

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

**Address** 201 SHAKESPEARE AVENUE HAYES

**Development:** Single storey outbuilding to rear for use as office and storage (Retrospective)

**LBH Ref Nos:** 29319/APP/2018/3498

**Drawing Nos:** SKB004  
Location Plan (1:1250)  
Block Plan (1:500)

**Date Plans Received:** 01/10/2018      **Date(s) of Amendment(s):** 01/10/2018

**Date Application Valid:** 22/10/2018

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is situated on the north-western side of Shakespeare Avenue and comprises a two storey semi-detached dwelling with main hipped roof and pebble-dash external facings. The dwelling has a derelict timber-framed single storey rear conservatory extension and disused detached garage in an extensively deep and spaciouly sized rear garden. The front garden is hardsurfaced and forms an off-street parking area.

The attached semi-detached dwelling to the east, No. 203 Shakespeare Avenue, is unextended at the rear, while the unattached dwelling to the west, No. 199 Shakespeare Avenue, has a 4.1m deep flat-roof single storey rear extension with high parapet wall and detached outbuilding in the rear garden, which abuts the shared boundary. There is a shared access between both dwellings, which leads to the disused garage in the application rear garden. The angled rear boundary of the application site lies adjacent to an expansive wooded area that incorporates the Countryside Conservation Area and the Green Belt.

The Shakespeare Avenue streetscene is characterised by mainly semi-detached dwellings with similar roofscape and architectural styles/design, and set within relatively spaciouly sized plots. The application site as a whole lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### 1.2 Proposed Scheme

Retrospective consent is sought for a single storey outbuilding to rear for use as an office a storage room.

The outbuilding measures 8.2 m in depth, a maximum of 5.5. in width and reflects the shape of the bottom of the rear garden to accommodate a flat roof with a maximum height of 2.5 m. The outbuilding is constructed in materials to match the existing.

#### 1.3 Relevant Planning History

29319/APP/2016/1232      201 Shakespeare Avenue Hayes

Part two storey, part single storey rear extension involving demolition of existing conservatory

**Decision Date:** 07-06-2016      Approved      **Appeal:**  
29319/APP/2016/1233      201 Shakespeare Avenue Hayes

Single storey outbuilding to rear for use as storage (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision Date:** 19-05-2016      Approved      **Appeal:**

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

29319/APP/2016/1233: Single storey outbuilding to rear for use as storage (Application for a Certificate of Lawful Development for a Proposed Development) - Approved.

ENF/1067/16: Outbuilding not in accordance with application reference: 29319/APP/2016/1233.

The application site was granted a Lawful Development Certificate for the erection of a single storey outbuilding to the rear for use as storage. Following construction works, the outbuilding exceeded the maximum height limitation set out within the GPDO and included the installation of a waste water pipe which discharged into the adjoining Park. Following enforcement action, the applicant has sought to regularise the detached outbuilding by submission of a revised scheme which includes a reduced height and the removal of the waste water pipe.

The proposed outbuilding would have a floor area of approximately 36 square metres and is therefore considered to remain as a minor accompaniment to the original dwelling, would have a maximum height of 2.5 m and would be sited at the bottom of the rear garden, as such is not considered harmful to the character and appearance of the main dwelling, the surrounding area and the residential amenities of the adjoining neighbours. It is therefore recommended for approval.

## **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**

A total of 3 adjoining and nearby neighbouring properties were consulted via letter dated 23.10.18 including a site notice displayed adjacent to the premises on 05.11.18.

No representations received.

## **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.
OL5	Development proposals adjacent to the Green Belt
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 flat roof should be 3 m.

The outbuilding is sited at the bottom of the rear garden and would be characterised with a relatively low level flat roof with a maximum height of 2.5 m with a floor area of approximately 36 sq. m. The outbuilding is positioned at the bottom of the rear garden and reflects the chamfered angle of the plot boundary. Although this is at odds with the building lines of the host dwelling, given its size, scale and siting, it does not appear harmful to the character and appearance of the parent dwelling. The application site lies adjacent to the Metropolitan Green Belt, however it is considered given its single storey form combined with its low level height would not detract from the visual amenities and openness of the Green Belt.

The application site benefits from a separate access via the rear 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 that this door is removed following completion of the works and the outbuilding remains ancillary to the host

dwelling. The former waste water pipe has been removed following the removal of the bathroom.

The outbuilding is therefore considered to be in accordance with Policies BE13, BE15, BE19 and OL5 of the Hillingdon Local Plan: Part Two Saved UDP Policies(November 2012) and the HDAS Supplementary Planning Document.

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 by reason of its size, scale and design, is considered not to result in an adverse impact upon the residential amenities and light levels of the adjoining and nearby properties. Additionally the window and door face the host dwelling which overcome the issues of overlooking and loss of privacy.

