

47 Daleham Drive

Supporting Statement

incorporating:

Planning

Design and Access

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1. Introduction

Preamble

1.1 This statement has been produced to support a planning application at:

47 Daleham Drive,

Uxbridge,

UB8 3HP

1.2 The purpose of this statement is to review the prevailing planning policies and other material considerations that are relevant to the determination of the planning application and to present a case for granting planning permission.

1.3 This document should be read in conjunction with the existing/proposed drawings submitted with this application.

Proposal

1.4 The proposal is for the ancillary use of existing outbuilding as a 1 bedroom residential annexe. The annex is intended for the use of the applicant's grandmother.

1.5 The size of the building, along with existing / proposed layout, is such that again it could not be used as a separate, independent dwelling. The annexe does not contain any kitchen facilities of any kind and the occupier consumes (and will continue to consume) her meals in the main house.

1.6 The outbuilding is already in place and no external alterations are proposed.

1.7 Given the existing character of the area and the lack of proposed external alterations, the development would not result in any undue harm in terms of physical development.

1.8 Noting that the building includes primary living accommodation (bedrooms, living / kitchen areas), ancillary use is sought.

1.9 Further, the proposed development does not represent harm in terms of the character of its use, providing it does indeed remain ancillary to the use of the associated dwellinghouse. The applicant is content for this to be made subject to a restrictive condition.

1.10 For the avoidance of doubt, it is noted that the proposal would not alter the existing access to and from the site.

Location and context

- 1.11 The application site contains a two storey, semi-detached dwelling and the existing, detached outbuilding that is subject of this application.
- 1.12 It is located on the western side of Daleham Drive, in the Goulds Green district of Hillingdon. Daleham Drive is a road exclusively residential in nature.
- 1.13 The site is not located within a conservation area. It does not contain, and nor is it adjacent to, any listed buildings. There are no other designations affecting the property.

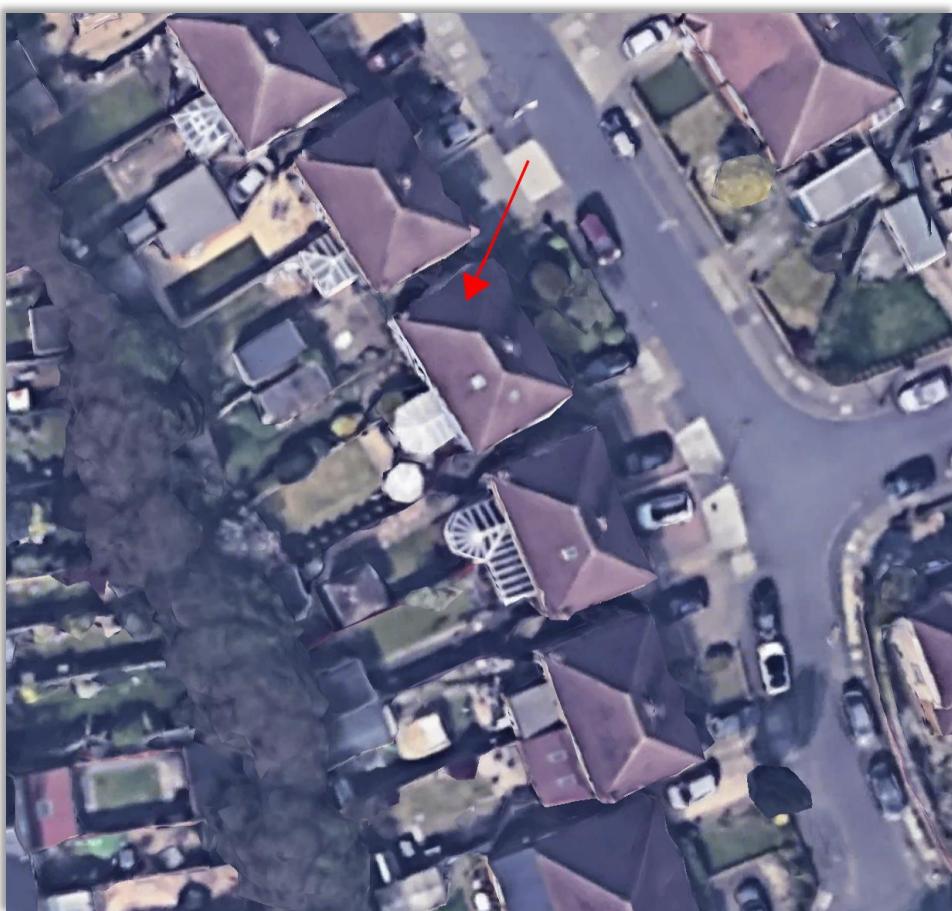


Figure 1:

As the aerial view above shows, there are several outbuildings of a significant scale within the rear gardens of this part of Dalham Drive

2. Planning policy

Overview

2.1 This section provides the national, regional and local planning policy context of the proposed development and describes the designations affecting the site.

