

Report of the Head of Planning, Transportation and Regeneration

Address 2A CHERRY GROVE HILLINGDON

Development: Retention of existing garage

LBH Ref Nos: 25666/APP/2018/1721

Drawing Nos: Block Plan (1:500)
MAY/18/01
Location Plan (1:1250)

Date Plans Received: 10/05/2018

Date(s) of Amendment(s):

Date Application Valid: 10/05/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a corner plot which comprises a detached bungalow located on the South East side of Cherry Grove which lies within the development area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The site has an existing wide footpath crossing to hardstanding at the front of the property and garaging to the side. There is a low wall at the very front, and a higher wall at the back of pavement as the site continues into West Drayton Road. There is a flat roof outbuilding at the front of the property behind the higher wall. This is described as a garage, the vehicles using it would presently enter from the hardstanding as the door is on the North East side.

1.2 Proposed Scheme

This application for consent is for the retention of the existing garage sited within the front garden. The proposed garage measures 5.5 metres in width, 5 metres in depth and is characterised by a flat roof measuring 2.5 metres in height.

The garage is constructed from a mixture of timber cladding, metal framing and UPVC.

1.3 Relevant Planning History

25666/APP/2016/3203 2a Cherry Grove Hillingdon

Detached garage to side (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 05-10-2016 Refused **Appeal:**

25666/APP/2016/4145 2a Cherry Grove Hillingdon

Detached garage involving demolition of existing garage

Decision Date: 15-02-2017 Refused **Appeal:**

25666/APP/2017/1373 2a Cherry Grove Hillingdon

Extension to existing garage

Decision Date: 12-06-2017 Refused

Appeal:

Comment on Planning History

25666/APP/2017/1373 - Extension to existing garage was refused for the following reasons :

The proposed garage enlargement, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

25666/APP/2016/4145 - Detached garage involving demolition of existing garage was refused for the following reasons:

1. The proposed garage, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The proposed location for the garage would indicate that a drop kerb would be required which in the position indicated would be detrimental to highway and pedestrian safety contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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

31 neighbouring properties were consulted by letter and a site notice was displayed to the front of the site. Both methods of consultation expired 13.06.2018 with two responses and a petition with 21 signatures received.

One response raised no objection to the retention of the garage providing it was no higher than the boundary wall which fronts the highway. Both the petition and the second response received are in favour of the retention of the garage.

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 (2016) 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 street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

The application site has been subject to applications for the same development previously therefore it is the responsibility of the applicant to take into consideration the comments and points for refusal in previous decisions issued by the council when submitting an application for the same or similar development.

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 Councils 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 100 square metres for a 4 bedroom house. The outbuilding should be smaller than the house rather than the other way around. It is considered that

this analysis should be with the original dwelling house as opposed to a greatly extended dwelling house.

For the purposes of applying Class E the term 'required' should be interpreted as 'reasonably required' and not on the 'unrestrained whim' of the occupier. This strongly suggests that an applicant/agent has to explain the purpose of the building to show whether it is reasonably required, or not. The scale needs to match the requirement.

The submitted plans label the use a garage and incorporates a front up and over metal door suitable for parking a vehicle. The footprint of the outbuilding measures approximately 30 square metres. The original dwelling had a footprint of approximately 130 sq m.

In respect of the proposed outbuilding, section 9.0 of the adopted HDAS guidance advises that outbuildings should be positioned as far as possible from the main house, and be set in from the side boundaries by 0.5 m. Windows and doors should also be restricted to the elevation facing the rear of the host dwelling.

The proposed outbuilding is located in a very prominent position forward of the front elevation and whilst it is noted that there was a pre-existing building, the building now proposed (and built on site) is of a greater size and would be much more prominent visually from both Cherry Grove and West Drayton Road. It would appear as an incongruous structure in the street scene. Thus, the proposal is considered unacceptable as by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, it would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

The use of the proposal is labelled as a garage in which it is presumed to be used for parking a vehicle, it is noted that there is sufficient amount of parking space within the property's front drive and it is evident from a site visit that there is space for up to 4 parking spaces existing. In refusing application (Ref: 25666/APP/2016/4145) the officer highlighted the likeliness of a crossover being required closer to the proposed garage for which the door fronted the highway. Concerns were raised by the councils Highways Officer who stated the crossing would be very close to the junction with West Drayton Road and would not provide sufficient sign lines for the residents or the pedestrians.

The proposed plans demonstrate the garage door has been re-positioned to the side elevation which faces North towards the adjoining electricity substation and thus the existing crossover could be utilised.

