

Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: **Daniel Ambrose**

79116/APP/2024/2794

Date Application Valid:	21.10.2024	Statutory / Agreed Determination Deadline:	24.01.2025
Application Type:	Householder	Ward:	Hayes

Applicant: **Mr Issacharof**

Site Address: **38 Varcoe Gardens, Hayes**

Proposal: **Conversion of integral garage to habitable accommodation with alterations to fenestration.**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

GRANT planning permission subject to the conditions set out in Appendix 1.

1 Executive Summary

- 1.1 This householder planning application proposes alterations to No. 38 Varcoe Gardens in Hayes and includes the conversion of the garage to habitable use.
- 1.2 Cumulatively, the proposed conversion and alterations are considered to comply with the objectives of the relevant planning policies and the proposal would not give rise to any significant harm to the character and appearance of the host dwelling or streetscene in which the site is situated.
- 1.3 The proposal would have an acceptable impact on neighbouring residential amenity and would not adversely affect highway safety, or cause harm in other respects.
- 1.4 Due regard has been given to local residents' objections, however it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken.
- 1.5 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

2 The Site and Locality

- 2.1 The application property is a three storey mid-terrace dwelling situated within the new residential estate, Varcoe Gardens. In terms of its frontage, the property is characterised by an entrance and garage door at ground floor level with a juliette balcony and window to the upper floor levels (refer to figure 1 below).
- 2.2 The surrounding area is residential. Dwellings within this area are predominantly of uniform design / appearance. The application dwelling is finished in render and brick and has a tiled pitched roof, characteristic of the area.
- 2.3 The application property includes a front and rear garden, providing off street parking accessed via a vehicular cross-over.
- 2.4 The site has a Public Transport Accessibility Rating Level of 1 (poor).

- 3.1 The application proposes the conversion of integral garage to habitable accommodation with alterations to fenestration (proposed plan shown at Figure 4 and 6 below).

Figure 3: Existing Elevations (please note – larger version of plan can be found in the Committee Plan Pack)



