

## Report of the Head of Planning & Enforcement Services

**Address** 212 COLDHARBOUR LANE HAYES

**Development:** Erection of 4, three-bedroom, semi detached dwellings with associated parking and amenity space, involving installation of vehicular crossover and demolition of existing dwelling.

**LBH Ref Nos:** 53690/APP/2011/236

**Drawing Nos:** 337.PL.GA102D: Proposed Elevations  
337.PL.GA100C: Proposed Floor Plans  
Design & Access Statement  
Arboricultural Report  
001: Tree Protection Plan  
337.PL.GA090: Existing Site Plan  
337.PL.GA 099A: Existing Elevations  
337.PL.GA091B: Proposed Site Plan  
337.PL.GA098: Existing Ground Floor Plan  
337.PL.GA.101C

**Date Plans Received:** 02/02/2011 **Date(s) of Amendment(s):** 02/02/2011

**Date Application Valid:** 07/02/2011

### 1. SUMMARY

The scheme proposes to demolish the existing dwelling and the erection of 4 two storey, 3 bedroom dwelling houses with associated landscaping, a vehicular crossover and parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers. The proposed dwellings would meet all relevant council standard in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions.

### 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 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.

#### **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 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

#### **REASON**

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **5 TL20 Amenity Areas (Residential Developments)**

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings 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.

#### **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).

### **6 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a 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).

### **7 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).

### **8 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development 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.

### **9 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).

#### 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 excising 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 policies 7.1 and 7.3 of the London Plan (July 2011).

#### **10            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 each 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 policies 5.1 and 5.3 of the London Plan (July 2011).

#### **11            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 policy 5.13 of 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), policy 5.12 of the London Plan (July 2011) and PPS25.

#### **12            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 facing north or south.

#### REASON

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

#### **13            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 any dwellinghouse(s) nor any garage(s), 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).

#### **14 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).

#### **15 H7 Parking Arrangements (Residential)**

The parking areas (including where appropriate, 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 3C of the London Plan. (February 2008).

#### **16 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 hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (ii) 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.
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) 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).
- (v) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) 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

**17 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).

**18 RPD6 Fences, Gates, Walls**

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 fences, gates or walls shall be erected other than those expressly authorised by this permission.

**REASON**

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**19 TL2 Trees to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at 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 and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

**REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of



the Town and Country Planning Act 1990.

**20            TL3            Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

**REASON**

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**21            H12            Closure of Existing Access**

The existing vehicular access at the site, shall be closed, the dropped kerb removed and the footway reinstated to match the adjoining footway within one month of the new access hereby approved being completed.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**INFORMATIVES**

**1            I1            Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**2            I11            The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

### **3            112            Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

### **4            115            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.

### **5            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.

### **6            13            Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

### **7            152            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).

## **8            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 (February 2008) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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

## **9            I5            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

## **10          I6            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.

## **11          I19          Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service

regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

## **12            I34            Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

## **13            I46            Renewable Resources**

To promote the development of sustainable building design and construction methods,

you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

#### **14            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).

#### **15**

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Any demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use 'best practicable means' as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

#### **16**

Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer. The current waste and recycling collection systems are:

- Weekly residual (refuse) waste using sacks purchased by the occupier
- Weekly dry recycling collection using specially marked sacks provided by the Council.
- Fortnightly green garden waste collection three specially marked reusable bags provided by the Council free of charge.

The waste and recycling should be presented near the curtilage of the property on allocated collection days.

#### **17**

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually

refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

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With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site measures approximately 993m<sup>2</sup>, is located on the eastern side of Coldharbour Lane and consists of a two storey detached dwellinghouse. There are trees along the rear boundary of the site of which none are covered by a Tree Preservation Order. The site is not located within a Conservation Area nor is it located within an Area of Special Character.

The surrounding buildings are predominantly residential with two storey semi detached and terraced houses with private gardens. The site within the developed area as identified in the Hillingdon Unitary Development Plan saved policies (September 2008).

#### 3.2 Proposed Scheme

Planning permission is sought for the erection of 4 two storey, 3 bedroom dwelling houses with associated landscaping, a vehicular crossover and parking.

The two storey element of the houses would measure 5.6m wide and 8m deep. The main roofs would be gabled with a maximum ridge height of 7.5m sloping down to an eaves height of 5.5m. The houses would be set back 12m from the footway along Coldharbour Lane with private rear gardens.

Six car parking spaces (including 2 disabled spaces) will be provided within a communal front courtyard.

#### 3.3 Relevant Planning History

53690/APP/2010/1441      212 Coldharbour Lane Hayes

Erection of 4 three-bedroom dwellings with habitable roofspace with associated parking and amenity space and installation of vehicular crossover to front.

