



Statement in support of Planning Application for Change of use from Prayer Room to Granny Annex at 10 Doghurst Avenue, Harlington, UB3 5BJ

INTRODUCTION:

This justification statement is submitted on behalf of the owner Mr. Zeeshan Umer, by Mr. Lee Curtis of Architectural Designs Services (UK) LTD in support of the pending planning application for a change of use for the existing ancillary outbuilding located within the rear garden at 10 Doghurst Avenue, Harlington, Hayes, UB3 5BJ. The application seeks to change the use of the outbuilding (initially granted planning permission (ref: 58207/APP/2018/80) on 05-03-2018 for a single storey outbuilding to rear for use as a prayer room) to a living annex intended to provide a habitable space for Mr. Umer's mother. This statement outlines the background and presents justifications for this change of use.

BACKGROUND:

1. The property known as 10 Doghurst Avenue, Harlington, Hayes, UB3 5BJ. Is a 2 storey 3-bedroom dwelling house located upon Doghurst Ave.
2. The property includes 2 double bedrooms, one at 10.5sqm (FIG.1) and one at 9.45sqm (FIG.2 & 3). To the front of the property, located over the properties only staircase as a single bedroom (at 3.68sqm) with severely restricted usable floor space owing to the staircase bulkhead located within. (FIG.4).
3. The ground floor of the property has been previously extended to the rear with the first floor remaining as originally constructed.
4. The rear, the garden is mainly laid to lawn and retains a large private amenity space for the occupiers of the dwellinghouse, which includes the outbuilding subject to this application.
5. To the front of the property are 2no off street parking spaces.
6. To the side of the property is an accessway leading from the front parking area to the rear garden directly.
7. The outbuilding in question (FIG.5) was initially constructed and designated in 2018 as a prayer room in accordance with Hillingdon Council's approved planning application reference 58207/APP/2018/80.
8. The room served its intended purpose until a visit from council officers, approximately three months after its completion. The officers involved in this visit were identified as Mitra Divami and a unknown colleague.
9. Following the visit by the aforementioned council officers, it was conveyed that the building could be classified as a self-contained unit, suitable for use as an extension of the primary dwelling. Furthermore, it was communicated that the building would be subject to council tax, with a reduced rate applicable if used by a family member.
10. This interpretation led to the understanding that the council had granted permission for the room to be utilized as habitable space, thus prompting the commencement of council tax payments. (FIG.6). Which have continued on the basis of the outbuildings inhibition.

11. Upon a recent visit by Council planning officer Mr. Miah, Mr. Umer was informed that the initial officers were from a different department within the council, a fact previously unknown to him. This revelation has created uncertainty regarding the status of the room and Mr Umer has been served with a "Breach of conditions" notice. Which notes that the previous planning applications condition stating that the outbuilding was to be used only for its approved purpose has been breached. (FIG.7 & 7a)
12. The proposed planning application seeks to request a change of use of the outbuilding to allow residential use and to allow a single family member to inhabit this area. It is intended for the sole use of the applicant's immediate family member currently living within the dwelling and is not intended to be used for any form of rental unit to those outside the immediate family.

JUSTIFICATION:

Legislation - The public sector equality duty (PSED) arises from section 149 of the Equality Act 2010 which provides:

1. A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
3. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
7. The relevant protected characteristics are: **age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex.**

The facts:

1. Mr. Zeeshan Umer's mother is in residence for two significant reasons.
 - a) She suffers from ill health and finds comfort and security in staying with her son, who possesses a medical background.
 - b) She plays a crucial role in assisting with childcare responsibilities, an invaluable support system for Mr. Zeeshan Umer and his wife, who both work full time.

