

Report of the Head of Planning, Sport and Green Spaces

Address R/O DELLFIELD, LEEDERVILLE, COTTESLOE, GLENCOVE & HOMELAND UXBRIDGE ROAD HILLINGDON

Development: 2 x two storey, 3-bed semi-detached dwellings with associated parking and amenity space involving resurfacing and landscaping of existing parking area

LBH Ref Nos: 69795/APP/2014/709

Drawing Nos: Photograph
DPL/14/02-1
DPL/14/02-1 (Coloured)
Arboricultural and Planning Integration Report (Ref: GHA/DS/1860:14)
Design and Access Statement
Highways Assessment (Ref: PW/JHB/SJ043)
Location Plan (1:1250)

Date Plans Received: 03/03/2014 **Date(s) of Amendment(s):**
Date Application Valid: 10/03/2014

1. SUMMARY

The application seeks planning permission for the erection of 2 x two storey, 3 bed semi-detached dwellings with associated parking and amenity space involving resurfacing and landscaping of existing parking areas.

The site relates to a plot of land forming part of the rear garden to Dellfield, a detached bungalow located on the southern side of the Uxbridge Road, Hillingdon. The site adjoins a public footpath linking the Uxbridge Road with Harlington Road between residential properties situated in Hilliers Avenue and Turks Close.

The site is considered to be a backland development. In the light of the NPPF and guidance in relation to backland development, the proposal is unacceptable in principle and would cause significant harm to the character and appearance of the area. Furthermore, a significant number of highway safety issues have not been satisfactorily addressed and the scheme is deficient in terms of hedgerow replacement and tree protection, lifetime homes standards and meeting the required planning obligations. Therefore, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed development by virtue of the inappropriate development of garden land would erode the character, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (July 2011) and the National Planning Policy Framework.

2 NON2 **Non Standard reason for refusal**

In the absence of detailed plans to show the construction of the vehicular access into the site and its relationship with the existing ground levels at the site, it has not been possible to assess whether the proposal would provide satisfactory vehicular entrance and egress to the site, leading to the detriment of public and highway safety and therefore contrary to policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012).

3 NON2 Non Standard reason for refusal

The proposed development is not supported with satisfactory and accurate swept paths, as such, the applicant has failed to demonstrate that the development will have suitable and safe parking arrangement for Ivy Cottages and would thus lead to situations prejudicial to highway and pedestrian safety, contrary to the Policy AM7 of the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012).

4 NON2 Non Standard reason for refusal

The proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policies 3.8 and 7.2 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

5 NON2 Non Standard reason for refusal

The proposal fails to make adequate provision for the replacement of the hedgerow along Turks Alley and the replacement of the conifer hedge along the southern boundary of the footpath and will therefore have a detrimental visual impact on the amenity and character of the area. As such the proposal fails to comply with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved Policies Unitary Development Plan Policies (November 2012).

6 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age, and therefore additional provision would need to be made in the locality due to the shortfall of places in educational facilities serving the area. Given a legal agreement at this stage has not been offered or secured, the proposal is considered contrary to Policy R17 of the Hillingdon Local Plan (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
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.
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 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The site relates to a plot of land forming part of the rear garden to Dellfield, a detached bungalow located on the southern side of the Uxbridge Road, Hillingdon. The site adjoins a public footpath linking the Uxbridge Road with Harlington Road between residential properties situated in Hilliers Avenue and Turks Close.

The site is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The site and surrounding area is covered by Tree Preservation Order Number 87. The garden to Dellfield contains a garage workshop building and domestic garden landscaping. To the south of the site is a row of conifer trees which bound a parking area used predominantly by the occupants of Ivy Cottages, which are two rows of Victorian terraced houses set back from the Uxbridge Road. The parking for these cottages are

provided informally on the private road between the curtilages of the application site and the side elevations of Ivy Cottages.

