

## Report of the Head of Planning, Transportation and Regeneration

**Address** 98 POLE HILL ROAD HILLINGDON

**Development:** Conversion and extension of detached garage to form annexe

**LBH Ref Nos:** 10668/APP/2017/4219

**Drawing Nos:** PL-03  
PL-04  
PL-05  
PL-02  
PL-06  
PL-01 Received 19-06-2018

**Date Plans Received:** 22/11/2017

**Date(s) of Amendment(s):** 07/12/2017

**Date Application Valid:** 06/09/2018

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property comprises of a detached two storey dwelling located on the eastern side of Pole Hill Road, within the Developed Area with a PTAL score of 1a (Very poor) as identified within the Hillingdon Local Plan (November 2012). The property is set back back from the road and is constructed of red brick under a hipped roof. The loft has been converted with two rooflights in the front roofslope and one to the rear. The property has been previously extended by way of two rear conservatories. The rear garden slopes down to the east towards the driveway serving 100a, 102a and 104a Pole Hill Road to the rear. A detached double garage building is located to the rear. The area is residential in character.

#### 1.2 Proposed Scheme

The application seeks planning permission for the conversion and extension of the existing garage to an annexe.

#### 1.3 Relevant Planning History

10668/APP/2013/1473 98 Pole Hill Road Hillingdon

Part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from use class C3 (Residential) to use class C2 (residential institutions) to be used as a 10-bedroom Nursing Home

**Decision Date:** 01-07-2013

Withdrawn

**Appeal:**

10668/APP/2013/2344

98 Pole Hill Road Hillingdon

Part two storey, part single storey rear extension and roof extension to create additional habitable roofspace and change of use from residential (Use Class C3) to a 10-bedroom Nursing Home (Use Class C2 - residential institutions)

**Decision Date:**

**Appeal:**

05-11-2013      Withdrawn  
10668/C/77/0888      98 Pole Hill Road Hillingdon  
Erection of bungalow. (r/o)

**Decision Date:** 31-08-1977      Refused      **Appeal:**

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

The relevant planning history is listed above.

#### **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**

9 neighbouring properties were consulted by letter dated 7.12.17 and a site notice was displayed to the front of the site which expired on 10.1.18. Following concerns raised about the certificate of ownership, the application was made invalid and a corrected red edge and certificate of ownership was submitted. All neighbours were re-consulted by letter on 7 September 2018.

7 letters of objection and a petition signed by 40 signatories, was submitted raising the following concerns:

1. This would represent a self-contained dwelling
2. Additional parking would cause concerns in terms of the use of the narrow rear access driveway
3. Occupants have previously experienced significant disruption in terms of development in the nearby school
4. Insufficient manoeuvring space to access proposed parking spaces without encroachment onto private land.

Highways Officer:

This application is for the extension and conversion of an existing garage in Pole Hill Road Hillingdon to create a 1b dwelling. Pole Hill Road is a local road on the Council road network. The site has a PTAL value of 1a (very poor) so there will be a very strong reliance on private car trips to and from the site. The vehicular access to the site is off a private access road to the rear of the property which I presume the applicant has the right to use. The layout plan shows two parking spaces provided off the access road which is probably not more than 3m wide. I would like the applicant to demonstrate using an autotrak analysis how a car would access and egress the spaces without using adjacent land in another's ownership. There are no plans showing cycle storage for either the existing dwelling with the garage in another use or for the dwelling itself. If you are of a mind to recommend approval please condition 3 secure covered cycle parking spaces along with refuse/recycling bins for the new dwelling. In the light of the above comments please ask the applicant for a plan as requested. If this information is not forthcoming I suggest you refuse this application.

#### **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
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.5	(2016) 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 extended outbuilding would be positioned at the end of the rear garden and would comprise of a footprint of 44 square metres and height of 4.17m. A building of such a size, scale and height is considered to be uncharacteristic of an outbuilding within a domestic curtilage and would, in fact, compete with the existing dwelling, rather than being a subordinate structure contained within the rear garden. Due to the extended outbuildings 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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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 is to be used for normal domestic uses related to the residential use of the main house.

The submitted floor plan indicates that the extended outbuilding would be subdivided into 4 rooms comprising of a kitchen/living/dining room, a lobby, a bathroom and a double bedroom measuring 14 square metres. No justification has been provided for the proposed annexe. The proposed extended outbuilding, given its internal layout and the availability of independent access to it, 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.

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

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards. The submitted plans indicate that two parking spaces would be provided to the side of the extended outbuilding which are to replace the two spaces currently accommodated within the garage. It is noted that sufficient off street parking can be provided to the front of the property to meet the Council's parking standards. The applicant has submitted confirmation of a right of access along the rear access lane to the garage. However, due to the restricted width of the access lane, it would not be possible to access the proposed two parking spaces without encroachment onto land not under the applicants ownership. The proposed plans do not indicate how the vehicular parking spaces adjacent to the proposed extended outbuilding will be accessed and therefore it has not been possible to assess whether the proposal would provide satisfactory vehicular entrance and egress to the site, a situation which would be to the detriment of public and highway safety and therefore contrary to policy AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

Whilst no justification has been submitted in support of the granny annexe use of the

extended outbuilding, the desire to deal with the personal needs of other family members is acknowledged. However, the extended building proposed is a substantial structure which would be likely to have a substantial lifespan. 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. A condition does not deal with this matter. Furthermore, there are many cases where alternative internal layouts and/or extensions to existing properties have addressed such needs.

