

## Report of the Head of Planning & Enforcement Services

**Address** 4, 5 & 6 SCHOOL APPROACH FREDORA AVENUE HAYES

**Development:** 1 x 3-bedroom two storey detached dwelling with associated parking and amenity space, involving demolition of 3 existing garage units.

**LBH Ref Nos:** 63421/APP/2011/3088

**Drawing Nos:** Design and Access Statement  
2011215/01 Rev A

**Date Plans Received:** 21/12/2011                      **Date(s) of Amendment(s):** 21/12/2011

**Date Application Valid:** 06/01/2012

### 1. SUMMARY

The application seeks the erection of a three bedroom, detached house with associated amenity space involving the demolition of 3 garages.

An appeal was recently dismissed on 21 November 2011 for 2 x maisonettes. The Inspector concluded in that instance that the development would result in unacceptable living conditions for future occupiers and would fail to provide adequate levels of inclusive design. This is a material consideration. A further application (63421/APP/2011/2540) for 2 x maisonettes with a flat roofed design and differing internal layout was refused in December 2011 as it was considered not to overcome the concerns raised by the Inspector. The current scheme seeks permission for a single detached dwelling. The Inspector in the recent decision raised no objection to the form or design of the building which was similar, if slightly larger than that currently proposed. The Inspector's comments in terms of the size, bulk and design are material planning considerations. The current application addresses the Inspector's concerns and is considered to comply with the policies contained within the UDP (Saved Policies) and London Plan 2011. As such the application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

**3 HH-M1 Details / Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials and thereafter be maintained as such.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 HH-MRD4 Single Dwellings Occupation**

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

**REASON**

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 HH-RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to the dwellinghouse nor any garage, shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 RPD9 Enlargement to Houses - Roof Additions/Alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed.

**REASON**

To preserve the character and appearance of the development and protect the visual

amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 M5 Means of Enclosure - details**

Before the development is commenced, details of boundary fencing or other means of enclosure for the site and in particular the garden, shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

**REASON**

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

**10 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

TL5

No development shall ~~Landscaping Schemes~~ Landscaping Schemes landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 12 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 13 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

**REASON**

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

**14 TL20 Amenity Areas (Residential Developments)**

The dwelling hereby permitted shall not be occupied, until the outdoor amenity area serving the dwelling as shown on the approved plans has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained for the life of the development.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1

**15 H7 Parking Arrangements (Residential)**

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

**16 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that the dwelling has been designed to achieve level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

**17 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with the London Plan (July 2011) and to ensure the development does not

increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (July 2011) Policy 5.12 and PPS25.

**18 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). The approved measures shall be implemented before the development is occupied and thereafter retained.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3

**19 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

The residential dwelling hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

**20 NONSC Non Standard Condition**

Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

**REASON**

To ensure that the occupants of the development are not subject to any risks from soil Contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**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).

**2 I53 Compulsory Informative (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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H7	Conversion of residential properties into a number of units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
OE1	Protection of the character and amenities of surrounding properties and the local area
PPS3	Housing

### **3            I15            Control of Environmental Nuisance from Construction Work**

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.

**4            12            Encroachment**

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            121            Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

**6            14            Neighbourly Consideration - include on all residential exts**

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            147            Damage to Verge**

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).

**8            16            Property Rights/Rights of Light**

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.

**3.            CONSIDERATIONS**

**3.1            Site and Locality**

The application site comprises 2 blocks of garages as well as parts of the rear gardens of 7 and 9 Fredora Avenue and a portion of road (known as School Approach).

Adjoining the site to the northwest are the rear gardens of 5, 7 and 9 Fredora Avenue. To the northeast, the site is adjoined by the rear gardens of 15 and 16 Pine Place.

To the southwest the site is adjoined by a two storey dwelling accommodating the care



taker of Grange Park Infant and Junior School. To the southwest the site is adjoined by the Grange Park (NHS) Clinic.