2.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 provide that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

2.3 The Development Plan for Hillingdon comprises:

- London Plan (2021);
- Hillingdon Local Plan Part 1 Strategic Policies [LP1] (2012);
- Hillingdon Local Plan Part 2 Development Management Policies [LP2] (2020); and
- Local Plan Policies Map (2020)
(together 'the Development Plan')

2.4 In this instance, material considerations include a variety of national and local documents. The NPPF and associated Planning Practice Guidance ('PPG') are important material considerations, and each provide the overarching framework for creation of policies and decision making.

Regional Planning Policy

2.5 The London Plan provides an up-to-date policy basis for Greater London. The key policies relevant to the proposed development are outlined at Appendix (a).

Local Planning Policy

2.6 The Hillingdon Local Plan: Part 1 Strategic Policies [LP1] was adopted in November 2012, with Part 2: Development Management Policies [LP2] following in 2020. Relevant policies are outlined at Appendix (b).

Other Material Considerations

2.7 Other material planning considerations include the documents listed at Appendix (c).

3. Planning appraisal

Introduction

3.1 This section provides an assessment of the proposed development against the relevant planning policies and guidance set out in the Section 2, above, and expanded upon in the Appendices below.

3.2 The following matters are considered in turn:

1. *Relevant case law*
2. *Relevant policy*
3. *Design and visual impact*
4. *Impact on residential amenity and quality*

Relevant case law

3.3 With regards relevant case law, we note that the judge in *Uttlesford DC v SSE & White [1992]* considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling.

3.4 In any case, the current application proposal is for a residential annexe.

3.5 There is no intention to utilise the building in any other way other than as a residential annexe ancillary to the use of the main house as a dwelling. The occupier takes (and will continue to take) their main meals within the main house. Nevertheless, should at any time in the future a planning application be submitted for the change of use of the annexe to a separate dwelling, associated matters relating to living conditions, the internal floor area, flood risk and parking provision would then need to be taken into consideration.

3.6 Whilst it is noted that policy DMHD 2 (Outbuildings) states that the use of such buildings shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential and that primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted, Inspectors have consistently found that these requirements are unreasonable and rather, that the annexes in those cases represented sustainable development compliant with additional, regional and local policy.

3.7 Two relevant appeal decisions (both relating to applications submitted within the current plan period in Hillingdon, and relating to very similar developments) are appended to this application.

Relevant policy

3.8 Paragraph A1.17 (Annexes) of the Hillingdon Local Plan: Part 2 Development Management Policies [LP2] (2020) states that 'annexes designed specifically for the use of disabled or dependent elderly family members should be located at ground floor level and be fully accessible. An Access Statement should be submitted with the planning application. An annexe should not have a separate private entrance and must be connected internally to the existing property. Annexes which are capable of being used as (or easily adapted to) a fully self-contained unit will not be permitted'.

Design and visual impact

3.9 In the introductory part of this statement, we provided an aerial view, which showed clearly that there are several outbuildings of significant size and scale within the rear gardens of properties along this part of Dalham Drive. It is worth noting that a building of this size and scale (asides from the height, which is marginally in excess of the 2.5m height limit set out within the General Permitted Development Order) would comprise Permitted Development in any case. Notwithstanding this, it is our planning judgement that the proposed outbuilding is not disproportionately large in comparison to both the site and the existing dwelling.

3.10 With regards to adopted planning policy, DMHB 11 (Design of New Development) requires all new development to meet certain standards as regards their form, positioning, style and use of materials. It is considered that, as a modest outbuilding constructed of materials that complement those of the main house, the proposed development complies with the aspirations of this policy.

3.11 With specific regard to this type of development, to policy DMH 6 (Garden and Backland Development), the proposed development is considered to comply in that it is clearly more 'intimate' in mass and scale and lower than frontage properties. Similarly, with regards to policy DMHD 2 (Outbuildings), the developed footprint of the proposed development is proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands.

Impact on residential amenity and quality

3.12 With regards to policy DMH 6 (Garden and Backland Development), the proposed development is considered to comply in that due to the location and positioning of the building, residential amenity (most notably, levels of natural light and privacy) would be maintained at neighbouring properties. Similarly, light spillage is not considered to represent a significant problem.

3.13 Policy DMHB 18 (Private Outdoor Amenity Space) also requires an adequate amount of private amenity space to be retained for existing occupiers. With around 66sqm of amenity space retained for the use of occupiers of the main dwelling, this policy requirement is demonstrably met.

4. Appendices

(a) Hillingdon Local Plan Part 1

Strategic Policies [LP1] (2012)

4.1 The key policies of the plan are:

Policy
BE1 Built Environment

(b) Hillingdon Local Plan Part 2

Development Management Policies [LP2] (2020)

4.2 The key policies of the plan are:

Policy
DMH 6 Garden and Backland Development
DMHB 11 Design of New Development
DMHB 18 Private Outdoor Amenity Space
DMHD 2 Outbuildings



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