The application is recommended for refusal.

## **6. RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The detached extended outbuilding, by reason of its size, scale, bulk, excessive footprint and height, 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 proposed plans do not indicate how the vehicular parking spaces adjacent to the extended outbuilding will be accessed and therefore it has not been possible to assess whether the proposal would provide satisfactory vehicular entrance and egress to the site. The proposal would thus be to the detriment of pedestrian and highway safety and therefore contrary to policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **3 NON2 Non Standard reason for refusal**

The detached extended outbuilding, by reason of its size, scale, excessive footprint, internal layout, provision of facilities and the availability of independent access to it, 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 and adjoining 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 Council's 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 Council's 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

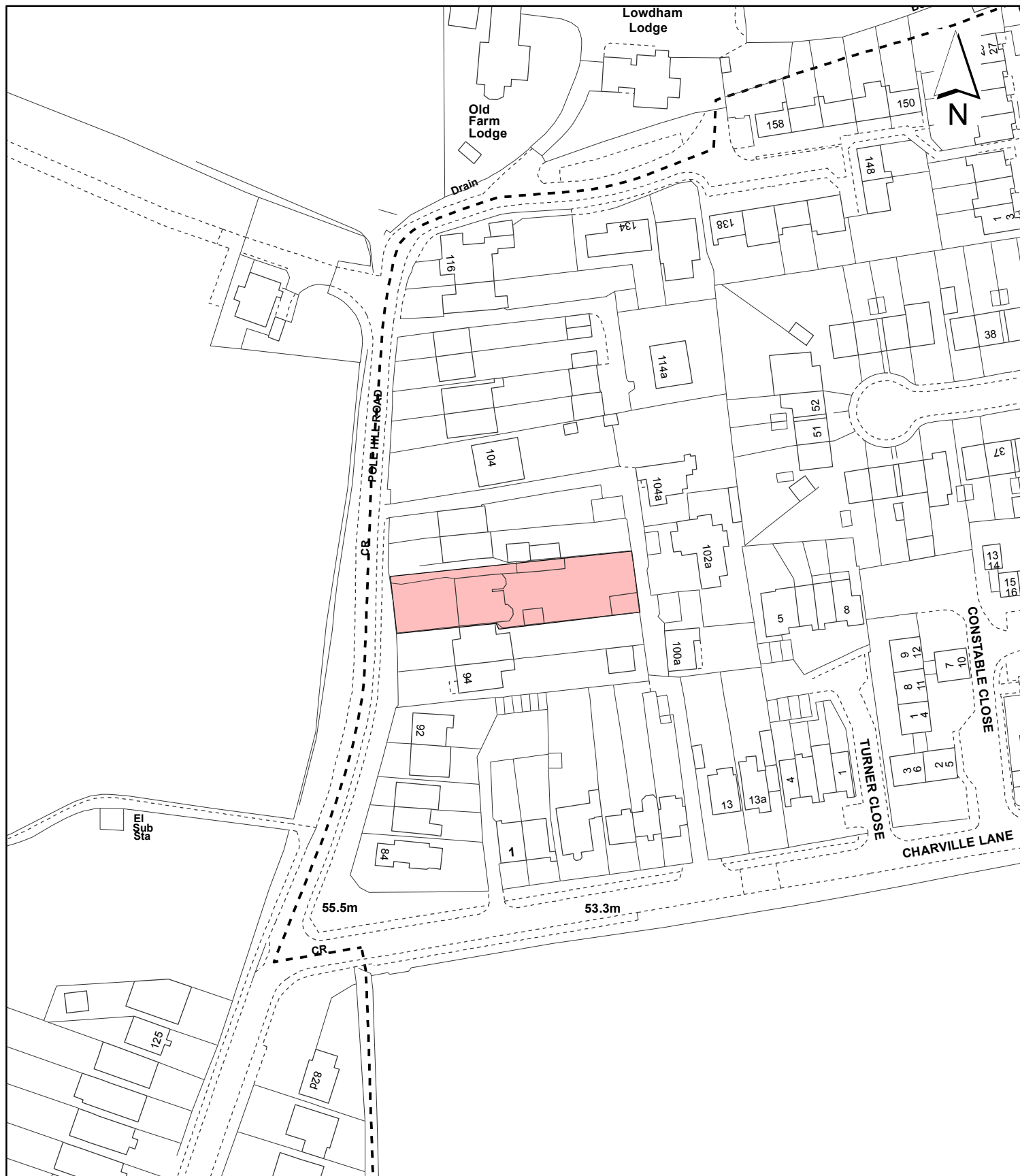
### **Part 2 Policies:**

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.
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LPP 3.5	(2016) Quality and design of housing developments
NPPF	National Planning Policy Framework

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#### Notes:

 Site boundary

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Site Address:

**98 Pole Hill Road  
Hillingdon**

Planning Application Ref:

**10668/APP/2017/4219**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**October 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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



**HILLINGDON**  
LONDON