### 3.2 Proposed Scheme

The application seeks permission for the demolition of 3 garages and the erection of a two storey, three bedroom house with associated private amenity space and parking for 2 vehicles.

The new building would be approximately 6m wide, 8.3m deep with an eaves height of approximately 5.1m and ridge height of 6.8m.

Its design, scale and bulk are very similar to those of the proposals previously refused and recently dismissed at appeal. The differences relate to overall width of the building which has been reduced to allow for 2 x car parking spaces to be provided to the side, the overall height has been reduced by 0.2m and the number of windows reduced.

### 3.3 Relevant Planning History

63421/APP/2007/2482 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes  
ERECTION OF A PAIR OF TWO BEDROOM SEMI-DETACHED DWELLINGHOUSES WITH GARAGE PARKING PROVIDED IN UNITS 1 & 2 (INVOLVING DEMOLITION OF EXISTING (GARAGES) UNITS 4, 5 & 6)

**Decision:** 26-02-2008 Refused

63421/APP/2008/1069 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes  
Erection of a pair of two-bedroom semi-detached dwellinghouses with garage and forecourt parking provided in Units 1 and 2 (involving demolition of existing garages Units 4, 5 and 6).

**Decision:** 21-10-2008 Refused

63421/APP/2008/1079 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes  
Erection of 2 two-bedroom maisonettes with garage and forecourt parking provided in Units 1 and 2 (involving demolition of existing garages Units 4, 5 and 6).

**Decision:** 21-10-2008 Refused

63421/APP/2008/3340 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes  
ERECTION OF TWO STOREY BUILDING COMPRISING 2 TWO-BEDROOM RESIDENTIAL UNITS WITH GARAGE AND FORECOURT PARKING PROVIDED IN GARAGE UNITS 1 AND 2 (INVOLVING DEMOLITION OF EXISTING GARAGES UNITS 4, 5 AND 6)

**Decision:** 02-03-2009 Refused

63421/APP/2009/1411 1, 4, 5 & 6 School Approach Fredora Avenue Hayes  
Single storey one-bedroom detached dwelling with habitable roofspace, involving demolition of existing 3 garage units

**Decision:** 05-01-2010 Refused

**Appeal:** 10-12-2010 Allowed

63421/APP/2011/1035 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes

Erection of 2, two bedroom, two storey semi detached maisonettes with associated amenity space, parking spaces in and adjacent to existing garages, boundary wall to front and removal of existing vehicular crossover involving the demolition of 3 ancillary garages

**Decision:** 21-09-2011 Refused

**Appeal:** 21-11-2011 Dismissed

63421/APP/2011/2540 1, 2, 4, 5 & 6 School Approach Fredora Avenue Hayes

2 x 2 bed two storey semi detached maisonettes with associated amenity space and parking in and adjacent to existing garage units opposite, boundary wall to front and removal of existing vehicular cross, involving demolition of existing 3 garage units (Resubmission).

**Decision:** 15-12-2011 Refused

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

The application site has an extensive planning history, however the most relevant is as follows:

Appeal Decision APP/R5510/A/10/2129978. The Inspector considered the erection of a single storey one-bedroom detached dwelling with habitable roofspace, involving demolition of existing 3 garage units (Local Planning Authority Reference 63421/APP/2009/1411). The main issues were considered to relate to:

- The effect of the proposal on the character and appearance of the surrounding area;
- The effect of the proposal on highway safety; and
- Whether the proposal would prejudice access to the adjoining land.

No harm was found in respect of these issues and the appeal was allowed 8 November 2010. This decision represents a material consideration and the decision with respect to access impacts is considered particularly pertinent to this application.