3.2 Proposed Scheme

The application seeks planning permission for the erection of 2 x two storey, 3 bed semi-detached dwellings with associated parking and amenity space involving resurfacing and landscaping of existing parking areas. The pair of semi-detached dwellings would be orientated through 90 degrees from the houses on Uxbridge Road facing towards the east and would achieve a flank to rear separation distance with the houses to the north of 15m. The pair would measure 12.43m in width by 10.9m in depth constructed of brick and render with a hipped roof measuring 9.17m in height. Each dwelling would achieve an internal area of 128m². Plot 1 would provide a private rear garden measuring 151m² and plot 2, 95m². Each dwelling would be provided with two off street parking spaces.

The proposed development would also amend the parking layout on the private road to provide 15 formal parking spaces in a diagonal parking arrangement.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no formal planning history relating to this site. However a pre-application submission was made under application reference PE/00088/2013 for the erection of 3 no. two storey 2 bedroom houses with parking. The advice offered by Officers in relation to this proposal was that the proposal could not be supported in principle as the development was considered to be an inappropriate form of backland development resulting in the loss of gardens that contribute to the spacious layout of the existing residential area. Furthermore concerns were raised about the proximity of the proposed dwellings to the properties at Dellfield, Leederville, Cottesloe and Homeland, resulting in an unacceptable loss of privacy and outlook; Inconvenient and dangerous access to the footpath detracting from pedestrian safety; loss of hedgerows and planting and inadequate internal floorspace.

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.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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.
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LPP 5.3	(2011) Sustainable design and construction
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

10 neighbouring properties were consulted by letter dated 11.3.14 and a site notice was displayed which expired on 10.4.14. A petition with 81 signatures and 31 letters of objection have been received raising the following concerns:

1. There is no right of access across which is owned by the residents of Ivy Cottages
2. Increased danger to pedestrians using Turks Alley
3. Loss of privacy
4. Noise and disturbance during construction
5. Loss of hedgerows
6. Out of keeping with character of the area.

CASE OFFICER COMMENTS: The material planning consideration are discussed in the main body of the report. The objectors have raised concerns over the ownership of the site. However, the applicants have provided supporting evidence as to the ownership of the land. The applicant signed Certificate D to state that they were unable to establish who owned the land. They provided no details of the reasonable measures taken to find the owner, however, it is considered that the application can be determined as Certificate D has been completed. Any issues over land ownership/rights of access which may arise are not planning issues.

Internal Consultees

Access Officer:

Planning permission is sought to erect a pair of 3 bedroom semi-detached dwellings on land to the rear of Dellfield. In assessing the proposal, reference has been made to the Design & Access Statement which refers to the proposal having been designed to meet Lifetime Home Standards. The document also states that the main entrances would have an approach not exceeding a 1:20 gradient.

Reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon adopted May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.
2. The scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.
3. A minimum of one bathroom/ensuite facility on the first floor should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
4. To allow the entrance level WC and first floor bathroom to be used as a wet room in future, the plans should be amended to indicate the location and type of floor drain (gully) to be installed.
5. The plans should indicate the location of a future 'through the ceiling' wheelchair lift.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

ADDITIONAL CONDITION

Level access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2004 (2013 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

Officer note: Amended plans were sought. The applicants has requested that this issue be dealt with by condition.

Tree Officer:

LANDSCAPE CHARACTER/CONTEXT: The site is the large rear garden of Dellfield, which wraps

around the rear gardens of neighbouring Leederville/Cottesloe/Glencove/Homeland to the south of Uxbridge Road. The site is bounded to the south-west by 23 Hilliers Avenue. The south-east boundary is defined by a public footpath, known as Turks Alley, which provides a pedestrian link between Uxbridge Road and Harlington Road.

The site boundary includes the public footpath (adopted highway land) an embankment planted with a conifer hedge and a car park access and road, which serves Ivy Cottages. At the southern end of the south-east boundary there are old workshops/garages along part of the boundary with Turks Alley.

The site lies within the area covered by Tree Preservation Order No.87. According to the schedule there were two protected trees within this site T49 Holly and T50 Holly, on the south-west boundary. These two trees are thought to be no longer present following a site inspection.

LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- An Arboricultural Report, by GHA, has been submitted in accordance with BS5837:2012.
- The survey assesses the condition and value of 2No. specimen trees and 2No. groups.
- T1, an Apple (C1 grade) and T2, an Ash (B1) will be retained as part of the development.
- It is proposed to remove G3 a group of Apple trees (C2 grade) and G4, the Leyland Cypress hedge (C2) next to Turks Alley.
- There is no objection to these assessments, or the retention/removal strategy, subject to satisfactory replacement planting being secured as part of the development.
- According to the Design & Access Statement (4.8) and supporting plans, the conifer hedge to the south of the public footpath will be removed in order to create additional space for parking and manoeuvring close to Ivy Cottages.
- Drawing No. DPL/14/02-1 Proposed Site Layout, indicates that a new vehicle access is to be created from the Ivy Cottage car park through the existing hedgeline and across the public footway. (Please refer to highway engineers regarding the safety/acceptability of this arrangement).
- This will result in a much reduced area of mean wedge shaped beds between the parking spaces and the public footpath. Although new/replacement planting is indicated on plan, the beds lining the footpath are too small to support a new hedge or tree planting as indicated.
- Furthermore, the plans fail to address the local change of levels. The existing conifer hedge is on a shallow slope down from the car park to the footpath, which will further affect the availability of suitable space for replacement planting.
- With regard to the site layout of the houses, there is no objection to the arrangement which retains two existing (off-site) trees and provides space and opportunity for new tree planting within the plots which will enhance the local views and environment.

RECOMMENDATIONS: There is no objection to the proposed housing layout. However, while the removal of the conifer hedge may be justified, it will only be acceptable if suitable replacement tree/hedge planting can be secured. The proposed layout provides inadequate space to support the planting to the south of Turks Alley, as indicated on plan and is not acceptable in this form. Inadequate replacement of the hedgerow along Turks Alley will have a detrimental visual impact on the amenity and character of the area.

Highways Officer:

Further to reviewing the above application, I would comment that the following details are required to be provided in order that a formal assessment can be undertaken:

- 1) The proposed site access (which is required to be provided at 4.1m wide) and works along the

adjacent access road are required to be shown on a topographical base survey, which is required to be provided at a suitable scale.

2) Swept paths are required to be provided, showing vehicles entering and exiting the formalized car parking spaces along the adjacent access road and the proposed site. All swept paths are required to include a 300mm margin of error.

3) A Construction Management Plan is required to be provided, detailing how the proposals will be constructed if planning consent is granted, which shall include a detailed Traffic Management Plan. In addition to the above, it is noted that part of the proposed access within the site is adopted highway and as a result, is required to be extinguished/stopped up under the Town and Country Planning Act.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This proposal would represent backland development. One of the core planning principles of the National Planning Policy Framework is to encourage the effective use of land by reusing land that has been previously developed (Brownfield Sites).

Residential Gardens are excluded from the definition of previously developed land as defined on page 55 of the National Planning Policy Framework. Therefore, the proposal would not adhere to the above core planning principle by making use of previously undeveloped land and would be considered garden grabbing. In addition Hillingdon Local Plan: Part 1 - Strategic Policy BE1 states that all new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

With regard to the London Plan, Policy 3.5 states that developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDF's introduce a presumption against development on back gardens where this can be locally justified.

The London Plan comments in Paragraph 3.34 that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern. This Plan therefore supports development plan-led presumptions against development on backgardens where locally justified by a sound local evidence base..."

It is considered that this proposal is clearly a backland development. The loss of the rear garden and the impact of the new buildings on the locality which would be clearly visible from both public and private areas would be detrimental to the character of the area.

With a strong policy justification now in place to refuse such inappropriate development, the principle of residential development on this site is unacceptable.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (July 2011) advises that boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2

establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban fringe location and has a Public Transport Accessibility Level (PTAL) of 2. Taking these parameters into account, the matrix recommends a density of 35-65 units/hectare and 150-250hr/ha. This proposal equates to a density of 33 units per hectare and 166 habitable rooms per hectare which is below the guidelines.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how it complies with the council's policies, how it harmonises with its surroundings and its impact on adjoining occupiers.

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

Not applicable to this application.

7.04 Airport safeguarding

Not relevant to this application.

7.05 Impact on the green belt

Not relevant to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The London Plan comments in Paragraph 3.34 that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern."