2. Given her pre-existing health conditions, Mr. Umer's mother is classified as a high-risk patient for conditions such as COVID-19. Consequently, it is imperative to minimize her exposure to potential viruses. Mr. Zeeshan Umer's role as a key worker at Hillingdon Hospital exposes him to various viruses, including COVID-19. Therefore, having a separate living space and dedicated bathroom facilities for his mother is a matter of paramount importance for her safety. Attached to this statement are supporting documents, including a letter from Mr. Umer's mother's General Practitioner (GP) (FIG.8) and a letter from his workplace (FIG.9), affirming the necessity of this change.
3. Furthermore, Mr. Umer's mother faces mobility challenges, particularly in terms of ascending and descending stairs. The current living arrangement requires her to navigate staircases, which poses a significant challenge. With limited capacity for extension to the ground floor area and in consideration of her limited mobility, establishing a ground-floor annex is the most suitable and accommodating solution, providing her with a comfortable and accessible living environment. Mr. Umer's elderly mother has been living in the outbuilding for many months with the hope to remain there until the end of their life. In this case, of a disabled person, the outbuilding has been suitably adapted to meet Mr. Umer's mother's needs. Any decision which ultimately leads to the loss of security of a home for Mr. Umer's mother would have a harmful impact on the family's wellbeing. This requirement is highlighted in the attached GP letter. (FIG.8)
4. Any changes to the current living arrangements would have a profound impact on Mr. Umer's mother, as well as on the children within the family, whose living arrangements would be significantly disrupted. Currently within the dwelling are Mr Umer, his wife and three children (2 males and 1 female). Therefore the 3 bedrooms are not sufficient for the family's needs.
5. The request for this change of use is not only a matter of convenience but also a measure of compassion, ensuring the well-being and safety of his mother.
6. Externally the outbuilding will remain as per the approved planning application and the change of use will not require any change in façade or materials.
7. Currently the "use class" of the outbuilding would be considered "Sui Generis" and the application seeks to change this use class to Class "C3 Dwellinghouses" which includes for "*use by a carer and the person receiving the care.*" This is inline with the current usage of the building.
8. The government's "National Planning Policy Framework" Paragraph 8 states its objective as "*to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.*" Due to the proximity of the adjoining dwellings this proposal meets this need whilst reducing impact on the neighbouring dwellings.
9. It also states within paragraph 11 that "*Plans and decisions should apply a presumption in favour of sustainable development.*"
10. Policy DMH 6 of the Hillingdon Local Plan – Part 2 states:
"backland development may be acceptable, subject to the following criteria:
i) *neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided.*
• The existing outbuilding has been approved within approved planning application reference 58207/APP/2018/80 and sits between developments of similar appearance and scale.
• Windows and doors are oriented to face the existing dwelling and are at the ground floor level of the property.

- The property is encased between a blockwork garden wall and a timber fence. Both at a height of approx. 1.9m and therefore visual intrusion is not applicable.
- ii) *ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light.*
 - Parking provisions will not be increased due to the proposals.
 - In accordance with Hillingdon's Local Plan Part 2, 2 spaces are to be provided for a dwelling house of more than 3 bedrooms. Currently 2 parking spaces are provided directly to the front of the property.
- iii) *Development on backland sites must be more intimate in mass and scale and lower than frontage properties.*
 - The existing outbuilding is located at ground level to the rear of the property. It is not visible from the street scene.

11. The proposed outbuilding is not overly large and does not significantly reduce private amenity space of the garden. The proposed outbuilding is no larger than the neighbouring outbuildings on either side and therefore respects neighbouring properties and does not result in the excessive loss of residential amenity, privacy, outlook or overshadowing/sunlight. Accordingly, the proposed outbuilding accords with Policy DMHD 2 of the Hillingdon Local Plan – Part 2.

CONCLUSION:

In conclusion, this planning application seeks approval for the change of use from a prayer room to a residential ancillary annex, driven by the urgent and compelling needs of Mr. Zeeshan Umer's mother. The proposal would result in an increased efficiency in land use without any detrimental impact upon the local built environment or neighbouring amenity.

We kindly request thoughtful consideration of this application, taking into account the compassionate reasons behind this request and the profound implications any changes would have on the family.

Consequently, we respectfully request that this proposal be granted planning permission with any reasonable and appropriate planning conditions deemed necessary in the circumstances of this case.



FIG.1



FIG.2



FIG.3



FIG.4



FIG.5



COUNCIL TAX BILL 2023/24

Annex R/O
10 Doghurst Avenue
Hillingdon Hayes
Middx
UB3 5BJ



376
054959/240

Reason: Annual

Date of Issue 06-MAR-2023

Save time go online and sign up for ebilling.
Go to www.hillingdon.gov.uk/counciltax to register and login
Online key: BYMDYFF7BR

Your Account Reference Number is [REDACTED]
24 Hour Payment line 01895 556699
For Council Tax Enquiries Phone 0300 123 1384**

Payment Instructions

YOUR COUNCIL TAX BILL IS PAYABLE BY DIRECT DEBIT.

The payments below will be requested direct from your bank. You do not need to take any action.

First instalment due on 10/04/2023 1 X 55.81

9 Other instalments due on 10/05/2023 to 10/01/2024 9 X 59.00

0080131271169489 / 054959 / 1 of 1000000



This bill refers to :

ANNEX R/O
10 DOGHURST AVENUE
HARLINGTON HAYES
MIDDX
UB3 5BJ

Valuation Band A
Property Reference 330903851

COUNCIL TAX FOR BAND A		% change from
		£ 2022/2023
London Borough Of Hillingdon	867.35	2.99
Greater London Authority	289.43	9.70
Adult Social Care *	16.84	2.00
Total	1173.62	
Overall change		6.12

* The council tax attributable to London Borough of Hillingdon includes a precept to fund adult social care.

Annual Charge for Band A	FROM	TO	£
Charge For Period	01-APR-2023	31-MAR-2024	1173.62
Annex Discount	01-APR-2023	31-MAR-2024	-586.81

Total Payable 586.81

LB Hillingdon Revenues & Benefit Service
PO BOX 588, Burnley, BB11 9HX
**Calls are charged at the same rate as calling a 01 or 02 number.