Application 63421/APP/2008/1079 for the erection of 2 two-bedroom maisonettes with garage parking provided in Units 1 and 2 (involving demolition of existing garages Units 4, 5 and 6). This application was refused on the 21st October 2008 for the following reasons:

1. The proposal by reason of its excessive density, design and cramped layout would result in a cramped living environment for its future occupiers, would be overdominant in the street scene and out of character with the surrounding residential area, contrary to Policy 3A.3 of the London Plan and Policies BE19, BE21 and BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's HDAS (SPD) 'Residential Layouts'.

2. Notwithstanding the internal arrangement of the two dwelling units hereby proposed, the proposal fails to provide amenity space of sufficient size and quality commensurate to the size and layout of the said units. As such the proposal would provide a substandard form of accommodation for future residents contrary to Policy BE23 of the Hillingdon

Unitary Development Plan Saved Policies (September 2007), and Council's HDAS (SPD) 'Residential Layouts'.

3. The proposed dwelling by reason of failing to provide units which would be easily adaptable for use by a wheelchair disabled person or to Lifetime Homes standards fails to meet the needs of people with disabilities, contrary to policy 3A.4 of the London Plan and the Hillingdon Design and Accessibility Statement on 'Accessible Hillingdon'.

Application 63421/APP2011/1035 for similar maisonettes as those currently proposed with a pitched roof was refused in April 2011 and very recently dismissed at appeal (APP/R5510/A/11/2157507) on 21 November 2011. The Inspector concluded that no harm would be caused in terms of any adverse impact on character and appearance, strong concerns were raised in relation to living conditions for future residents.

This appeal decision is a material considered and is considered particularly relevant to the current proposal due to the similarities in terms of bulk, height, layout, massing, and car parking arrangements (which the Inspector considered were acceptable).

63421/APP/2011/2540 - was refused for 2 maisonettes in December 2011, several weeks after the appeal decision. This scheme which involved a flat roofed building of similar layout was considered not to have overcome the previous concerns raised by the Inspector in relation to amenity space.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

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.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

H7 Conversion of residential properties into a number of units

HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
OE1	Protection of the character and amenities of surrounding properties and the local area
PPS3	Housing

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

24 neighbouring owners/occupiers and interested parties were consulted by letter on 10.1.12. Two objections have been received raising concerns about:

- highway safety and parking pressures, access to clinic,
- flooding
- overlooking

A petition was also received containing 46 signatures which simply stated that objection was raised to the scheme.

PLANNING OFFICER COMMENT: In terms of overlooking, highways safety, parking and access to the health clinic, these matters have been considered in previous schemes (as well as in the schemes considered by the planning inspectorate) and by the Highways officer and it is not considered refusal of the current application (in relation to these issues) would not be reasonable. In terms of flooding, the site is not located in an area designated by the Environment Agency as so flood prone as to warrant refusal of the application. A condition is recommended to address drainage.

THAMES WATER:

No objection.

### Internal Consultees

EPU:

I do not have any specific concerns regarding contamination but there is a possibility that the made ground below the hard standing may contain contamination. The developer is strongly advised to carry out some contamination testing as part of a geotechnical survey.

If a standard contaminated land condition is considered too onerous, I would recommend as a minimum

including the following condition to ensure any areas of landscaping and garden soils are tested to ensure that they are suitable for use where a sensitive new receptor is being introduced.

Condition to minimise risk of contamination from garden and landscaped area.

Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

**REASON**

To ensure that the occupants of the development are not subject to any risks from soil Contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**HIGHWAYS:**

No objection given previous appeal decisions.

**7. MAIN PLANNING ISSUES**

**7.01 The principle of the development**

The proposal relates to the construction of a residential dwelling in an established residential area. The existing garages are not required to be provided as garages as part of a legal agreement or planning condition.

Appeal reference APP/R5510/A/10/2129978 was allowed for the erection of a chalet style bungalow with accommodation in the roofspace. The Inspector found no harm in terms of the character and appearance, highway safety or access to adjoining land. This decision is a material consideration in the consideration of this application. The former appeal decision was made following the changes to PPS3.

There are no objections to the proposal in principle.