It is considered that this proposal is clearly a backland development. The loss of the rear garden and the impact of the new buildings on the locality which would be clearly visible from both public and private areas would be detrimental to the character of the area. It is considered that the general bulk, form and height of the proposed dwellings, aligned East/West would represent a visually intrusive and dominant form of development which would be significantly out of character with the adjoining development of predominantly two storey dwellings to the detriment of the surrounding area contrary to Part 1 Policy BE1 and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (July 2011) and the National Planning Policy Framework.

7.08 Impact on neighbours

Policy H12 of the Hillingdon Local Plan (November 2012) states that development for tandem development of backland in residential areas will only be permitted if no undue disturbance or loss of privacy is likely to be caused to adjoining occupiers.

The Council's Supplementary Planning Document HDAS: Residential Layouts requires buildings of two or more storeys to maintain at least a 15m separation distance from adjoining properties to avoid appearing overdominant and a 21m distance maintained

between facing habitable room windows to safeguard privacy. A flank to rear elevation separation distance of 15m is required by the HDAS Guidance. The submitted plans demonstrate that the minimum flank to rear separation to the properties to the north along the southern side of Uxbridge Road can be achieved. The 45 degree angle can be achieved from the rear windows of adjacent property at 23 Hilliers Avenue demonstrating that the occupants of this property would not suffer an unacceptable loss of light or outlook. Furthermore clear glazed windows serving habitable rooms would be restricted to both front and rear elevations of the proposed dwellings to prevent any undue loss of privacy.

Whilst the proposed development would result in a change in character of the area in terms of a backland development, it is considered that there would be no significant impact on the amenities of adjoining occupiers in terms of loss of light, overdominance or loss of outlook. Appropriate conditions could be imposed on any planning permission granted to ensure that there would be no adverse impact on the amenities of the adjoining occupiers, for example through the provision of obscure glazing, or preventing the installation of roof extensions/dormers or outbuildings.

In this respect the proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

London Plan Policy 3.5 states minimum internal space standards for new development. The recommended minimum space standard for new 2 storey 3 bedroom 5 person house is 96sq m. The proposal would comfortably exceed these requirements for each proposed dwelling with each one measuring 128 square metres. Furthermore, all habitable room windows would have a satisfactory outlook and receive adequate daylight.

HDAS Residential Layouts also advises that amenity space should be provided for houses at a minimum level of 60m² per unit and that space needs to be usable, attractively laid out and conveniently located. The amenity space for the proposed dwellings meets these requirements and therefore would provide a satisfactory standard of residential amenity for future occupiers. The level of amenity space retained for the use of Dellfield would also remain acceptable in accordance with the Council's guidance. In addition, each property will have a front garden and paths to each side. As such, the scheme complies with Policy BE23 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These standards require a maximum provision of one and a half spaces per dwelling for communal parking or two spaces per dwelling if these are to be provided within the individual curtilages of the new dwellings.

The application site has a low PTAL score of 2, therefore the maximum two parking space standard is required to be adhered to in this instance. The spaces should each measure 2.4 metres x 4.8 metres and allow for turning/manoeuvring in order that vehicles leave the site in a forward gear.

The proposal would utilise an existing crossover from the Uxbridge Road to Ivy Cottages and a new crossover is proposed across the existing footpath. The proposal would include the provision of 4 off street parking spaces within the site, two for each dwelling.

The Highways officer has requested throughout the course of the application, the following details:

1. Details of The proposed site access (which is required to be provided at 4.1m wide) and works along the adjacent access road are required to be shown on a topographical base survey, which is required to be provided at a suitable scale;
2. Swept paths are required to be provided, showing vehicles entering and exiting the formalized car parking spaces along the adjacent access road and the proposed site. All swept paths are required to include a 300mm margin of error.
3. A Construction Management Plan is required to be provided, detailing how the proposals will be constructed if planning consent is granted, which shall include a detailed Traffic Management Plan.

In addition to the above, it is noted that part of the proposed access within the site is adopted highway and as a result, is required to be extinguished/stopped up under the Town and Country Planning Act.

The information was requested as there is a significant ground level change between the application site and the adjacent private road and it is un-clear how the vehicular access would be created to accomodate the change in levels. Given that the crossover would be required to cross a pedestrian footway the absence of this information has not demonstrated that the safety of pedestrians using the footway would be maintained by the development.

