

Report of the Corporate Director of Planning & Community Services

Address 16 CLIFTON GARDENS AND 2 BRAMPTON ROAD HILLINGDON

Development: Two storey building comprising 5 one-bedroom and 1 two-bedroom flats (Outline application for the approval of access, appearance, layout and scale)

LBH Ref Nos: 66251/APP/2009/1758

Drawing Nos: 1:1250 Location Plan
08/4100/2
08/4100/3
08/4100/1

Date Plans Received: 07/08/2009 **Date(s) of Amendment(s):**

Date Application Valid: 14/08/2009

1. **SUMMARY**

This application seeks outline planning permission for the demolition of the existing semi-detached properties on the site and the erection of a residential block comprising five 1-bedroom flats and one 2-bedroom flat, with associated parking and amenity space. Details of landscaping only have been provided at this stage with details of access, appearance, layout and scale reserved for future consideration. Nevertheless detailed plans of the site layout and proposed building have been provided.

Significant concerns are raised over the layout, scale and design of the proposed building which, is considered to be out of keeping with the character and appearance of the surrounding area. The plans indicate that not all units would have adequate internal floor areas, to the detriment of the residential amenity of future occupiers. In addition, concerns are raised over parking provision and impact of the development on pedestrian and highway safety. It is considered that the proposal fails to comply with all relevant UDP and London Plan policies and, accordingly, refusal is recommended.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Visual impact**

The proposed development by reason of its layout, scale, design, and frontage parking area represents an overdevelopment of the site which would result in an over dominant and incongruous form of development, which would fail to harmonise with the character and appearance of the surrounding area, and would have a significant detrimental visual impact on the street scene. The proposal would therefore be contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 4B.1 of the London Plan and Hillingdon's Supplementary Planning Document on Residential Layouts.

2 NON2 **Internal living space**

The proposed development, by reason of the restricted internal floor space of the

proposed residential units would result in a cramped form of development providing inadequate living conditions for the future occupiers. The proposal is therefore contrary to Policy 4B.1 of the London Plan (February 2008), Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Hillingdon's Supplementary Planning Document on Residential Layouts.

3 NON2 Parking

The proposal fails to provide adequate car parking or cycle parking provision in accordance with the Council's adopted parking standards. In addition, the creation of two additional double crossovers, and increase in vehicles reversing in and out of the site, on the corner of a junction close to schools, is considered to be detrimental to highway and pedestrian safety. Accordingly, the proposed development would be contrary to Policies AM7(ii), AM9 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NON2 Residential amenity for future occupiers

The proximity of the ground floor front windows to the communal parking area would result in a loss of residential amenity to future occupants, contrary to Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 152 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).

2 153 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

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.

OE1	Protection of the character and amenities of surrounding properties and the local area
H4	Mix of housing units
H5	Dwellings suitable for large families
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.
SPG	Residential layouts and house design.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 568m² roughly square plot located on the south west corner of the junction of Clifton Gardens and Brampton Road. The site currently accommodates a pair of semi-detached properties with associated gardens and car parking space. The surrounding area is largely residential in nature, characterised by 1930s style semi-detached housing. The site is bounded by residential properties to the south and east; and roads (Clifton Gardens and Brampton Road) to the north and east, beyond which are also residential properties. The site falls within the development area as shown on the Hillingdon Unitary Development Plan proposals map.

3.2 Proposed Scheme

Outline planning permission is sought for the redevelopment of the site to provide a two-storey 'L' shaped residential block comprising 5 one-bedroom and 1 two-bedroom flats. Details of landscaping only have been provided at this stage with details of access, appearance, layout and scale reserved for future consideration.

Three one-bedroom flats would be provided at ground floor level. Two one-bedroom flats and one two-bedroom flat would be provided at first floor level. Each flat would comprise 1/2 bedrooms, a living room, kitchen and bathroom.

Six car parking spaces would be provided at the front of the site, three accessed via Brampton Road and three accessed via Clifton Gardens. Communal amenity space would be provided to the rear of the building.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history relating to the entire application site. The planning history relating to the individual properties can be summarised as follows:

16 Clifton Gardens:

65804/APP/2009/312 - part two-storey, part single-storey side and rear extensions to include an attached side garage - Approved 14/04/09

2 Brampton Gardens:

58267/APP/2003/829 - Erection of a part two-storey, part single-storey side and rear extension - Approved 20/06/03

58267/APP/2008/2924 - Single storey and two storey side and rear extension - Withdrawn 21/10/08

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies (September 2007)

London Plan (Consolidated with Alterations since 2004)

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Supplementary Planning Guidance - Noise

Supplementary planning Guidance - Planning Obligations

Hillingdon Design and Accessibility Statement: Residential Extensions

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

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.

PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.

Part 2 Policies:

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.

OE1 Protection of the character and amenities of surrounding properties and the local

	area
H4	Mix of housing units
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AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
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LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.
SPG	Residential layouts and house design.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 78 local owner/occupiers and The Larches Residents' Association. Seven letters of objection (4 of which appear to be from the same property) and a 27 signature petition have been received, which raise the following concerns:

- i) Increase in traffic and parking congestion.
- ii) The proposal will exacerbate existing highway safety issues with children walking from the nearby schools.
- iii) The adjacent crossroad junction is dangerous. The proposal will add to the problems and could obstruct views at the junction.
- iv) Flats would be totally out of character with the area.
- v) Loss of light to adjoining properties.
- vi) Loss of privacy to adjoining properties.
- vii) The proposal would reduce parking facilities in an already congested road.
- viii) The plans make no provision for walls or fencing. As the existing walls and fencing are damaged by tree roots this should be shown.
- ix) The refuse storage area would be located adjacent to the boundary with 4 Brampton Road so needs a wall.
- x) The development will restrict access to and visibility from adjacent driveways.
- xi) The proposed garden area appears to be too small.
- xii) Insufficient parking.
- xiii) Construction traffic will add to congestion.
- xiv) The construction will affect the adjoining garage at 4 Brampton Road as it appears to be too close to its outer wall.

The following objection has also been received from Councillor Timothy Barker:

"I would like to express my concerns relating to the above planning application to build 6 flats at this location. The development is completely out of character with the current properties. Clifton Gardens is exclusively a road of semi-detached houses. I believe there would also be issues with parking and traffic flow. Problems already exist due to the fact that Abbotsfield and Swakelys Schools complex is at the end of this very short no through road. Accidents have occurred in the past and I believe children have been injured. This would only make the problem worse. The safety of our residents and children must surely come before any issue."

MINISTRY OF DEFENCE

No objection.

NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection.

Internal Consultees

TREE/LANDSCAPING OFFICER

Provided that the external spaces meet the relevant amenity space requirements, they appear adequate to retain existing trees and provide an enhanced landscape setting in accordance with UDP Saved Policy BE38.

No objections are raised subject to conditions TL1, TL2, TL3, TL4, TL6 and TL7.

HIGHWAY ENGINEER

Objection. Given the site's low PTAL and parking issues in the area the Council's maximum car parking standards should be adhered to. Six spaces are proposed which is insufficient for this development.

The creation of two additional double crossovers, and increase in vehicles reversing out of the site, on the corner of a junction and close to schools, is considered detrimental to pedestrian and highway safety.

WASTE STRATEGY

The proposed bin store provision would appear to be inadequate. For this development it is recommended that two 1,100 litre refuse bins and two 1,100 litre recycling bins should be provided.

ENVIRONMENTAL PROTECTION UNIT

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site currently comprises residential properties and is located within the developed area as shown on the Hillingdon Unitary Development Plan Proposals Map. Furthermore, the site does not fall within a conservation area or Area of Special Local Character. As such, there is no objection in principle to the redevelopment of the site to provide an increased number of residential units, providing site specific issues can be sufficiently addressed.

7.02 Density of the proposed development

The site has a Public Transport Accessibility Level (PTAL) of 1b. Given the nature of the surrounding area which is largely characterised by semi-detached properties and buildings of 2-storeys in height, it is considered that the site falls within a suburban area as defined in the London Plan (2008). The London Plan (2008) range for sites with a PTAL of 0-1 in a suburban area is 150-200 habitable rooms per hectare and 50-75 units per hectare. As such, based on a total site area of 568m² the site would have a density of 105.6 units per hectare and 228.9 habitable rooms per hectare. Whilst this is well below London Plan guidelines in terms of units per hectare, it slightly exceeds the guidelines in terms of habitable rooms per hectare. This could be indicative of over-development of the site.

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

N/A. The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings, or Areas of Special Local Character within the vicinity.

7.04 Airport safeguarding

National Air Traffic Services (NATS) and the Ministry of Defence (MoD) have both confirmed that they have no objections to the scheme.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land in close proximity to the application site.

7.07 Impact on the character & appearance of the area

The surrounding area is largely characterised by two-storey semi-detached residential properties with small front gardens, many of which have been hardsurfaced to provide car parking, and larger rear gardens. The built form is relatively uniform in this area and most properties immediately surrounding the application site are very similar in design.