**7.02 Density of the proposed development**

The site is located in an area with a Public Transport Accessibility Level (PTAL) of 2. London Plan recommended guidelines for sites with this level of PTAL indicate that a density of between 150-250 habitable rooms per hectare (hr/ha) or 50-90 units per hectare (u/ha) is appropriate.

The application site has an area of approximately 0.026 hectares(including the road), as such the proposal represents a density of 192hr/h which would be in keeping with the guidance set out in the London Plan 2011.

**7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

The site is not located in a Conservation Area, nor is it near to any buildings of historical importance.

**7.04 Airport safeguarding**

Not relevant in this case.

**7.05 Impact on the green belt**

The site is not located in or adjacent to the Green Belt.

**7.07 Impact on the character & appearance of the area**

The access road to the proposed building serves the Grange Park School, the existing garages (which form part of the application site), the Grange Park Clinic and the School House. There are no other residential properties facing this access road other than the School House, which is located inside the school ground at the end of the access road.

The key issue therefore is whether the building design would be appropriate in this location. The design of the building is similar to that accepted by the Inspector in the November 2011 (APP/R5510/A/11/2157507) decision. This is a material consideration.

The design of the proposed dwelling is very similar to the building proposed to accommodate 2 maisonettes. It is concluded that, given the acceptance of a very similar design by an Inspector recently, the proposed design and form of the building would not detract from the character and appearance of the area in accordance with policies BE13 and BE19 of the UDP (Saved Policies 2007).

#### **7.08 Impact on neighbours**

Policy BE21 requires new residential developments to be designed so as to ensure adequate outlook for occupants of the site and surrounding properties.

Policy BE24 states that the development should be designed to protect the privacy of future occupiers and their neighbours. Hillingdon Design and Accessibility Statement (HDAS) provides further guidance in respect of these matters, stating in particular that the distance between habitable room windows should not be less than 21m with a 3m area of rear private amenity space, and that a 15m setback should be maintained to the rear of surrounding properties.

The proposed building is oriented to the front of the site facing School Approach. The proposal would be sited at least 18m from the main rear wall elevations of adjoining properties to the north of the site. It would also be sited more than 21m from the rear elevations of properties facing Pine Place, on the north-eastern side of the site. It would be set about 1m from the boundary with the School House and 4.2m from its main flank wall. The building would be sited 4m forward of the front wall of the School House and 950mm from its rear wall.

While it would be sited some considerable distance forward of the neighbouring residential property and the School House, it would not breach the 45° line of sight taken from first floor habitable room window of the adjoining properties. There are no habitable windows proposed in its flank walls that may result in overlooking. A condition could be imposed to ensure no future windows are installed.

It is therefore considered that the proposal would not have a significant adverse impact on the amenities of adjoining residential properties, in compliance with Policy BE21 Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's HDAS (SPD) Residential Layouts. This view again is supported by the Inspector in the most recent appeal decision.

#### **7.09 Living conditions for future occupiers**

The Council's HDAS (SPD) "Residential Layouts" provides recommended standards relating to floor space. It suggests that a 3-bedroom house maintain a minimum gross internal floor space of 81m<sup>2</sup>. The proposed dwelling would have a floor area of approximately 100sq.m in line with Council design criteria.

Policy BE23 of the UDP requires the provision of amenity space, which is usable in terms of its shape and siting. The Council's design guide Residential Layouts specifies a minimum amount of 60m<sup>2</sup> of amenity space for a 3 bed house.

The proposal provides a 62sq.m of garden space for the dwelling which is in accordance with the Council's guidance as set out in the HDAS Residential layouts. The proposal is therefore in accordance with Policy BE23 of the Hillingdon UDP Saved Policies (September 2007) and the Council's HDAS (SPD) Residential Layouts.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The Previous appeal decision is material in relation to parking and highway safety. During the consideration of the allowed appeal, the Inspector accepted the impact of the proposal

on highway safety. The scheme does not differ significantly from that allowed at appeal in terms of access.