Furthermore, the development includes the formalisation of parking on the private road to allow for the creation of the crossover. The submitted information fails to shows that these spaces would be accessible as no swept paths have been provided, as requested by the highways officer.

In the absence of the requested information, it has not been possible to assess whether the proposal would provide satisfactory vehicular entrance and egress to the site and sufficient parking for Ivy Cottages, to the detriment of public and highway safety and therefore contrary to policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The Council's adopted Supplementary Planning Document, HDAS: Residential Layouts sets out, in Chapter 4, the site specific and general design guidance for new residential development. Thus elevations should be in harmony with the surroundings and complement and/or improve the area, contributing to the street scene and environment generally. Building lines should relate to the the street pattern whilst car parking, preferably in small courtyard arrangements, should not result in a reduction in residential amenity as a result of noise, emissions and increased activity. Where parking is to the front, careful consideration must be given to boundary treatment, retention of trees and the use of walls, fences etc. Bicycle parking facilities should be safe and accessible.

These details, have been considered elsewhere in this report in terms of their effect on the amenity and character of the surrounding residential area and the potential impacts on the neighbouring occupiers.

7.12 Disabled access

Policy 3.8 of the London Plan (July 2011) advises that all new housing development should be built in accordance with Lifetime homes standards. Further guidance on these standards is provided within the Council's Supplementary Planning Document: Accessible Hillingdon, January 2010.

Despite the planning statement confirming that the two dwellings will be built to accord with the Lifetime Homes Standards, the Council's Access Officer has advised that amended plans are required to show full compliance. Amended plans have not been submitted by the applicant and the proposal therefore fails to comply with the Lifetime Homes Standards in conflict with Policy 3.8 of the London Plan 2011.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved Policies Unitary Development Plan Policies (November 2012) requires new developments to retain and utilise landscape features of merit.

The application is supported by an arboricultural report and tree survey. The tree officer has advised that while the removal of the conifer hedge may be justified, it will only be acceptable if suitable replacement tree/hedge planting can be secured. The proposed layout provides inadequate space to support the planting to the south of Turks Alley, as indicated on plan, and is not acceptable in this form. Furthermore inadequate replacement of the hedgerow along Turks Alley will have a detrimental visual impact on the amenity and character of the area. As such the proposal fails to comply with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved Policies Unitary Development Plan Policies (November 2012).

7.15 Sustainable waste management

No information has been submitted as to the refuse collection arrangements for the site. However, it is anticipated that the existing arrangement for Ivy Cottages could be replicated and this information obtained by condition.

7.16 Renewable energy / Sustainability

The proposed development would be required to meet the standards of the Code for Sustainable Homes level 4. However a condition could be attached to any approval in order to achieve this.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not relevant to this application.

7.19 Comments on Public Consultations

Concerns raised regarding the impact of the proposal on the character of the area, highway and pedestrian safety, trees, residential amenity and sustainability regulations for new development are all considered within this report.

7.20 Planning obligations

The Mayoral Community Infrastructure Levy for the proposed development is calculated to be £7960.22.

The development is estimated to give rise to a significant number of children of school age, and therefore additional provision would need to be made in the locality due to the

shortfall of places in educational facilities serving the area. The Section 106 education contribution for the development has been calculated to be £22434. Given a legal agreement at this stage has not been offered or secured, the proposal is considered contrary to Policy R17 of the Hillingdon Local Plan (November 2012).

7.21 Expediency of enforcement action

Not relevant to this application.

7.22 Other Issues

No other issues are raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic.

Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

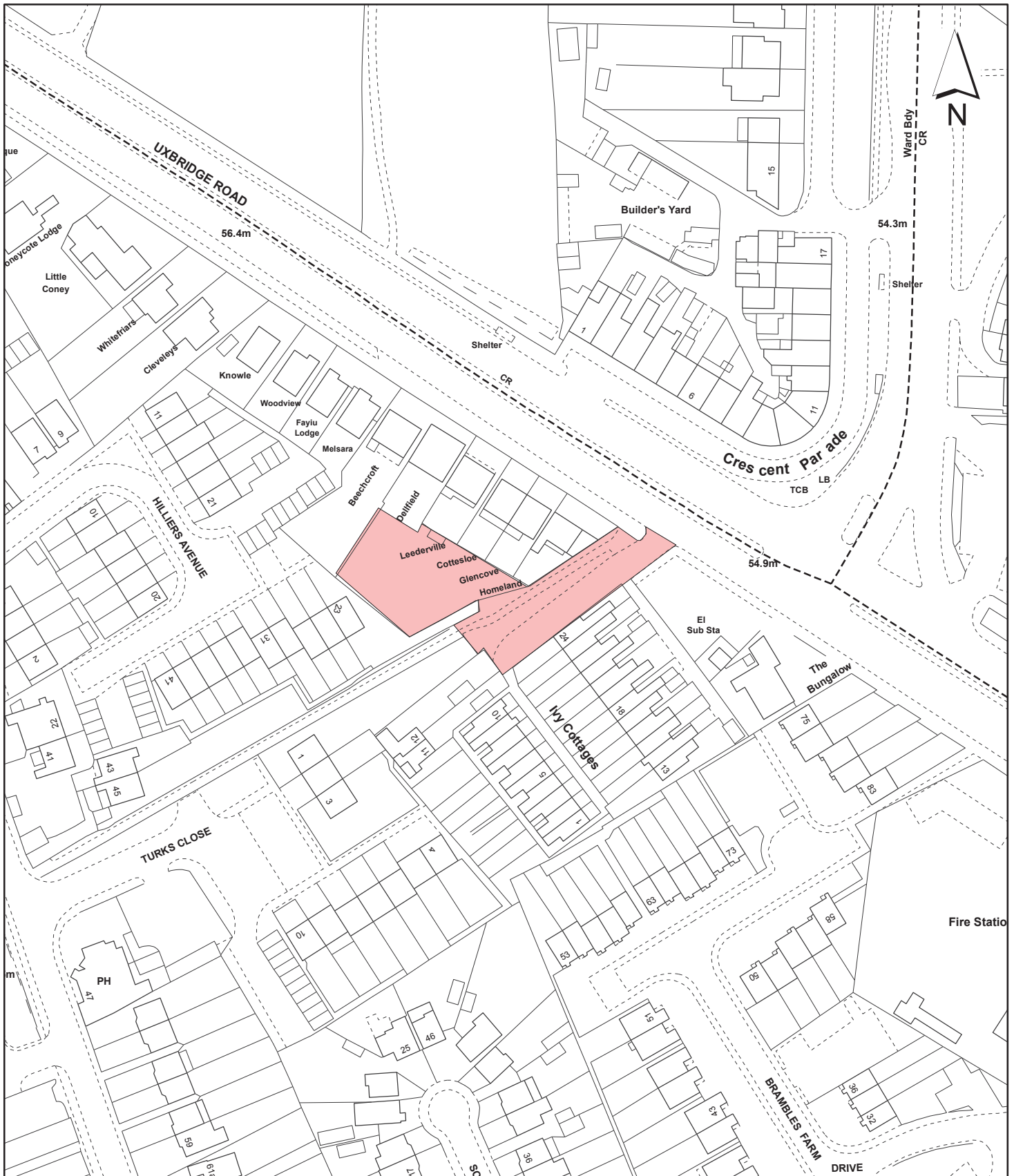
The site is considered to be a backland development. In the light of the NPPF and guidance in relation to backland development, the proposal is unacceptable in principle and would cause significant harm to the character and appearance of the area. Furthermore, a significant number of highway safety issues have not been satisfactorily addressed and the scheme is deficient in terms of tree protection, lifetime homes standards and meeting the required planning obligations. Therefore, the application is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan (November 2012);
The London Plan (July 2011);
National Planning Policy Framework;
Hillingdon Supplementary Planning Document: Planning Obligations (July 2008) and Revised Chapter 4 (September 2010)
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (May 2013)
GLA's Supplementary Planning Guidance - Housing;

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Notes

 Site boundary

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Site Address

R/O Dellfield, Leederville, Cottesloe, Glencove & Homeland Hillingdon

Planning Application Ref:

69795/APP/2014/709

Planning Committee

Central & South

Scale

1:1,250

Date

July 2014

LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
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