannot be used as a separate business unit or as a self contained residential unit, as these could lead to a number of privacy, overlooking, noise and disturbance problems. If it is intended to use the outbuilding for any of these uses, the proposal will be refused planning permission

Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) 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 must only be used for normal domestic uses related to the residential use of the main house'.

It is noted that the applicant confirms that this proposal is not for a dwellinghouse, but ancillary accommodation for family members. The supporting statement confirms that no kitchen is proposed and that there would be a strong inter-dependence on the main dwelling. However, given its internal facilities to include: a bedroom, bathroom and living room, and fenestration arrangement, the proposed outbuilding as a granny annexe is one which is considered to be capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted. Its use for residential purposes would lead to impacts on adjacent neighbouring properties, including that of the host dwelling, by way of loss of privacy and in particular relating to the use of the garden. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. There are no TPO's or Conservation Area designations affecting the site, although there are some large trees which form a screen at the far end of the garden. The Council's Tree Officer has advised that the location of the proposed building is likely to be within the root protection area of the retained trees. However, it is noted that the construction of the foundations will be pressure treated timber bearers on concrete pad foundations. This technique obviates the need for trenching and should minimise root severance and soil compaction, to the benefit of the trees. It is therefore considered that the trees could be adequately protected by way of condition, should the application have been considered acceptable in all other respects.

The dwelling retains sufficient off street parking spaces for the existing property.

Despite the size of the proposed outbuilding, sufficient space is retained to comply with the Council's guidelines in terms of private amenity space.

The desire to deal with the personal needs of other family members, and the support for the proposal is noted. However, the building proposed is a substantial structure which would be likely to have a substantial lifespan. The suggestion is that these concerns could be overcome by imposing a condition which restricts use of the proposal to an annex. However, the length of time such needs exist is likely to be much less than the lifespan of the building, which would then raise an issue about what happens if those needs end well before the lifespan of the building. The agent's suggested condition does not deal with this matter. In some cases those issues can be dealt with by a proposal for the annex being in a form where it is physically attached to the host property, which may assist care arrangements, and where if the personal needs come to an end that alternative incidental use can be made of the structure without a further unit of accommodation having been created. In this case the building is sited some distance from the main building and thus this is not possible.

The application is, therefore, recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The detached building, by reason of its size, scale, bulk and excessive footprint, results in an over dominant and visually obtrusive form of development, to the detriment of the visual amenity of the surrounding residential properties and the character and appearance of area. Therefore the proposal is contrary to policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies BE13, BE15, BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The detached outbuilding, by reason of its size, scale, excessive footprint, internal layout and the provision of facilities is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted, due to the impact on the existing dwellings and the requirement for car parking and amenity space. It is therefore contrary to policies AM14, BE19, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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 (2016). 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 REFUSE 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 REFUSE 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:

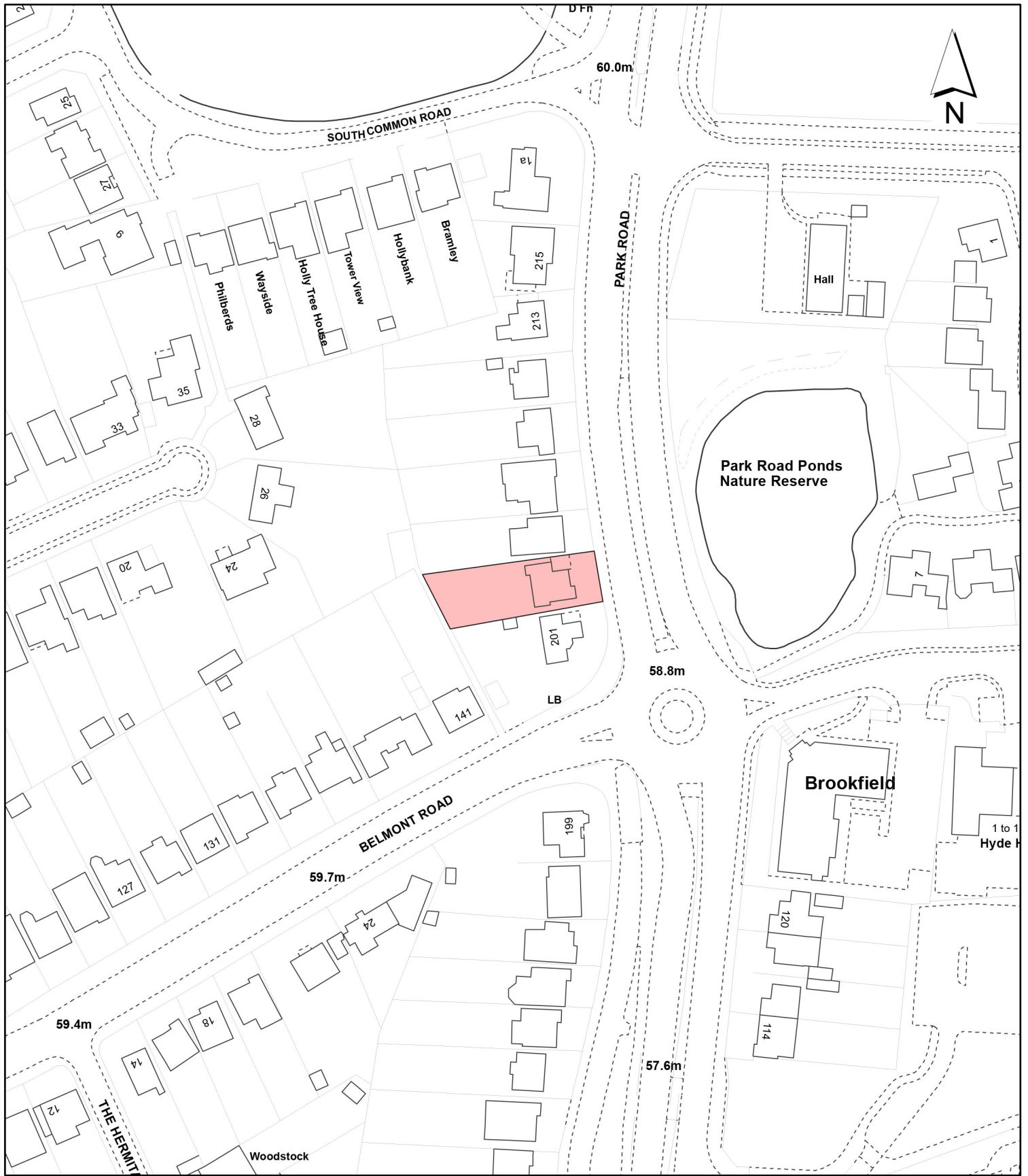
PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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LPP 3.5	(2015) Quality and design of housing developments
NPPF	National Planning Policy Framework

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Notes:

 Site boundary

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203 Park Road

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

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

Planning Application Ref:

19088/APP/2016/2395

Scale:

1:1,250

Planning Committee:

Central & South

Date:

January 2017



HILLINGDON
 LONDON