

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

**Address** 148 WINDSOR AVENUE HILLINGDON

**Development:** Single storey outbuilding to rear for use as a gym

**LBH Ref Nos:** 72670/APP/2017/929

**Drawing Nos:** Proposed Elevations  
Proposed Floor Plan  
Proposed Section  
Block Plan (1:500)  
Location Plan (1:1250)

**Date Plans Received:** 13/03/2017      **Date(s) of Amendment(s):**

**Date Application Valid:** 29/03/2017

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site comprises of a two storey semi-detached house located on the Northern side of Windsor Avenue which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has a detached garage building to the rear which is separated from the main garden by a 1.8 m high fence. The adjacent properties at numbers 150 and 152 Windsor Avenue have detached timber outbuildings alongside the rear boundaries.

#### 1.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey outbuilding to the rear for use as a gym.

#### 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

The Oak Farm Residents Association and 3 neighbouring properties were consulted by letter dated 31.3.17 and a site notice was displayed to the front of the site which expired on 16.5.17. By the close of the consultation period, no responses had been received.

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

#### 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

#### 5. **MAIN PLANNING ISSUES**

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

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 height of the proposed outbuilding would be 2.5 m and would not appear out of keeping in this locality. Adjacent properties at Numbers 150 and 152 Windsor Avenue have large outbuildings to the rear of the site. The Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions requires outbuildings 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 contain separate cooking facilities for self-contained accommodation. The outbuilding has a floor area of 27.36 square metres which equates to 65% of the floor area of the original semi-detached dwelling (42 square metres). The applicant has confirmed that the use of the outbuilding will be for incidental purposes as a gym. Subject to a condition restricting the future use of the outbuilding, the proposal is considered acceptable.

The outbuilding is shown to have high level windows in each side elevation which does not comply with the advice contained within the SPD. It is, therefore, considered reasonable to impose a condition to ensure that these windows are obscure glazed to ensure that there is no loss of privacy to occupants of both adjacent properties. It is considered that the

outbuilding and its incidental use, would not result in an unacceptable loss of residential amenity to the occupants of adjoining properties within the terrace by way of a loss of light, outlook or privacy given the distance between the siting of the building and the existing properties.

The erection of the new 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. The resultant amenity space is over 100 sq.m (104 square metres) which would be in excess of the paragraph 3.13 HDAS requirement. The proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan Part 2.

The parking provision would remain unaffected by the proposal.

## **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 Proposed Elevations, Proposed Floor Plan and Proposed Section.

#### **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 (2016).

#### **3 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 or roof slopes 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)

#### **4 HO6 Obscure Glazing**

The windows facing 146 and 150 Windsor Avenue shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### **REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the

**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, 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, BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**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) 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
BE19	New development must improve or complement the character of the area.
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BE21	Siting, bulk and proximity of new buildings/extensions.
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HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement,  
Supplementary Planning Document, adopted December 2008

- 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

For identification purposes only.  
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Site Address:

**148 Windsor Avenue**

**LONDON BOROUGH OF HILLINGDON**

**Residents Services Planning Section**  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**72670/APP/2017/929**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**May 2017**



**HILLINGDON**  
 LONDON