Figure 4: Proposed Elevations

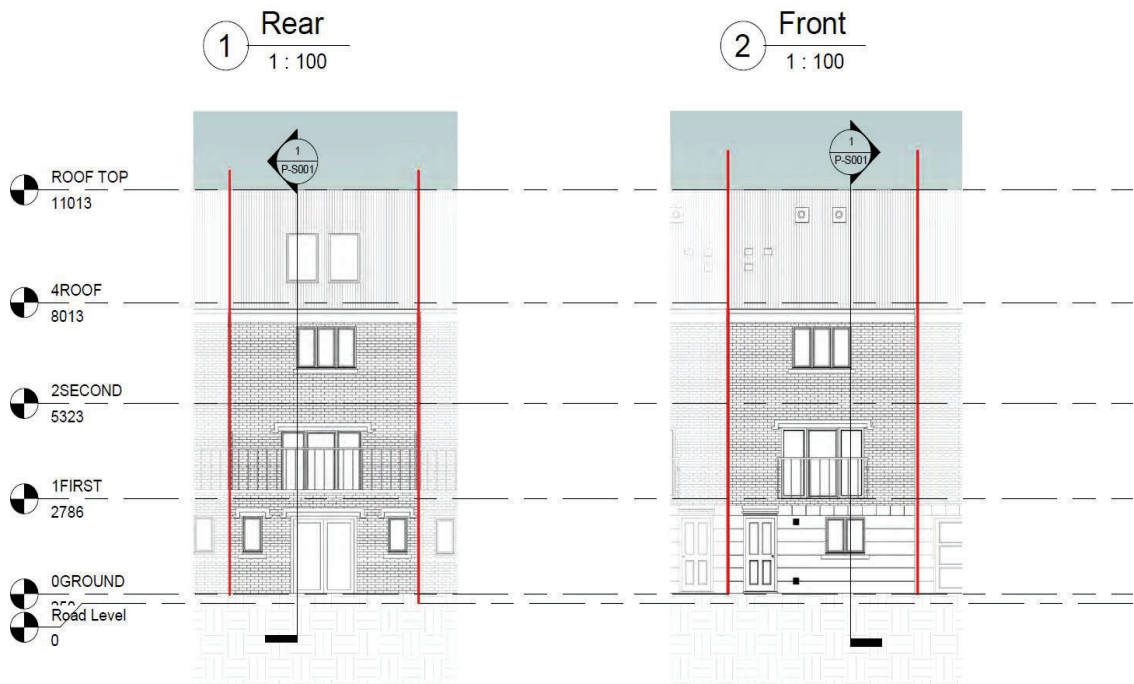


Figure 5: Existing Floor Plan

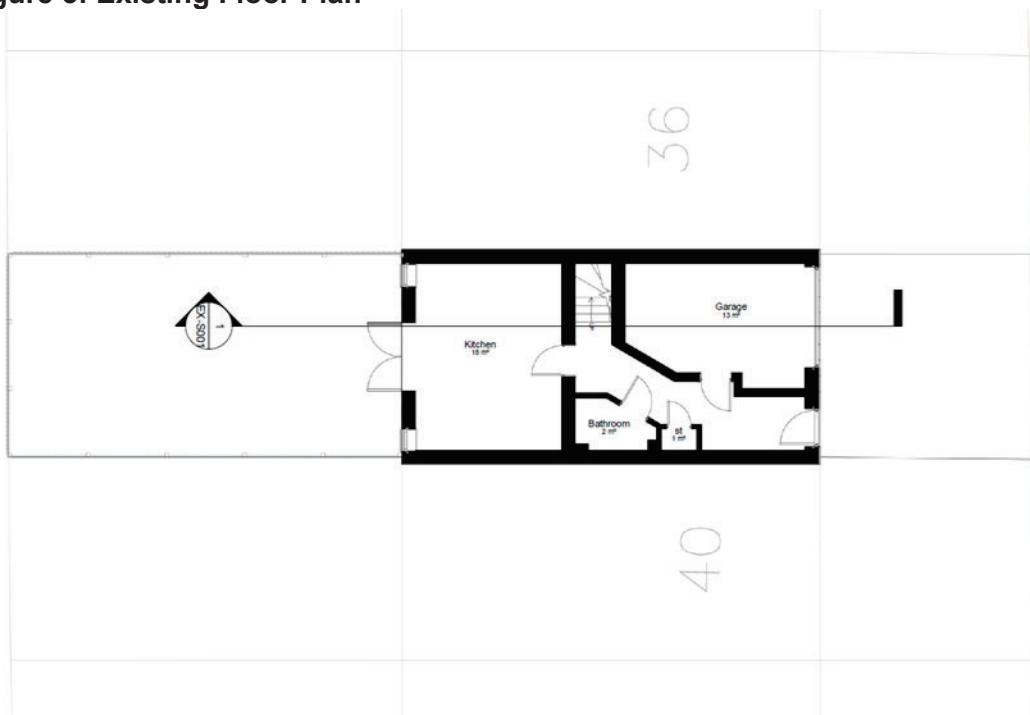
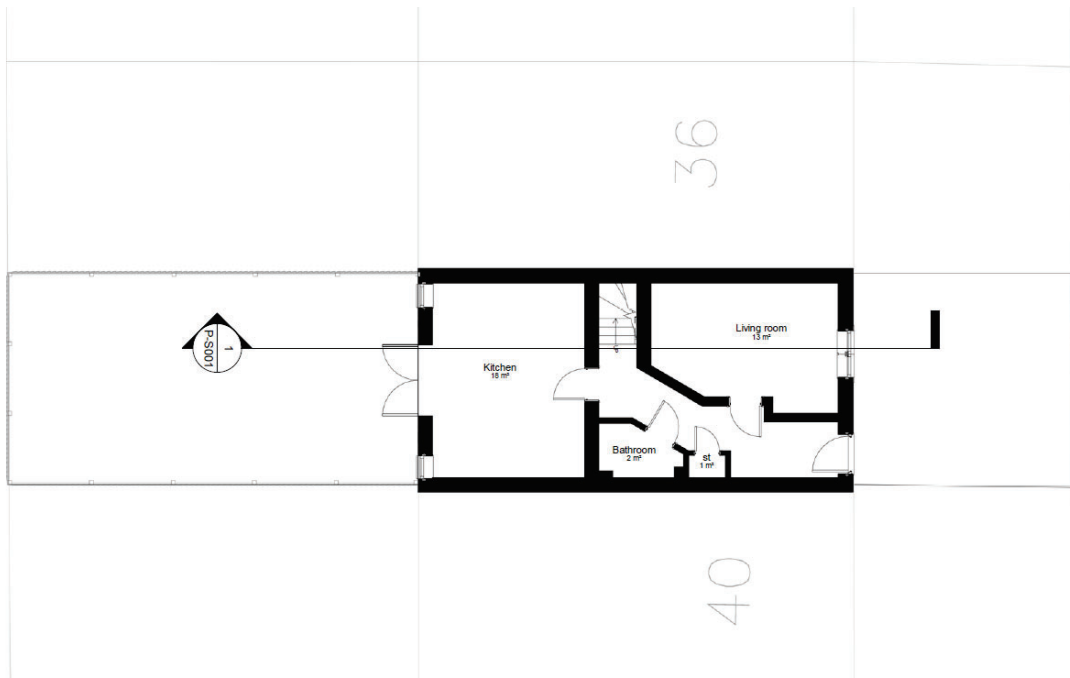