325068/8661

FIG.6



Our Reference: ENF/423/23

Owner Occupier
10 Doghurst Avenue
Hayes
UB3 5BJ

Dated: 25.10.23

By email attachment only: [REDACTED]

Dear Owner Occupier,

**BREACH OF CONDITIONS (APP REF: 58207/APP/2018/80)
THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).
LOCATION: 10 DOGHURST AVENUE HAYES UB3 5BJ**

Following a report regarding the outbuilding being used for habitable purposes and council inspection on 17th October 2023, it has been established that there is a breach of planning control.

Planning permission was granted on 5th March 2018 for a Single storey outbuilding to rear for use as a prayer room (application reference: 58207/APP/2018/80 refers) subject to conditions. At the time of my inspection, it was noted that the outbuilding is in use for habitable purposes by a family member of the dwelling house.

This is contrary to Condition 5 of Planning decision ref: 58207/APP/2018/80. Condition 5 states: The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings as ancillary to the main use of the dwelling and shall not be used for purposes such as a living room, bedroom, kitchen, study, 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).

It is therefore established that the use of the outbuilding for habitable purposes breaches condition 5 of planning permission 58207/APP/2018/80. An informal compliance period of twenty-eight (28) days, from the date of this letter, is afforded for you to take remedial

Planning Enforcement, Planning, Regeneration and
Environment, Corporate Resources
Hillingdon Council, 311/02, Civic Centre, High Street,
Uxbridge, UB8 1UW
www.hillingdon.gov.uk
[Email: hmiah@hillingdon.gov.uk](mailto:hmiah@hillingdon.gov.uk)

FIG.7

action to resolve this matter. As such, please provide written correspondence via email to the case officer or [REDACTED] within 7 days from the date of this letter as to your intentions on this matter.

Please note that a refusal or indeed inaction on your part to engage a Planning Enforcement Officer and/or to have failed to remedy the breaches of planning conditions may result in the recommendation that a Breach of Condition Enforcement Notice(s) be served to achieve compliance. Failure to comply with the requirements of an Enforcement Notice(s) is a **criminal offence**, which on summary conviction can result in an unlimited fine.

Kindly note that in accordance with current policy, should the matter not be resolved to the satisfaction of the Planning Services, then all registered parties with a proprietary interest in the site at 10 Doghurst Avenue Hayes UB3 5BJ, including any Mortgage provider and the Land Charges Department, will be notified of the current breach of planning control, which will be disclosed during any subsequent Land Searches relating to any proposed sale, letting and/or re-mortgaging of the property or land.

Your co-operation is sought in order to resolve this matter and should you have any queries then do not hesitate to contact me on the telephone number below.

This correspondence is forwarded to you without prejudice to any subsequent planning application(s) that you may make.

Yours sincerely,
Hamid Miah
Planning Enforcement Officer

Planning Enforcement, Planning, Regeneration and
Environment, Corporate Resources
Hillingdon Council, 3N/02, Civic Centre, High Street,
Uxbridge, UB8 1UW
www.hillingdon.gov.uk
Email: hmiah@hillingdon.gov.uk

FIG.7a



First Floor: Heart of Hounslow
92 Bath Road
Hounslow
Middlesex
TW3 3LN

t. 0208 104 0810
f. 0208 572 5776

To whom it may concern,

<https://www.hounslowmedicalcentre.co.uk/>

28 Oct 2023

Dear Sir/ Madam

RE: Nadira Umer - [REDACTED]
NHS Number: [REDACTED]

This letter is to confirm that Mrs Nadira Umer has multiple health problems including cardiovascular condition such as high blood pressure and irregular heart beat for which she requires regular medication management.

She also has mobility issues mainly climbing stairs which has worsen since a fracture on her foot. Therefore, a lower ground living set up would be advisable.

Kind regards,

Dr S Ishaque GP

Yours sincerely

HMC Hounslow

Q.S. Ishaque

28.10.2023

HMC Health - Hounslow
Heart of Hounslow
First Floor, 92 Bath Road
Hounslow TW3 3LN
Tel: 0208 104 0810



This surgery is within the Hounslow CCG

The Practice Surgeries Ltd. Registered office: Bell Lane Office Village, Bell Lane, Little Chalfont, Bucks, HP6 6GL
Registered in England and Wales: 6545745

FIG.8

The Hillingdon Hospital
Pield Heath Road
Hillingdon
UB8 3NN
Switchboard: 01895 238282

Private and Confidential

To Whom I May Concern

31st October 2023

Dear Sirs

Zeeshan Umer

This letter is to confirm that Mr Zeeshan Umer has been an employee at Hillingdon Hospital NHS Foundation Trust since 1st August 2016.

I am writing to confirm his job role involves working in areas/wards where he can be exposed to infectious viruses such as Covid 19.

Yours faithfully



Wendy Fiddes
Head of Employee Relations



FIG.9

END OF STATEMENT