



## **LONDON BOROUGH OF HILLINGDON**

### **Planning, Design and Access Statement**

*'Variation of Condition 2 to planning permission approved under App  
Ref:18540/APP/2020/3644 (Approved 22.12.20) and Retention of Porch and Canopy to the  
eastern elevation as built'.*

**58 Long Lane  
Ickenham  
Uxbridge UB10 8SZ**

**October 2023**

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## LIST OF CONTENTS

Introduction	3
Site Location	3
Site Description	4
Planning History	4
Proposed Development	4
Planning Policy Context	4
Planning Case	7
Conclusions	7

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## DOCUMENTS

	<i>Appendix</i>
Decision Notice App Ref: 18540/APP/2020/3644	1
Officer Report App Ref: 18540/APP/2020/3644	2
Approved Drawing D01 Rev A – Proposed Ground Floor Plan	3
Approved Drawing D03 Rev A – Proposed Layout Plan	4
Approved Drawing D04 Rev E – Proposed Elevations	5
As Built/Proposed Drawing P9/001 – Site Location Plan	6
As Built/Proposed Drawing P9/002 – Ground Floor Plan	7
As Built/Proposed Drawing P9/003 – First Floor and Roof Plan	8
As Built/Proposed Drawing P9/004 – Front, Rear and Side Elevations	9
Letter, Ref: ENF/9/23 , dated 7 <sup>th</sup> September 2023	10

## INTRODUCTION

1. This application is made upon the Instruction of Mr Thomas Ho (Hang Kwong Ho) ('the Applicant') pursuant to correspondence received from London Borough of Hillingdon, dated 7.9.23, Reference ENF/9/23 exhibited in the application documents. That correspondence expresses concerns regarding a discrepancy between drawings approved under App Ref: 18540/APP/2020/3644 and a porch erected at the property which does not comply with that shown on those approved drawings. The purpose of this application is to seek a variation of Condition 2 to planning permission approved under App Ref: 18540/APP/2020/3644, substituting Drawing Nos P9/001,002, 003 and 004 for those approved on 22.12.2020 under App Ref: 18540/APP/2020/3644, (Drawing Numbers D01 Rev A, D03 Rev A and D04 Rev E), thus retaining the porch/canopy structure 'as built'.

## SITE

### *Location*

2. The site in issue extends to 0.2 acres located at Central Grid Reference TQ078858 E:507811 N:185860, 58 Long Lane, Ickenham, Uxbridge UB10 8SZ ('the Site'). The residence sited on the land is a substantial detached property (fair brick under tiled roof) in grounds with direct access on to Milton Road ('the Property'). The Site falls within Flood Zone 1 and is bounded to the north by Milton Road, to the east by Long Lane, to the south by neighbouring residence 60 Long Lane and to the west by neighbouring residence 1 Milton Lane.

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### **Description**

3. The Property is not listed or locally listed and there are no listed buildings in proximity to the site which nevertheless falls to be considered within the Ickenham Village Conservation Area. The Site is east facing (onto Long Lane) and bound to the north east and west by high (8-10 feet) maintained hedges strictly limiting view into the site. The driveway into the Property is angled (off Milton Road) similarly strictly limiting views of the front elevation of the Property and affording only glimpsed views from Milton Road of the end elevation of the Property.

### **PLANNING HISTORY**

4.

APP REFERENCE	PROPOSAL	DECISION
18540/APP/2020/3644	Single storey side extension, porch to front involving demolition of existing garage, porch and shed and replacement boundary wall and installation of bike/store	22.12.20
18540/APP/2020/1468	Single storey side extension incorporating garage, porch to front involving demolition of existing garage, porch and shed and replacement boundary treatment.	10.7.20

### **BACKGROUND**

5. Mr and Mrs Ho purchased the Property in May 2022 and 'inherited' the extant consent approved under App Ref: 18540/APP/2020/3644. Then, as now, Mr Ho had strictly limited mobility despite spinal surgery in 2009. Further to this, more recently Mr Ho is a cancer patient. Mr Ho wished to enjoy the fresh air and sunshine in his garden and made enquiries of agents as to the possibility of extending the porch to afford a 'canopy' extending from the porch so that he could gain access and sit beneath the canopy. The canopy dimensions are such to confirm and accommodate wheelchair access without hindrance. Mr Ho was advised that the intended development was 'permitted' (it seems that those advising Mr Ho had in mind the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)). Upon this basis the works as exist proceeded.