Figure 6: Proposed Floor Plan



4 Relevant Planning History

4.1 A list of the planning history related to the property can be found in Appendix 2.

5 Planning Policy

5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

6 Consultations and Representations

6.1 Five neighbouring properties were consulted on 29th October 2024.

6.2 Representations and a petition were received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
4 individual letters of objection have been received.	I. Concerns that the property will be used as an HMO	The use of the property as an HMO is not part of the

		current planning application.
	II. Parking Stress	Discussed at paragraph 7.14 of this report.
	III. Disrupt the uniform architecture and streetscene	Discussed at paragraphs 7.2 – 7.9 of this report.
	IV. Lack of disability justification	Discussed at paragraphs 7.8 of this report.
	V. Loss of privacy / overlooking to neighbouring properties	Discussed at paragraphs 7.10 – 7.12 of this report.
	VI. Concern about construction impact	Contractors will be required to adhere to all regulations to limit this impact on neighbours.
A petition of objection with 20 signatures was received.	VII. Parking Stress	Discussed at paragraph 7.14 of this report.
	III. Disrupt the uniform architecture and streetscene	Discussed at paragraphs 7.2 – 7.9 of this report.
	IX. Lack of disability justification	Discussed at paragraph 7.8 of this report.
	X. Concerns that the property will be used as an HMO	The use of the property as an HMO is not part of the current planning application.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
<p>Highways</p> <p>The planning permission is sought for conversion of integral garage to habitable accommodation. The property is a terraced dwelling and benefits from a driveway. In accordance with London Plan 2021 Policy T6.1 Residential Parking, if this was a new development there would be 0.75 car parking space be allocated. As this is an existing dwelling and on</p>	<p>Noted.</p> <p>This matter is discussed at paragraph 7.14 of this report.</p>

the basis that when the development is built out there would still be off street parking available, there are no objections from the Highways Authority for this proposal.	
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7 Planning Assessment

Principle of Development

- 7.1 The proposal is for conversions and alterations to an existing residential dwelling. As such, the principle of development is supported by national, regional and local planning policies, subject to the considerations set out below.

Character and Appearance

- 7.2 Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.
- 7.3 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.
- 7.4 Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extension of dwellings should not have an adverse cumulative impact on the character and appearance of the street scene and should appear subordinate to the main dwelling.
- 7.5 Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.
- 7.6 The proposed conversion of the integral garage to habitable accommodation would involve replacing the existing garage door on the front elevation with a window of a similar style to the existing windows on the property to facilitate the use of the room as a step-free additional living space.
- 7.7 There is one other garage conversions within the Estate at no. 85. The Estate itself is very uniform in its design with all the three storey terraced dwellings including an integral garage at ground floor. This being the case the proposal would cause some visual harm to the uniformity of the area, however given that

no.85 has benefited from conversion, officers do not see a reason to warrant refusal due to its modest and architecturally sympathetic design.

- 7.8 The applicant has advised that there is a need for an additional living space on ground floor level at the property on medical grounds. However, the proposals are considered to be acceptable, as set out in this report, independently of that assertion. A condition will be added to ensure that the building materials and windows match the existing property.
- 7.9 Overall, the current proposal is considered to satisfactorily integrate with the appearance of the original dwelling and taking into account the surrounding context of neighbouring development it would not harm the character, appearance and visual amenities of the area. As such, the development proposal would accord with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local plan - Part Two (2020).

Residential Amenity

- 7.1 Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.
- 7.1 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.1 There would be no harm to the amenities of the neighbouring properties as no overlooking would be created, and as no additional floorspace is created, there would be no loss of light, loss of outlook, nor would it be overbearing. The host would still retain their parking space to the front of the property, therefore no additional parking strain would be created.

Highways and Parking

- 7.1 Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.
- 7.1 The existing driveway would be retained to accommodate at least 1 vehicle with on street parking being available also, in accordance with adopted Council

parking standards, additional parking provision would not be required as adequate parking remains.

Trees and Landscaping

- 7.1 The proposal would maintain the existing use of the site frontage for parking provision. As such, the 25% soft landscaping stipulation in Policy DMHD 1 of the Hillingdon Local Plan Part 2 (2020) would not be appropriate to impose as a planning condition in this case.
- 7.1 The existing site benefits from a large rear garden with mature vegetation and the proposed extensions are being built upon existing hard standing areas with no existing landscaping being affected. No other significant issues are raised in respect of trees and / or landscaping.

Air Quality

- 7.1 The site does not lie within the Hillingdon Air Quality Management Area, nevertheless the proposal raises no significant issues in this regard due to the nature of the proposed development (householder development).

Drainage

- 7.1 The site is not identified as at particular risk from flooding or drainage issues. Drainage will be satisfactorily controlled through the Building Regulations in this case.

8 Other Matters

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

8.3 Not applicable. The proposed development is not CIL liable.

9 Conclusion / Planning Balance

9.1 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

10 Background Papers

10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingdon.gov.uk.

APPENDICES

Planning Application

79116/APP/2024/2794

Appendix 1: Recommended Conditions and Informatives

Conditions

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 plans, numbers: EX-L001, P-P001, P-P002, P-P003, P-P004, P-E001, P-E002, P-E003 and P-S001.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

Informatives

1. I52 Compulsory Informative (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).

153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D6	(2021) Housing quality and standards

Appendix 2: Relevant Planning History

Appendix 3: List of Relevant Planning Policies

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

LPP D6 (2021) Housing quality and standards