The application site lies on a prominent junction and the built form and design of the existing properties mirrors that opposite and those immediately adjacent. Whilst it is acknowledged that both existing properties benefit from planning permission for the erection of relatively large single-storey and two-storey side and rear extensions, albeit these permissions have yet to be implemented, the proposed building would nevertheless be considerably larger, extending much closer to both the south and west boundaries, and appearing much bulkier in its overall design, through the closing of gaps between adjacent properties. It is considered that its layout, size, scale and design would appear as incongruous to surrounding development, appearing as a prominent feature within the streetscene and detrimental to the visual amenities of the area.

Furthermore, whilst it is recognised that many surrounding properties have hardsurfaced their front gardens to provide for parking, it is considered that the provision of six parking spaces on the site frontages, would result in an unacceptable increase in the area of hardstanding at the site, detrimental to the visual amenities of this part of the Clifton Gardens and Brampton Road streetscenes.

The development is not considered to harmonise with the character and appearance of the existing streetscene and will not complement or improve the amenity and character of the area, contrary to policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

Whilst overall the proposed building would appear as considerably larger than the existing and surrounding properties, it does respect the existing established front and rear building lines and, as such, would not result in an increase in overlooking over the existing houses at the site. Additionally, the floor plans indicate that there would be no habitable rooms facing towards the rear of the block and, as such, whilst it could be argued that due to the proposed layout, there could be a perceived increase in the level of overlooking to adjoining gardens, it is not considered this would be sufficient to justify refusal.

The proposal would not result in an increase in overshadowing or loss of light to neighbouring properties and it is considered that the proposed car parking spaces are located sufficiently far away so as not to create a significant increase in noise and disturbance from traffic movements. Accordingly, it is not considered that the proposal would have any significant detrimental impact on the amenity of occupants of neighbouring properties sufficient to justify refusal.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 50m² internal floor space should be provided for one-bedroom flats. The plans indicate the one-bedroom flats would have floor areas of approximately 50m² (2 flats), 47m² (two flats) and 56m². Accordingly, two of the one-bedroom flats fall below these minimum guidelines. A minimum of 63m² should be provided for two-bedroom flats.

The plans indicate the two-bedroom flat would have a floor area of only approximately 56m² and, as such, would also fail to meet the Council's minimum standards. This is indicative of overdevelopment of the site.

All windows would receive adequate daylight and the layout has been arranged so that habitable rooms would not directly face each other. Accordingly, the amenities of future occupiers would not be prejudiced by the position of adjoining units or neighbouring properties.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 20m² external amenity space should be provided for one-bedroom flats, and 25m² for 2-bedroom flats. As such, a total of at least 125m² usable amenity space should be provided for this development. The plans indicate the total provision would fall at approximately 125m². The plans indicate that this space would be overlooked by the kitchens in the units. Whilst it is acknowledged that this is undesirable, as users of this space could see straight into the kitchens, as these are not habitable rooms, it is not considered that refusal could be justified on this basis.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

It is proposed to provide 6 parking spaces, three accessed directly off Brampton Road and three accessed directly off Clifton Gardens. This falls below the Council's maximum car parking standards of 1.5 spaces per unit. Given the site's low PTAL it is considered that the maximum standards should be adhered to in order to ensure the development does not lead to an unacceptable increase in on-street parking.

In addition to the above the Council's Highway Engineer has raised concerns over the creation of two additional double vehicular crossovers in this location. It is considered that given the site's location on a corner the reversing of vehicles in and out of these spaces could be particularly detrimental to pedestrian and highway safety. A refusal reason is recommended on these grounds.

Notably Clifton Gardens provides the main vehicular access to Abbotsfield and Swakeleys Secondary Schools and resident's concerns over congestion relating to the school are noted. However, the advice from the Council's Highway Engineer is that planning permission should be refused on the above mentioned grounds only.

Notably the location of the car parking spaces would be immediately in front of habitable room windows in the ground floor units. This layout is undesirable as the use of these spaces by users of other units would result in a loss of privacy to the ground floor units, detrimental to the residential amenities of future occupiers.

The Council's Bicycle Parking Standards require the provision of at least one space per unit. The plans do not indicate that any cycle storage provision would be provided. To provide this in the rear garden would compromise the amount of usable amenity space which already only just reaches the Council's minimum standards. Whilst it is likely that there is physically enough space to provide this along the site frontages, this would be at the cost of landscaping and is unlikely to be visually desirable in this location. In addition, it is likely any storage facility at the front of the site could lead to issues such as loss of light, loss of outlook or loss of privacy to ground floor units.

