

Report of the Head of Planning, Transportation and Regeneration

Address 3 HIGHFIELD DRIVE ICKENHAM

Development: Boundary wall to front (Part retrospective)

LBH Ref Nos: **4075/APP/2018/3495**

Drawing Nos:
18/3/HDI/302 C
18/3/HDI/301
Location Plan
18/3/HDI/303

Date Plans Received: 01/10/2018

Date(s) of Amendment(s):

Date Application Valid: 10/10/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application site comprises a detached two-storey dwelling on the North side of Highfield Drive. Construction work is being undertaken at the property. A boundary wall appears to have been partially erected without permission. Although this is different from the scheme currently being considered, it is the plans before the Committee that need to be determined and a decision made regarding whether they can be approved.

The street scene is residential in character and appearance comprising a mix of properties with small front boundary walls and hedges. The site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

This application seeks planning permission for a boundary wall of 1 metre high with columns of approximately 1.8 metres

1.3 Relevant Planning History

4075/APP/2012/1066 3 Highfield Drive Ickenham

Part two storey part single storey rear extension

Decision Date: 21-06-2012 **Refused** **Appeal:**

4075/APP/2012/128 3 Highfield Drive Ickenham

Part two storey, part single storey rear extension and conversion of roof space to habitable use to include a 1 front dormer, 2 front rooflights and 3 rear rooflights

Decision Date: 11-04-2012 **Refused** **Appeal:**

4075/APP/2012/1594 3 Highfield Drive Ickenham

Part two storey, part single storey rear extension

Decision Date: 29-08-2012 **Refused** **Appeal:**

4075/APP/2013/3498 3 Highfield Drive Ickenham

Part two storey, part single storey rear extension and conversion of roofspace to habitable use to include 2 front and 2 rear rooflights

Decision Date: 11-02-2014 Refused **Appeal:** 24-JUN-14 Allowed

4075/APP/2017/3050 3 Highfield Drive Ickenham

Single storey outbuilding to rear for use as a gym/games room (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 06-10-2017 Approved **Appeal:**

4075/APP/2017/4391 3 Highfield Drive Ickenham

Brick wall and railings/gate to front

Decision Date: 12-02-2018 Refused **Appeal:**

4075/APP/2018/956 3 Highfield Drive Ickenham

Erection of brick wall to front boundary, with metal railings and sliding gate.

Decision Date: 16-05-2018 Approved **Appeal:**

4075/C/82/0046 3 Highfield Drive Ickenham

Householder development - residential extension(P)

Decision Date: 22-02-1982 Approved **Appeal:**

4075/D/82/0802 3 Highfield Drive Ickenham

Householder dev. (small extension,garage etc) (P)

Decision Date: 15-07-1982 Approved **Appeal:**

4075/F/95/0305 3 Highfield Drive Ickenham

Erection of a single storey side extension and conversion of garage to a habitable room

Decision Date: 03-04-1995 Approved **Appeal:**

Comment on Planning History

Permission was refused in 2017 for a boundary wall with 2 metre high columns and 1.8 metre high walls/railings and a 1.8 metre high sliding metal gate.

4075/APP/2018/956 - Erection of brick wall to front boundary, with metal railings and sliding gate. Approved - the development was 1 metre high.

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

EXTERNAL

Neighbours were notified on 12/10/2018 and a site notice was displayed on 15/10/2018. No comments were received.

The Ickenham Residents Association commented that their previous comments were not included in the last report. They seek information has to what will happen to the already built columns as these appear unacceptable according to guidance. They also note the level of hardstanding which does not accord with previous conditions and question whether a gate will be subsequently added.

INTERNAL

Trees and Landscape Officer:

The site is occupied by a newly built two-storey house within a spacious plot at the north end of Highfield Drive. The site benefits from a generous size front garden with ample space for several parked cars within the site. This residential area is not designated in any way which constrains development, although it is noted for its verdant character - which is gradually being eroded. **COMMENT** The site has been the subject of several recent applications, including 2018/956 which was approved. The approved drawing showed a significant area of hard surfacing for parking together with a reasonable area of soft landscaping. - Hard and soft landscape details were conditioned. There is no objection to the wall per se - subject to details of hedge planting to the rear and the removal of the unauthorised (excessive) area of hard surfacing in accordance with previously approved plans. **RECOMMENDATION** Is this a matter for the planning enforcement team? The application can only be acceptable subject to the submission (and implementation) of condition RES9 (parts 1,2 and 5) in accordance with planning approval 2018/956.

Officer comment: A landscaping condition is proposed. which reiterates the previous condition and the Enforcement Officer is aware of the issues

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. |
| 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 |

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 and the impact on residential amenity of the neighbouring dwellings.

Policies BE13 and BE15 of the Local Plan seek to ensure that development harmonises with the character of the surrounding properties and street scene, and in particular the scale, form, architectural composition and proportions of the original building. Policy BE19 further requires that development should complement and improve the amenity of the residential area.

HDAS: Residential Extensions section 10 states all front walls and enclosures should make a positive contribution to the street scene and must ensure adequate visibility for all vehicles entering and exiting the property. Materials used and the height of any wall/enclosure must be in keeping with the character of the area. Furthermore, front gates over 1 m in height will be refused planning permission because of their overbearing impact on the street scene. The erection of railings over 1 m in height around front gardens will also be refused planning permission for this reason, as will the erection of railings onto boundary walls.