**Decision:** 15-10-2010      Withdrawn

#### Comment on Relevant Planning History

Planning application ref: 53690/APP/2010/1441 for the erection of 4 three-bedroom dwellings with habitable roofspace with associated parking and amenity space and installation of vehicular crossover to front. Withdrawn.

#### **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:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

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

#### **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

#### **6. Consultations**

##### **External Consultees**

46 neighbouring occupiers were consulted. A petition has been received with signatures of 50 neighbouring and surrounding properties objecting to the proposal on the following grounds;

- Existing dwelling is of a very good quality and should not be demolished.
- Proposed design is not acceptable.
- Proposal would affect the neighbouring properties.

Hayes Conservation Area Advisory Panel raised no objection to the proposal.

##### **Internal Consultees**

ACCESS

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant)

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should be shown on plan. The following access observations are provided:

1. Level or gently sloping access should be confirmed and is otherwise required. Should topographical constraints prevent level access, it would be preferable to gently slope (maximum gradient 1:20) the pathway leading to the ground floor entrance door.
2. The bathrooms/ensuite facilities, including the entrance level WC, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
3. To allow the first-floor, including the entrance level WC, to be used as a wet rooms in future, plans should indicate floor gulley drainage.
4. The plans should indicate the location of a future through the ceiling wheelchair lift.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home and Wheelchair Housing standards.

Conclusion: unacceptable

## ENVIRONMENTAL PROTECTION UNIT

### NOISE

The proposed development falls into noise exposure category A from table 1: noise exposure categories for new dwellings near existing noise sources (pg. 6 LBH Noise SPD (April 2006)), derived from PPG24 (1994).

NEC Category A advice states that :- Noise need not to be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as desirable EPU will note recommend a sound insulation scheme in respect of noise from road traffic being a justification.

### DUST

Development shall not begin until a scheme for protecting surrounding dwellings from dust emitted from the construction works, has been submitted to, and approved by the Local Planning Authority.

### CONTAMINATION

I understand that further comments in relation to risk assessment from land contamination have been sent already by Nayani under a separate email. EPU will recommend that the following informative be applied to any approval granted to this application.

#### Informative

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Any demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in The control of dust and emissions from construction and demolition: best practice guidelines , Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

### WASTE

Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer. The current waste and recycling collection systems are:



- Weekly residual (refuse) waste using sacks purchased by the occupier
- Weekly dry recycling collection using specially marked sacks provided by the Council.
- Fortnightly green garden waste collection three specially marked reusable bags provided by the Council free of charge.

The waste and recycling should be presented near the curtilage of the property on allocated collection days.

## THAMES WATER

### Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

### Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a Conservation Area or Area of Special Local Character. As such, there is no objection in principle to the demolition of the existing dwellinghouse and redevelopment of the site for residential purposes.

### **7.02 Density of the proposed development**

The site has a Public Transport Accessibility Level (PTAL) of 2. The London Plan (2011) range for sites with a PTAL of 2-3 in a suburban area is 150-250 habitable rooms per hectare and 35-65 units per hectare. Given the size of the proposed living/dining rooms at over 20m<sup>2</sup>, which would count as the equivalent of two habitable rooms in compliance with the Council's Supplementary Planning document on Residential Layouts. As such, based on a total site area of 993m<sup>2</sup> the site would have a density of 40 units per hectare and 201 habitable rooms per hectare. This complies with Policy 3.4 of the London Plan (2011).

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

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**

Not applicable to this application.

### **7.05 Impact on the green belt**

There is no land designated as Green Belt within the near vicinity.

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

The surrounding area is largely characterised by a mix of semi-detached and terraced two storey properties. The proposed dwellings are of a domestic height and massing fitting in with the character and scale of the surrounding buildings and the area in general. The proposed full height bay windows, which bear resemblance to the adjacent dwellings, will help to define the proposed entrances. Coldharbour Lane comprises of buildings from a variety of periods and different material treatments. The proposal would be of traditional multi-stock red brick walls with timber cladding to the central section of the bay windows

mimicking the tile hanging found elsewhere.

Section 4.27 of the SPD states careful consideration should be given to building lines, and these should relate well to the existing street pattern. It is considered the proposal would comply with this advice, and although the new dwellings would be set behind the existing properties, they would not result in loss of visual amenity due to the distances involved and the proposed heights of the units.

It is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with policies BE13 and BE19 of the UDP saved policies September 2007.

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

The application site is bounded by residential properties and gardens with No 214 Coldharbour Lane to the north, No 74 Hitherbroom Road to the east and No 25 Cotmans Close to the south.