7.11 Urban design, access and security

This issue has been largely discussed in part 7.07 of the report. Whilst it is acknowledged that the proposed building respects the existing building lines, and at two-storeys is likely to be comparable in height to surrounding properties, with frontages of approximately 18m long fronting Brampton Road and Clifton Gardens, the proposed building would nevertheless appear as bulky in its design and over dominant on this prominent corner plot.

The pitched roofs and use of projecting bay windows seeks to reflect elements of the design of surrounding properties, many of which (including the existing properties and those opposite) are characterised by large gable ended frontages. However, the design fails to fully reflect these elements and it is considered would take on a character more similar to a modern block of flats, than the surrounding smaller scale residential properties typical of this area. Accordingly, it is considered that the layout, scale and design of the proposed building would be out of keeping with the character and appearance of surrounding properties and detrimental to the visual amenities of the area, contrary to policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.12 Disabled access

No Design and Access Statement has been submitted with this application and as such, it is unclear as to whether the units would fully meet all relevant Lifetime Home Standards. Notably the plans appear to show stepped entrances, which would not be acceptable. Nevertheless, given that this is an outline application, it is considered that the relevant details could be required by way of condition should approval be granted.

7.13 Provision of affordable & special needs housing

There is no requirement to provide affordable or special needs housing for a development of this size.

7.14 Trees, landscaping and Ecology

The existing gardens at the site are mainly grassed with some shrub planting. Three

small trees exist to the rear of the site, however, these are not protected by a Tree Preservation Order. The plans indicate that these trees would remain and in addition some tree/shrub planting would be provided around the site frontages. Whilst limited details have been provided at this stage, it is considered that there is sufficient space available to provide an enhanced landscape setting. Notably the Council's Trees/Landscape Officer has raised no objections.

7.15 Sustainable waste management

The plans indicate an approximately 3m by 1.6m integrated bin store would be provided. Whilst the Council's Waste Strategy Team have advised that this falls slightly below the recommended provision of four 1,100 litre bins (two for refuse and two for recycling), given the relatively small size of the units this is considered to be acceptable. It is not considered that a bin chamber capable of accommodating four 1,100 litre bins would be visually desirable in this location.

7.16 Renewable energy / Sustainability

There is no requirement to provide a portion of the site's energy through renewable technology for a scheme of this size. However, should approval be granted, a condition would be added to ensure the proposal is designed to achieve a minimum of Level 3 of the Code for Sustainable Homes. A condition would also be added to ensure sustainable urban drainage is incorporated into the scheme for the car parking areas.

7.17 Flooding or Drainage Issues

The site is not located within a floodplain and no issues regarding flooding have been identified. Building control regulations on this matter will however need to be complied with. A condition would also be added to ensure sustainable urban drainage is incorporated into the scheme for the car parking areas.

7.18 Noise or Air Quality Issues

It is not considered that the proposal would lead to a significant increase in noise levels or pollution over and above the existing use. Notably officers in the Council's Environmental Protection Unit have raised no objections relating to air quality or noise issues.

7.19 Comments on Public Consultations

Points (i), (ii), (iii), (iv), (v), (vi), (vii), (x), (xi) and (xii) have been addressed in the report.

Points (viii) and (ix) raise concerns over boundary treatment because it is not shown on the plans. Should approval be granted full details of boundary treatment would be required by way of condition. A reason for refusal could not be justified on these grounds.

Point (xiii) raises concerns over construction traffic. Notably, these impacts would be short-term only. Should approval be granted relevant conditions would be attached to minimise the impact of construction traffic on the surrounding area. Refusal cannot be justified on this basis.

Point (xiv) raises concerns over the proximity of the construction to the outer wall of the adjacent property. There is no evidence to suggest that should approval be granted the construction works associated with the development would have any lasting physical impacts on the wall of the adjacent property. However, relevant building control regulations must be complied with on this matter.

