

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

**Address** 2 ST PETER'S CLOSE RUISLIP

**Development:** Conversion of garage to playroom/storage use involving alterations to elevations and installation of parking to front (part retrospective)

**LBH Ref Nos:** 25080/APP/2017/1948

**Drawing Nos:** 16/2967/101 D  
Location Plan  
16/2967/102 A  
16/2967/103 A

**Date Plans Received:** 26/05/2017

**Date(s) of Amendment(s):** 26/05/2017

**Date Application Valid:** 08/06/2017

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

This application relates to a site that is located at the end of the north-western side of St Peter's Close and on the south-western corner of its junction intersection with Cambridge Drive. The site comprises a two storey semi-detached dwelling with a hipped roof and external yellow/red-brick facings. The dwelling has a stepped front elevation, which results from a square-bay projection at the southern end, and a stepped rear elevation, which results from a flat-roofed projection at its northern end. There is a rebuilt garage building at the end of the rear garden, which appears to be mainly in use as a storage facility and which has a garage door that open onto a dropped kerb off Cambridge Drive. The dwelling has a mainly soft-landscaped front garden, and the front and northern side (adjacent Cambridge Drive highway) boundaries are enclosed by concrete walls, high hedges and trees.

The streetscene is residential in character and appearance, and comprises mainly two storey semi-detached houses with similar roofscape and architectural styles.

The site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### 1.2 Proposed Scheme

The application seeks planning consent for the conversion of the garage to form a playroom, with storage and bicycle storage and the creation of a new parking space and crossover to the front of the dwelling.

#### 1.3 Relevant Planning History

25080/APP/2016/2227 2 St Peter'S Close Ruislip  
Single storey side and rear extension

**Decision Date:** 03-08-2016

Refused

**Appeal:**

25080/APP/2016/3005      2 St Peter'S Close Ruislip

Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development).

**Decision Date:** 27-09-2016      **Approved**      **Appeal:**

25080/APP/2016/733      2 St Peter'S Close Ruislip

Single storey side extension, pitch canopy roof to front and single storey side extension

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

25080/APP/2017/792      2 St Peter'S Close Ruislip

Conversion of garage to playroom/storage use involving alterations to elevations (Retrospective

**Decision Date:** 11-05-2017      **Refused**      **Appeal:**

#### **Comment on Planning History**

25080/APP/2017/792 - Conversion of garage to habitable use (refused)

25080/APP/2016/3005 CLD - Single storey rear extension (approved)

25080/APP/2016/2227 - Single storey side and rear extension (refused)

25080/APP/2016/733 - Single storey side extension, pitch canopy roof to front and single storey side extension (refused)

The previous submission was refused on the basis of the loss of parking and the failure to provide adequate parking provision in accordance with the Council's adopted standards.

At the 10/01/2018 North Planning Committee service of a breach of condition notice was agreed. That notice has been served. Following the notice being served the applicant revised the plans on this application to include a parking bay.

## **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**

5 neighbours were consulted for a period of 21 days expiring on the 30 June 2017 and a site notice was erected on a parking sign to the front. One response was received raising the following issues:

- The main house has now had a large rear extension and the conversion of the garage means the habitable space has increased by more than 50%. Overdevelopment of a small plot

- The "play room" could be in use 24 hours 7 days a week at any given time by unknown people as it can be accessed independently of the house. Also it could be used for any purpose or activity creating noise and nuisance

- Property now has no off road parking increasing parking stress

- The storage cupboard in the plans has been connected to the mains sewer and has hot and cold water supply. It also has obscure double glazed windows and is central heated. This is not shown on the plans and hides its true intention of being an en suite toilet/shower room

- Would the 1970's construction for a garage be compliant with current regulations for a habitable building? The two garages are separated in part by a single skin light weight block

wall and have exposed roof frames through the two properties. Fire in either side would quickly spread. The adjoining garage in separate ownership will continue to be used as a garage for parking a car and storing petrol powered garden tools and other materials including paints and solvent

Officer response: The comments raised by the neighbours are duly noted. Issues regarding compliance with Building Regulations are separate and not material planning considerations. Other issues are addressed within the report.

Eastcote Residents Association - No response

Highways - The site has a PTAL value of 1b (very poor) which suggests that there will be a very strong reliance on private car trip making at this site. The proposal is to convert the existing garage to a playroom. The proposal includes the creation of a parking space on the St Peter's Close frontage using a new crossover. There is no secure covered cycle parking proposed with the conversion of the garage but this can be condition (2 spaces). There are existing street trees along the St Peter's Close footpath and one of them is very close to the new crossover so I suggest the views of the tree officer should be sought on this proposal. The off-street parking demand for the existing 3b semi-detached dwelling should be 1.5 spaces (2 in reality) and yet there is only 1 proposed. Please consider the views of the tree officer on the suitability of the proposed vehicular crossover and if he has no concerns please ask the applicant to show a revised scheme that provides two off street car parking spaces ( each 4.8m long and 2.4m wide) also bearing in mind the latest front garden guidance. If any of these issues have a negative outcome I suggest you refuse the application.