The Hillingdon Design and Accessibility Statement (HDAS) SPD: Residential Layouts, deals with Sunlight and Daylight, and suggests where a two or more storey building abuts a property or its boundary, adequate distance should be maintained to overcome possible domination. The SPD states that the distance provided will be dependant on the bulk and size of the building but generally, 15m will be the minimum acceptable distance. The SPD further states that as a guide, the distance between habitable room windows should not be less than 21m. The proposal would be set back 12.6m from the rear boundary and the distance to the nearest property to the east would be 21.7m. Given the scale of the proposal and the boundary treatment this is considered acceptable in this instance.

In relation to the properties to the sides, these dwellings are staggered and the proposal complies with the 45-degree rule. There are no directly facing habitable room windows proposed for the northern or southern elevations. The existing property on the application site is set behind the neighbouring property to the south's rear building line (No 25 Cotmans Close). This would slightly improve in the proposed scheme and whilst the two storey development would be nearer to the shared boundary than the existing situation, a set in of 0.5m to 2.6m is shown and as such it is considered this would not materially worsen an existing situation to warrant the refusal of planning permission.

With regard to the property to the north (No. Coldharbour Lane), the proposal complies with the 45-degree rule and given the scale of the proposal it is considered the proposal would not materially impact on the private garden areas of this dwelling.

It is therefore considered that the proposal would comply with policies BE20, BE21 and BE24 of the UDP (Saved Policies September 2007) and the advice in sections 4.9 to 4.12 of the HDAS Residential Layouts.

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

The Council's HDAS SPD states that a 2 storey, 3 bedroom house should have a minimum floor area of 81sq metres. The proposal is for four dwellings, each with a floor area of approximately 88sq metres, which is in excess of the council's minimum standard and is as such considered acceptable.

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 3 bedroom house is 60sq metres. The proposed amenity space provision for all units is over 70sq metres.

It has been considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9 states and Policy 5.3 of the London Plan (2011).

The proposed floor plans show the provision of WC facilities at ground floor level and it is considered should a permission be issued, a condition is applied requiring the proposed development to comply with Lifetimes Homes standards. Therefore this proposal is considered to accord with Policy 3.14 of the London Plan and the Council's HDAS SPD.

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

Policy AM14 of the UDP (Saved Policies September 2007) states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards as set out in Annex 1 which states that houses with communal parking in open car parking areas should provide 1.5 spaces per dwelling.

The proposed scheme makes provision for a total of 6 on site car parking spaces (including 2 disabled spaces) within a communal front courtyard. This meets Council parking standard for new build dwellings in an area with a Public Transport Public Accessibility Level of 2.

The proposal therefore complies with policy AM14 of the UDP (Saved Policies September 2007).

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

This has been largely discussed in part 7.07 of the report. The size, siting scale and mass of the building is considered to be acceptable in this location and the design, including the roof, materials and fenestration, would be in keeping with the character and appearance of the area. As such, the scheme is considered to be acceptable on design grounds.

The applicant has stated that the scheme will be designed and built to Lifetime Homes standards. Although the Access Officer has raised concerns about some details of the proposed design it is considered that these matters can be secured by an appropriate lifetime homes condition.

The applicant has stated that the proposed design of the development follows the principle of Secure by Design. A condition will be attached to any decision requiring details to be submitted showing that the scheme will meet secure by design.

#### **7.12 Disabled access**

The applicant's Design and Access Statement confirms that the proposed development would comply with Lifetime Homes Standards. The Council's Access Officer has suggested that the plans should be amended to better reflect this, however, it is considered that this could be dealt with 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**

There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a Conservation Area. While no specific landscape design details have been specified, the layout plans indicate that there is sufficient space and opportunity to provide attractive and functional external amenity space. The proposal is considered subject to conditions including one ensuring that a landscape scheme is submitted.

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

The proposals do not indicate any refuse storage. However there is ample space within the front curtilage to provide refuse and recycling facilities on collection days.

**7.16 Renewable energy / Sustainability**

No details have been submitted to indicate that the proposal would achieve a minimum of Level 4 of the Code for Sustainable Homes. A condition will be attached to any decision requiring details to be submitted indicating that a minimum of Level 4 would be achieved.

**7.17 Flooding or Drainage Issues**

Not applicable to this application

**7.18 Noise or Air Quality Issues**

It is not considered that the provision of a residential unit on this site will lead to significant noise or air quality issues sufficient to justify refusal.

**7.19 Comments on Public Consultations**

- Existing dwelling is of a very good quality and should not be demolished.
- Proposed design is not acceptable.

The Design & Conservation Officer has commented on the application and raises no objection to the demolition of the existing dwelling or to the design of the proposed development.

- Proposal would affect the neighbouring properties.

This matter has been addressed in section 7.08 of the report. It is considered that there will not be a significant impact on neighbouring properties as a result of the proposed development.

**7.20 Planning obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**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 to this application.