The boundary wall has a finished height of 1 metre with columns of 1.8 metres. It is considered that the proposal would be appropriate to the street scene which has a variety of front boundary treatments. The scheme would therefore be in accordance with the above guidance and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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. The current scheme is different from the boundary wall that has been partially constructed. If this scheme were to be implemented the matter would be resolved. However, the Enforcement Officer has been alerted to consider whether Enforcement action would be needed were the current application not to be constructed.

The key issue is actually considered to be ensuring a sufficient amount of soft landscaping is provided to maintain the verdant character of the streetscene; this is conditioned.

In conclusion, it is recommended that the application be approved.

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 completed except in complete accordance with the details shown on the submitted plans, numbers 18/3/HDI/302 C: 303

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 RES9 Landscaping (car parking & refuse/cycle storage)

Within 2 months of this permission a scheme shall be submitted to the Local Planning Authority indicating the provision of a hedge behind the front boundary wall. The details shall include:

- 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate.
2. Schedule for Implementation

Thereafter the planting shall be carried out within 2 months of the approval of details thereafter.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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 (2015). 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 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

- 3 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

- 4 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 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:

- 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.
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

- 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).

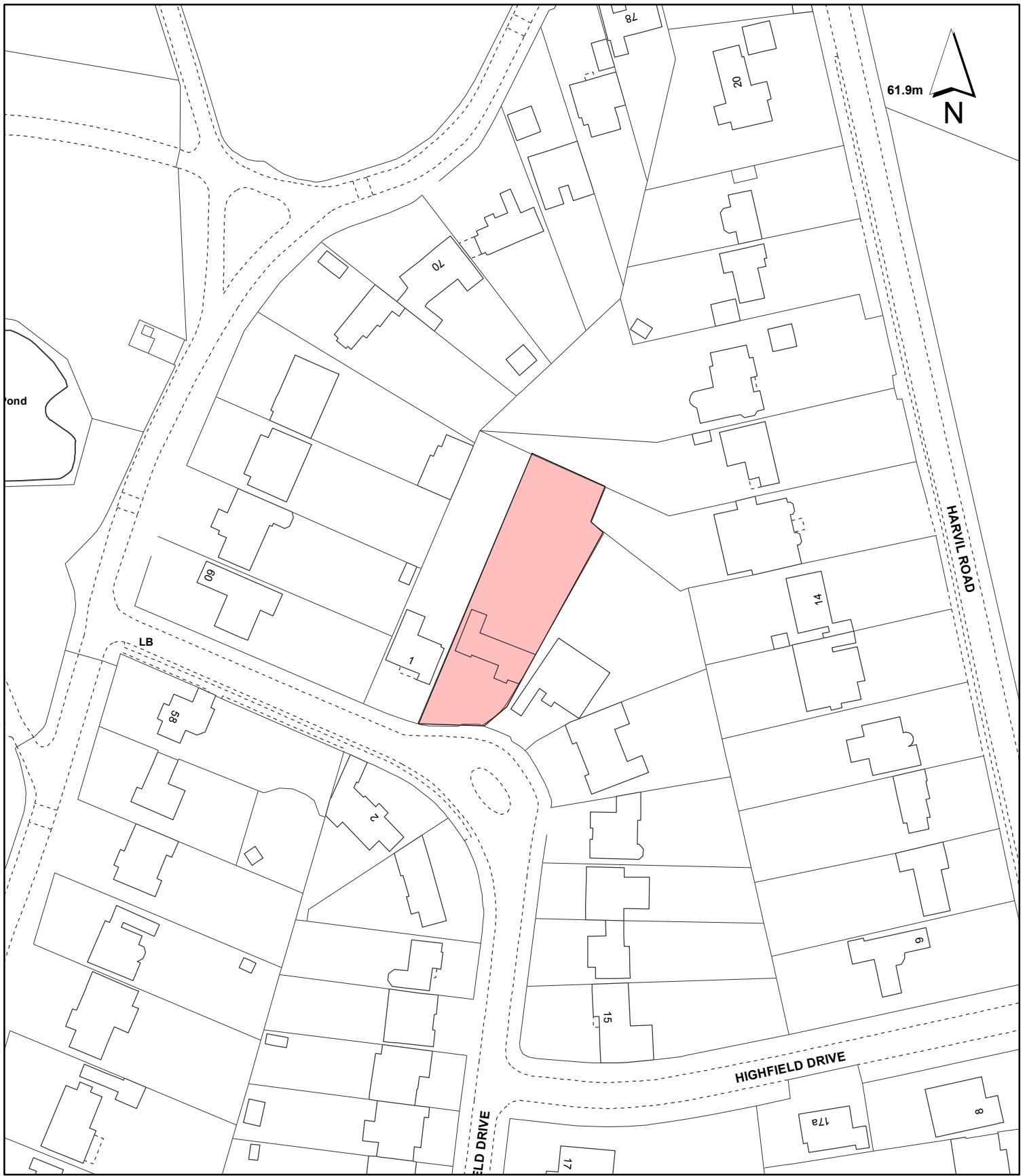
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks 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: Cris Lancaster

Telephone No: 01895 250230



Notes:

Site boundary
For identification purposes only.

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Site Address:

**3 Highfield Drive
Ickenham**

**LONDON BOROUGH
OF HILLINGDON**

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

Planning Application Ref:

4075/APP/2018/3495

Scale:

1:1,250

Planning Committee:

North

Date:

January 2019



HILLINGDON
LONDON