### **PROPOSAL**

6. The porch/canopy in issue offers significant amenity to Mr Ho and he wishes to retain it as built.

### **POLICY CONTEXT**

7. Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. Material planning considerations include national planning

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policy and can include former decisions by the LPA/Secretary of State, alternative uses, and fall-back positions.

**Development Plan**

8. In this case, the Development Plan consists of the London Borough of Hillingdon Local Plan 2013-2033 (adopted January 2020). Material considerations include the National Planning Policy Framework ('NPPF') to include paragraphs 38, 47, 130, 189, 195 and can include local decisions, economic considerations, and fall-back positions.
9. The National Planning Policy Framework (September 2023) outlines the Government's requirements for the planning system and establishes how these will be addressed to include the presumption of sustainable development.
10. In this case the policies most relevant to the determination of the subject application are Policies DMHB1 and DMHB11 of the Hillingdon Local Plan Part 2, both of which go to consider the potential for harm to heritage assets (as here, the Conservation Area) and in turn design of new development.

**Hillingdon Local Plan (adopted 16/1/2020)**

***Policy DMHB 1 : Heritage Assets***

11.
  - A) The Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where:
    - (i) It sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation;
    - (ii) It will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPOF;
    - (iii) it makes a positive contribution to the local character and distinctiveness of the area;
    - (iv) any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset;
    - (v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials;
    - (vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and
    - (vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.
  - B) Development proposals affecting designated heritage assets need to take account of the effects of climate change and renewable energy without impacting negatively on the heritage

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asset. The Council may require an alternative solution which will protect the asset yet meet the sustainability objectives of the Local Plan.

C) The Council will seek to secure the repair and reuse of Listed Buildings and monuments and improvements to Conservation Areas on the Heritage at Risk Register, through negotiations with owners, the provision of advice and guidance, the use of appropriate legal action, and through bids for external funding for improvement works.

### ***DMHB 11 – Design of New Development***

12.

- A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and incorporate principles of good design including:
- i) harmonising with the local context by taking into account the surrounding;
    - Scale of development, considering the height, mass and bulk of adjacent structures;
    - building plot sizes and widths, plot coverage and established street patterns;
    - building lines and setbacks, rooflines, streetscape rhythm, for example gaps between structures and other streetscape elements, such as degree of enclosure;
    - architectural composition and quality of detailing;
    - local topography, views both from and to the site, and
    - impact on neighbouring open spaces and their environment.
  - ii) ensuring the use of high quality building materials and finishes;
  - iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
  - iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
  - v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

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### **PLANNING CASE**

13. The LPA is reasonably mindful of the importance of the Conservation Area and in this context, the unauthorised variation that has occurred between the development approved and that built. The applicant apologises for that variation and this document has explained how this came about. The LPA is asked to consider however, the materiality of the change in context, which might reasonably be viewed as acceptable being one that, in this case, does not in any way adversely impact the importance of the setting.
14. The setting is largely residential, exhibiting a wide range of building styles, finishes, materials and roofscapes in a predominantly verdant setting with properties in large plots set back some distance from the highway with ample front gardens.
15. The subject property is to be viewed in this context. The materials used in the construction of the porch/canopy are high quality, appropriate and in-keeping.
16. In this case the subject property is large and the porch / canopy is not disproportionately large in relation to it, particularly given the proportions of the northern/eastern aspect of the property, as viewed in fleeting glances from Milton Road.
17. The Site, much less the porch is barely visible from the public realm given the orientation of the Property and the location of the porch to the south of the eastern elevation.
18. The applicant apologises for the unauthorised development, led as this was by erroneous 'advice' based on the failure to qualify size and height of the proposed erection.

### **CONCLUSIONS**

19. Whereas the porch/canopy are of course not in accordance with the approved drawings, it is respectfully submitted that the result is not harmful in the heritage setting so that the variation of Condition 2 to App Ref: 18540/APP/2020/3644 is suitable for approval.