The proposal is therefore contrary to Policy AM14 and AM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

Plans indicate that following the construction of the detached garage approximately 198.74 square metres of private amenity space would be retained for the occupiers of the host dwelling. The host dwelling would provide 4 bedrooms in total which would create a requirement for 100 m² of private amenity space. As such, the proposal would comply with this standard.

This application fails to address the inappropriate location concern raised by the 2016 refusal and therefore this application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed garage, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped and incongruous appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore 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) and 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. The Council's supports pre-application discussions.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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:

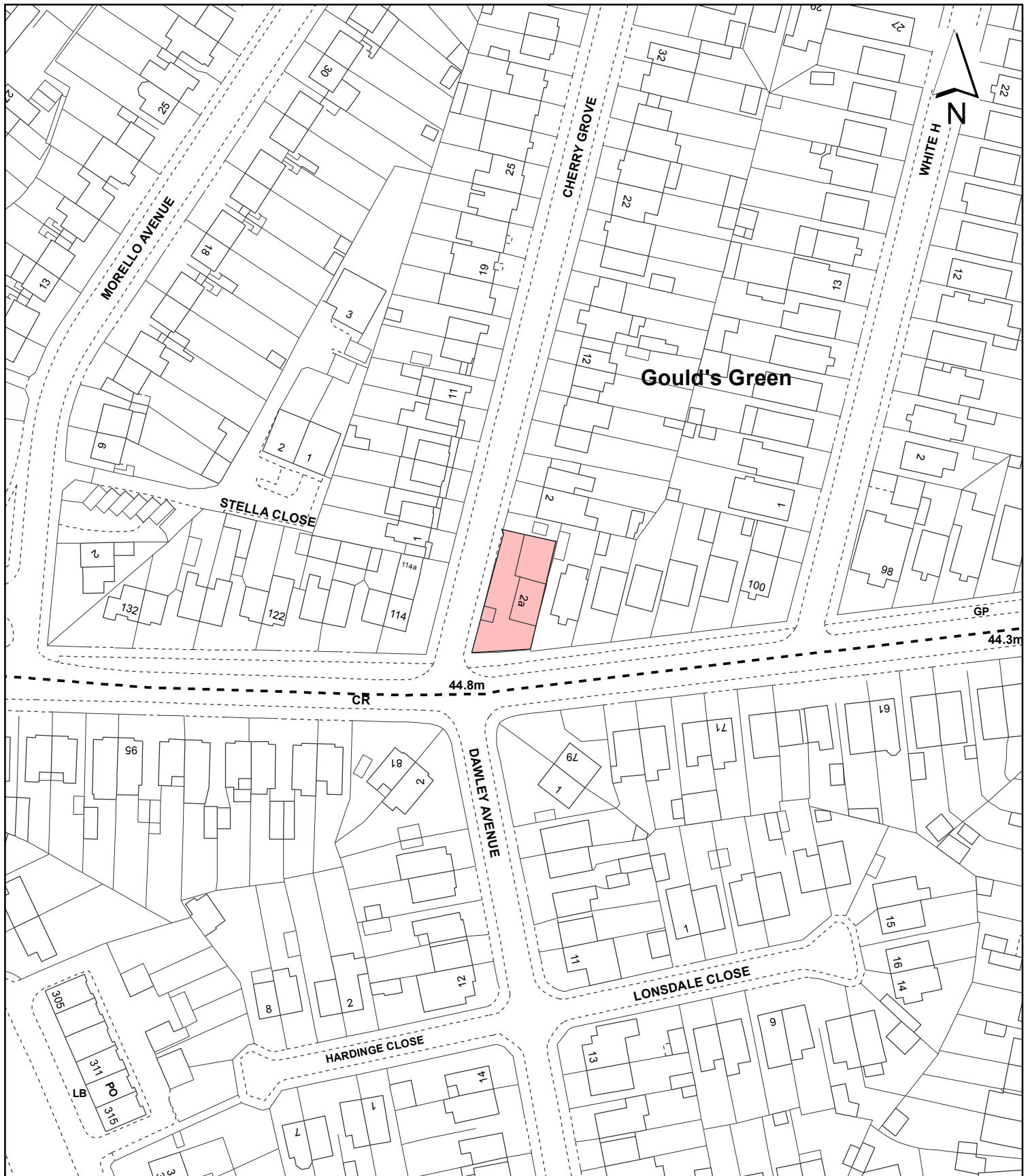
PT1.BE1 (2012) Built Environment

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
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	(2016) Quality and design of housing developments

Contact Officer: Christopher Brady

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

2A Cherry Avenue

Planning Application Ref:

25666/APP/2018/1863

Planning Committee:

Central & South

Scale:

1:1,250

Date:

June 2018

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section

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



HILLINGDON
 LONDON