

Report of the Head of Planning, Transportation and Regeneration

Address 6 COMPTON ROAD HAYES

Development: Single storey outbuilding to rear for use as a special needs sensory room (Retrospective)

LBH Ref Nos: 64537/APP/2018/3485

Drawing Nos: Location Plan (1:1250)
01

Date Plans Received: 28/09/2018 **Date(s) of Amendment(s):**

Date Application Valid: 28/09/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises of a two storey semi-detached dwelling situated on the north side of Compton Road, Hayes. The property is constructed from brick with part pebbledash render, is characterised with a hipped roof with a two storey front bay window and is set back from the adjacent highway to accommodate a front garden laid in hardstanding. The property benefits from a number of extensions including a single storey rear extension and two detached outbuildings within the rear garden.

The surrounding area is residential in character and is made up mainly of two storey semi-detached dwellings that are of a similar size and appearance.

1.2 Proposed Scheme

Retrospective consent is sought for a single storey outbuilding to the rear for use as a special needs sensory room.

The outbuilding is situated at the end of the rear garden and measures 6.6 m x 4.6 m and has a mono-pitched roof with a maximum height of 3.3 m. It is constructed from brick to match the materials of the existing dwelling.

1.3 Relevant Planning History

64537/APP/2008/1513 6 Compton Road Hayes
Single storey rear extension (Retrospective application).

Decision Date: 28-10-2008 Approved **Appeal:**

Comment on Planning History

64537/APP/2008/1513: Single Storey Rear Extension (Retrospective) - Approved

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 adjoining neighbours to either side were consulted via letter dated 05.10.18 including a site notice displayed adjacent to the premises on 08.10.18. No representations received.

Ward Councillor: Requests that the application is reported to planning committee.

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:

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.

AM14 New development and car parking standards.

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 issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the existing dwelling, the impact on the visual amenities of the adjacent Green Belt and surrounding area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and provision of associated parking.

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of

extensions which should appear subordinate in scale to the original building. Section 9.0 states detached outbuildings should be positioned as far as possible from the house to prevent overshadowing to neighbouring dwellings. A practical amount of garden space should be retained, and the bulk, height, proportion, floorspace and materials should all be considered. The maximum height for a outbuilding with a pitched roof should be 4 m.

The outbuilding is sited at the bottom of the rear garden and is characterised by a mono-pitched roof which measures a maximum of 3.3 m in height. The outbuilding has a total floor area of 30 sq.m, and benefits from an internal layout comprising of a special needs/sensory room, a utility room and a shower. The outbuilding is erected up to the shared boundary to all sides. However, by virtue of its separation distance from the rear wall of the host dwelling, the size, scale, height and location is considered not to have a harmful impact on the character and appearance of the original dwelling and surrounding area. The site benefits from a second detached outbuilding situated perpendicular to the shared boundary wall which measures 14 square metres. The total size of outbuildings (44 square metres) would be equal to that approximately of the original dwellinghouse and would, in normal circumstances, be considered excessive in relation to the size of the dwellinghouse. However, in this particular instance due to the requirement of the sensory room for support in respect of the disability of the applicants daughters, the proposal is considered acceptable and incidental to the enjoyment of the main house.

The application site benefits from a separate side access leading to the rear garden and as such to ensure the outbuilding is used only for a purpose incidental to the enjoyment of the main dwellinghouse, it is considered necessary to impose a condition ensuring the outbuilding remains ancillary to the host dwelling.

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity would not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

The detached outbuilding is situated at the bottom of the rear garden and is considered by reason of its separation distance from the host dwelling and adjoining neighbours, its size, scale and design, would not result in an adverse impact upon the residential amenities and light levels of the adjoining and nearby properties. Additionally the outbuilding benefits from a set of glazed doors across the front elevation to face the host dwelling which do not raise issues of privacy and overlooking.

The development is therefore considered to be in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan; Part Two - Saved UDP Policies (November 2012).

The application site would retain approximately 55 sq.m of rear garden space. This would fall short of the minimum requirements for a 3 bedroom dwelling (60 sq.m). However, given the small level of shortfall and that the site lies within a short walking distance of public open space, this is considered acceptable in this instance.

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.

The application is recommended for approval, subject to conditions.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number 01.

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).

2 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

- 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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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:

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.
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AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

- 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: Naim Poptani

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**6 Compton Road
Hayes**

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

Planning Application Ref:
64537/APP/2018/3485

Scale:
1:1,250

Planning Committee:
Central & South

Date:
January 2019