Trees/Landscaping - There are no TPO's or Conservation Area designations affecting the site. - However, there are street trees which contribute to the character and environmental quality of the area, including a pollarded common lime (tree ref. 00974) in the footway to the front of the house. In changing the use of the garage to the rear, the need for additional off-street parking has been created. The proposal is to create a new driveway and dropped kerb off St Peters Close. From the information available it is likely that the construction of a dropped kerb will be well within the root protection area of the lime and will have an adverse impact on the street tree. As such the current proposal is unacceptable due to the likely damage to the street tree. If additional off-street parking is required, it would be better sited next to the existing garage - at the end of the back garden.

Officer response: Revised plans were submitted moving the position of the proposed dropped kerb to Cambridge Drive and the Highways Officer and Landscape Architect have both confirmed this would be acceptable.

#### **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:

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.
LPP 3.5	(2016) Quality and design of housing developments
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

## 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings and the availability of parking.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area."

The proposal includes the change of use of the existing garage to habitable accommodation to form a playroom with storage and a bicycle storage area. . There are no external alterations proposed to the building, with the garage door facing Cambridge Drive retained and the alterations carried out internally behind this. Therefore there is no impact on the visual appearance of the building or the wider area and the proposal accords with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Extensions.

The existing building forms a semi detached building with the neighbour's garage and is set at the bottom of both gardens. It is situated approximately 13m from the adjacent property at no. 4 St Peter's Close and approximately 11m from 1 St James Close, with the garage intervening. Concern has been raised by owner of the adjoining garage over the potential noise and nuisance however it is noted that the existing building used as a garage ancillary to the dwelling would have equal capacity to generate noise or nuisance to neighbouring properties. Therefore in the context of the proposal for the conversion of the building to form a playroom and storage area, given the degree of separation it is not considered that it would have any significant impact on the residential amenity of the neighbouring dwellings. Therefore the proposal accords with the requirements of Policies BE 20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 9.0 of HDAS.

Paragraph 3.13 of Residential Extensions. HDAS: Residential Extensions requires sufficient garden space to be retained as a consequence of an extension. The property retains approximately 80 sqm, which would be in excess of the 60 sqm required for a 3 bed property within HDAS.

The proposal would result in the loss of the only off street parking provision for the property. The Highways Officer has advised that the site has a PTAL value of 1b (very poor) which suggests that there will be a very strong reliance on private car trip making at this site. The proposal includes the creation of a parking space on the St Peter's Close frontage using a new crossover from the side on Cambridge Drive. Although the parking provision is less than the adopted standard, this space replaces the only existing parking space within the garage. On this basis it is considered unreasonable to require two spaces. It is therefore considered that the development would comply with the requirements of Policies AM7 and AM14, of Part 2, of the Hillingdon Local Plan 2012.

The Landscape Officer originally advised that there is a pollarded common lime (tree ref. 00974) in the footway to the front of the house, which the proposed dropped kerb, crossover and driveway would be well within the root protection area of this lime and will have an adverse impact on the street tree. Revised plans have been submitted with the new dropped kerb from Cambridge Drive, which the Landscape Officer has confirmed is acceptable.

Concern has also been raised that the plans do not adequately reflect the internal works, which include internal plumbing and central heating with the ability to provide en-suite facilities. The building provides 30 sqm of floor space with a separate access available from Cambridge Drive. The outbuilding is considered to be of sufficient size 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 and would therefore be contrary to policies BE19, BE23 and BE24 of the Unitary Development Plan and to the Council's Supplementary Planning Documents HDAS Residential Extensions. However, if all else was acceptable this issue could be dealt with by the imposition of a restrictive condition.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

## **6. RECOMMENDATION**

**APPROVAL subject to the following:**

**1 HO1 Time Limit**

The works relating to provision of the replacement parking space hereby permitted shall be provided within 3 months of the date of this permission.

### **REASON**

The planning permission is intended to remedy a current breach of planning control. In the interests of the proper planning of the area the authority is of the view that the remediation of the breach of planning control and the implementation of this planning permission

should take place as expeditiously as reasonably possible.

**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 16/2967/101 D and 16/2967/103 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 (2016).

**3**            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 Unitary Development Plan Saved Policies September 2007.

**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:

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.
LPP 3.5	(2016) Quality and design of housing developments
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 (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:** Liz Arnold

**Telephone No:** 01895 250230



# Notes:

 Site boundary

For identification purposes only.

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Site Address:

**2 St Peters Close**

Planning Application Ref:

**25080/APP/2017/1948**

Planning Committee:

**North**

Scale:

**1:1,250**

Date:

**April 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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



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