7.20 Planning obligations

The net increase in the number of bedrooms is below 6 and is therefore below the threshold for education or any other S106 contributions.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

In conclusion, it is considered that due to its overall scale, layout and design, the proposed development would result in a prominent and overbearing building, out of keeping with the character of neighbouring properties, Clifton Gardens and Brampton Road streetscenes and the surrounding area. In addition the proposed internal floorspace provision is considered to be inadequate, indicating the applicant may be trying to fit too many units into the scheme. The parking provision is considered to be inadequate and concerns have been raised over the impact of the development on pedestrian and highway safety. The proposal fails to comply with relevant UDP and London Plan policies

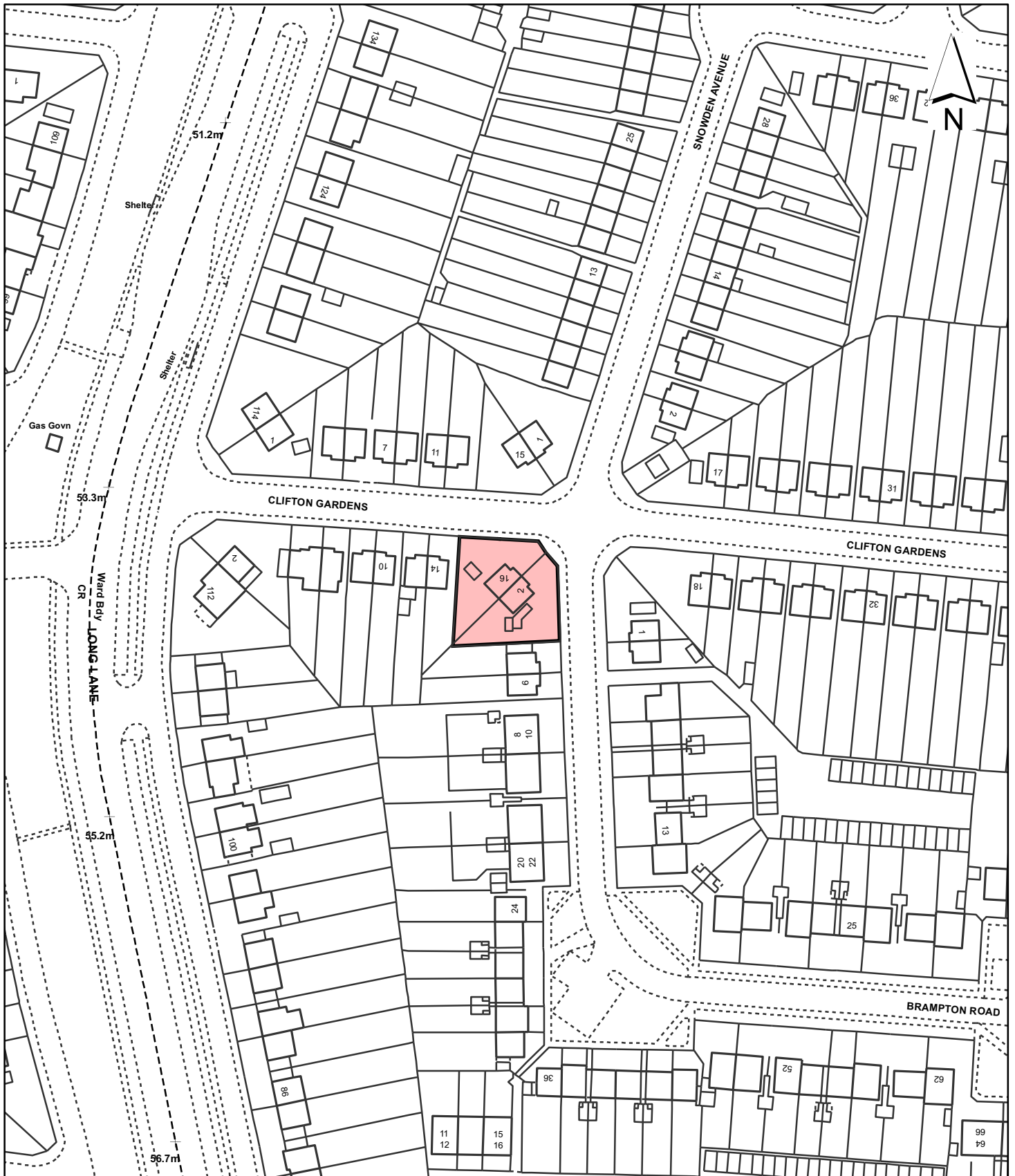
and, accordingly, refusal is recommended.

11. Reference Documents


Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Supplementary Planning Guidance - Noise
Supplementary planning Guidance - Planning Obligations
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon

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Notes

 Site boundary

For identification purposes only.

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Site Address

**16 Clifton Gardens and
2 Brampton Road
Hillingdon**

Planning Application Ref:

66251/APP/2009/1758

Planning Committee

Central and South

Scale

1:1,250

Date

February 2010

**LONDON BOROUGH
OF HILLINGDON
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