Parking for the proposed development would be provided on site. The Council's Car Parking Standards seeks a maximum of 2 off-street parking spaces per dwelling unit. As such the proposal is in accordance with Policy AM14 of the UDP.

#### **7.11 Urban design, access and security**

Issues of design and access are addressed elsewhere within the body of this report. The proposal is not considered to give rise to any concerns relating to security.

#### **7.12 Disabled access**

The London Plan 2011 and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010 require all new residential developments to comply with Lifetime Homes standards.

The ground floor of the dwelling has been designed to accommodate wheelchair users with wide door openings and corridors. The WC and all other provisions would be to Lifetime homes standards. There would be provision for a future domestic lift which thereby provide proper wheel chair access to the upper level. The staircase has been designed to accommodate the later installation of a stair-lift. The property would therefore be constructed to satisfy Lifetime homes standards.

#### **7.13 Provision of affordable & special needs housing**

Not relevant in this case.

#### **7.14 Trees, landscaping and Ecology**

The site is the land to either side of School Approach, currently occupied by garages and parking spaces.

There are no trees or other significant landscape features which might pose a constraint on development. Nor are there any Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

Subject to appropriate conditions an appropriate landscape layout would be achieved.

#### **7.15 Sustainable waste management**

The proposal indicates the provision of areas for the storage of waste and recycling which would be adequate to meet the needs of the development and appropriately located. Accordingly, the application is acceptable in this respect.

#### **7.16 Renewable energy / Sustainability**

Chapter 7 of the London Plan encourages developments to meet the highest standards of sustainable design. In the event that the application were to be approved a condition could be imposed requiring compliance with level 4 of the Code for Sustainable Homes, which would ensure the development met the minimum standards required by the London Plan.

#### **7.17 Flooding or Drainage Issues**

The application site is not located within a flood risk area and it is not considered that the proposal would give rise to any concerns relating to flooding or drainage.

#### **7.18 Noise or Air Quality Issues**

The proposed development is not of a scale or type which would give rise to concerns relating to noise or air quality.

#### **7.19 Comments on Public Consultations**

The concerns raised within the objection letters have been addressed within the body of

the report or by way of recommended planning condition or are not material planning considerations.

**7.20 Planning obligations**

The proposed development is not of a scale which would give rise for the need to mitigate its impacts by way of planning obligations.

**7.21 Expediency of enforcement action**

Not applicable.

**7.22 Other Issues**

None applicable.

**10. CONCLUSION**

The application seeks the erection of 1 x three bed detached house with associated amenity space, the demolition of 3 garages.

An appeal was recently dismissed on 21 November 2011 for 2 x maisonettes. The Inspector concluded in that instance that the development would result in unacceptable living conditions for future occupiers and would fail to provide adequate levels of inclusive design. This is a material consideration. A further application (63421/APP/2011/2540) for 2 x maisonettes with a flat roofed design and differing internal layout was refused in December 2011 as it was not considered to overcome the concerns raised by the Inspector. The current scheme seeks permission for a single detached dwelling. The Inspector in the recent decision raised no objection to the form or design of the building which was similar, if slightly larger than that currently proposed. The Inspector's comments in terms of the size, bulk and design are material planning considerations. The current application addresses the Inspector's concerns and is considered to comply with the policies contained within the UDP (Saved Policies) and London Plan 2011. As such the application is recommended for approval.