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 100 square metres of rear garden space, which would be considered usable in terms of its shape and size, and would be in accordance with Policy BE23 of the Hillingdon Local Plan; Part Two - Saved UDP Policies (November 2012).

The application is recommended for approval.

## **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 carried out except in complete accordance with the details shown on the submitted plan number SKB004.

#### **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 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 199 Shakespeare Avenue.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

#### 4 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).

#### 5 NONSC Non Standard Condition

The existing door within the rear elevation of the outbuilding facing towards Belmore Playing Fields shall be removed within 3 months of the date of this decision and maintained hereafter and no further partition walls or additional rooms shall be created.

#### 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 Local Plan: Part Two Saved UDP Policies (November 2012).

### INFORMATIVES

- 1 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.
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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.

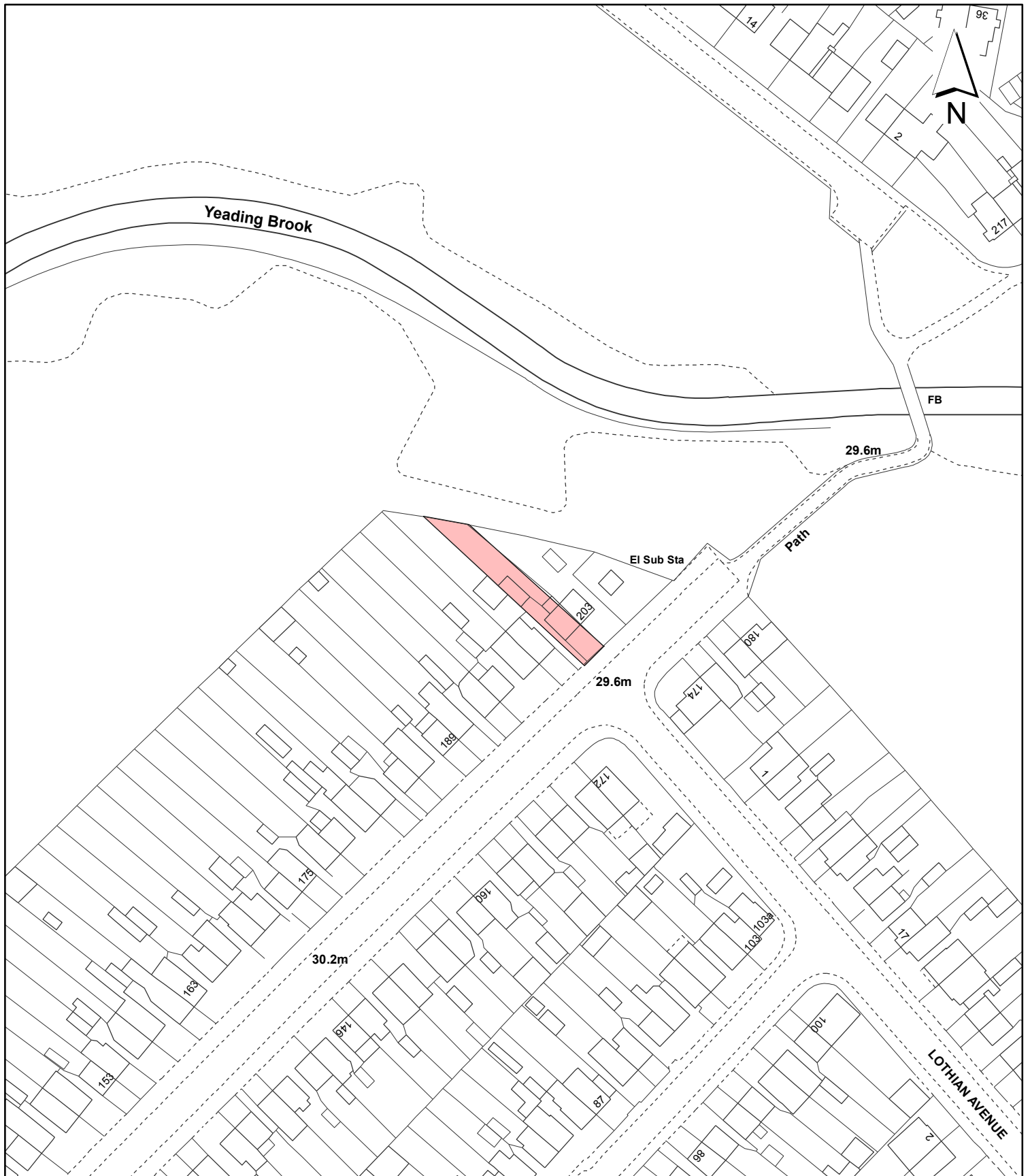
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the 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 (CO<sub>2</sub>) 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:

**201 Shakespeare Avenue  
 Hayes**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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

Planning Application Ref:

**29319/APP/2018/3498**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2019**



**HILLINGDON**  
 LONDON