**10. CONCLUSION**

In conclusion it is not considered that the proposed development would be out of keeping with the character or appearance of the surrounding area and the impact on the amenity of adjoining properties is considered to be acceptable. A satisfactory form of accommodation would be provided for future residents and car parking and bicycle parking provision comply with the Council's Car Parking standards. As such, it is considered that the proposed development complies with the relevant UDP and London Plan policies and approval is recommended subject to conditions.

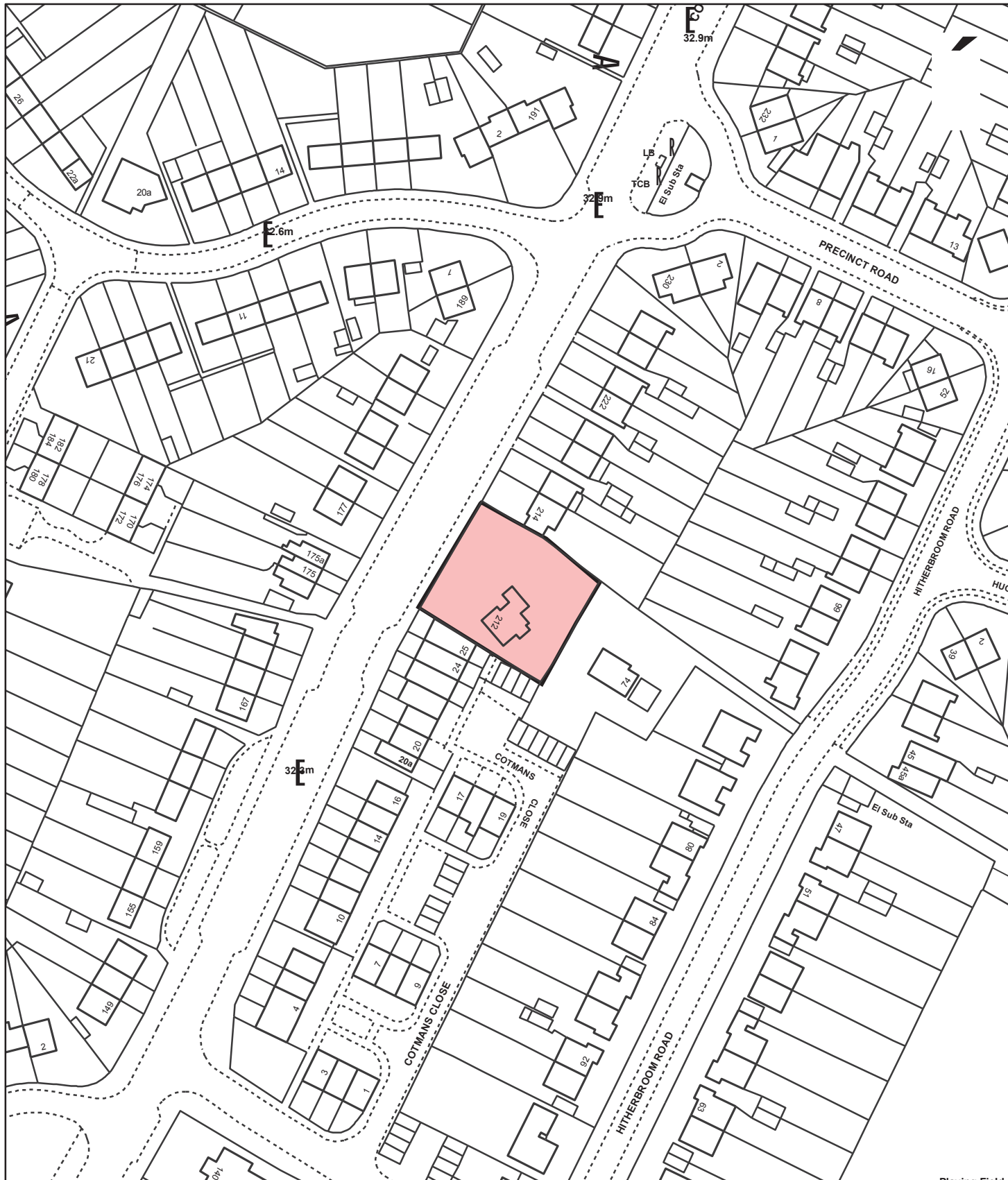
**11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (July 2011)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3: Housing  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
Supplementary Planning Document - Planning Obligations

**Contact Officer:** Jacques du Plessis

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## Notes



Site boundary

For identification purposes only.

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London Borough of Hillingdon  
100019283 2011

Site Address

**212 Coldharbour Lane,  
Hayes**

Planning Application Ref:

**53690/APP/2011/236**

Planning Committee

**Central & South**

Scale

**1:1,250**

Date

**April 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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