**11. Reference Documents**

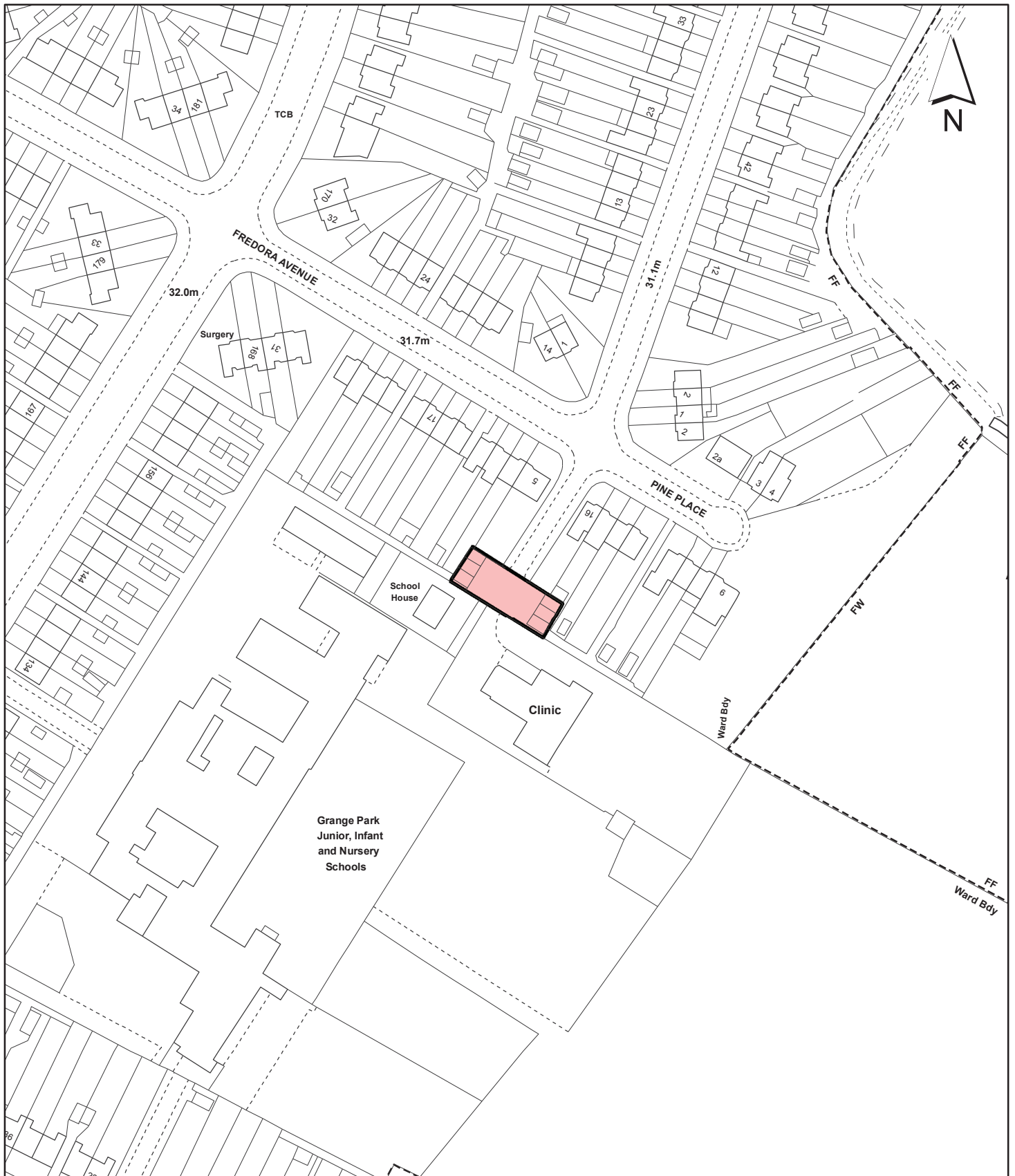
The London Plan 2011.


Hillingdon Unitary Development Plan Saved Policies (September 2007).

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**Telephone No:** 01895 250230





<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>4, 5 &amp; 6 School Approach Fredora Avenue Hayes</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b> Planning, Environment, Education &amp; Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>63421/APP/2011/3088</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>Central and South</b></p>	<p>Date</p> <p><b>February 2012</b></p>	
		