

Report of the Head of Planning & Enforcement Services

Address LAND BETWEEN 12 & 14 (FORMERLY KNOWN AS 13 VILLIER STREET)
VILLIER STREET UXBRIDGE

Development: Erection of a two storey, two-bedroom end of terrace house.

LBH Ref Nos: 36559/APP/2011/374

Drawing Nos: Design and Access Statement
2005D20/P/01
2005D20/P/02
2005D20/P/03
2005D20/P/04

Date Plans Received: 17/02/2011

Date(s) of Amendment(s):

Date Application Valid: 17/02/2011

1. SUMMARY

The scheme proposes erect and reinstate an end of terrace 2 storey, 2 bedroom dwelling with associated parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers. The proposed dwellings would meet relevant council standards in terms of unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. Furthermore the proposal would not result in significant highway issues. As such approval is recommended subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 SP01 Council Application Standard Paragraph

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land).

2 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.

3 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).

4 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).

5 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).

6 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 [use hereby permitted is commenced] or [building(s) is (are) occupied or [in accordance with a timetable agreed in writing by the Local Planning Authority]. 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).

7 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).

8 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).

9 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

The single dwellinghouse 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 (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

10 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 4A.14 of the London Plan (February 2008) /if appropriate/ 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.

11 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).

12 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) 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).
- (iv) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (v) The storage of demolition/construction materials on site.

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

REASON

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

13 NONSC soils

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval to the Local Planning Authority.

REASON

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

14 NONSC details of porch

Notwithstanding the plans hereby approved details of the front porch at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and thereafter permanently retained.

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).

15 NONSC details of windows

Notwithstanding the plans hereby approved detailed drawings showing window frames, cill details and glazing bars and the brick arches at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and thereafter permanently retained.

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).

16 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 nos. 12 and 14 Villier Street.

REASON

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

17 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).

2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (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.
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.
BE21	Siting, bulk and proximity of new buildings/extensions.
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

3 I2 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.

4 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).

5 112 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.

6 134 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
- 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.
- 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.
- 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.

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

7 I20 Land Drainage

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

3. CONSIDERATIONS

3.1 Site and Locality

The Council owned site is located on a narrow plot of land between Nos. 12 and 14 Villier Street, Uxbridge. Formerly this was the site of an end of terrace Victorian property. The previous building on this site was demolished following a fire approximately 40 years ago. Villier Street is accessed off Elthorne Road and Cleveland Road and is located with the Greenway Conservation Area. The site is currently used for ad hoc parking by neighbouring residents.

3.2 Proposed Scheme

It is proposed to erect a 2 storey, 2 bedroom end of terrace dwellinghouse with associated landscaping. The dwelling would match the adjoining terrace in terms of materials and design.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history relating to this site. It should be noted however that this application proposed to reinstate an end of terrace property which originally stood on this site, but that was destroyed in a fire approximately 40 years ago.

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.

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.
BE21	Siting, bulk and proximity of new buildings/extensions.
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:- **14th March 2011**

5.2 Site Notice Expiry Date:- Not applicable

23rd March 2011

6. Consultations

External Consultees

A total of 8 neighbouring occupiers were notified of this application. 3 letters of objection (two from the same local resident) were received objecting to the proposed scheme. The objections were raised on the following grounds:

- i) The neighbour was assured that the land would not be redeveloped.
- ii) This was not highlighted in solicitor's searches for the new occupier of no. 14 Villier Street.
- iii) Loss of parking on the site, currently utilised by neighbours which will result in detrimental impact on street parking.

Metropolitan Police Crime Prevention Design Advisor:

No objection subject to a condition required the scheme to meet Secure by Design standards.

Internal Consultees

EPU - NOISE

Please add the following informative:

INF 20 Control of environmental nuisance from construction work (~ Informative 20) 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) 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.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

EPU - CONTAMINATION

No contamination issues have been identified for the above site.

If it is likely soil will be imported for landscaping as part of the development, the following imports

condition needs to be included in any permission that may be given.
Condition to minimise risk of contamination from Imported Materials:

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval to the Local Planning Authority.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON

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

EDUCATION

It seems very unlikely that this development will result in a net gain of 6 or more habitable rooms, so we are not seeking an Education contribution from it.

DESIGN & CONSERVATION

The existing terrace is simply designed in yellow stock brick with originally slate roof, some replaced with concrete tiles, and includes brick arch details and overhanging eaves. The new end terrace property is designed to replicate the existing terrace and as such there would be no objections to the scheme. However, it is important that the terrace is high quality in design and details. The following details should be submitted before works commence on site:

1. details of the front porch at a scale of 1:20;
 2. samples of all materials, including brick and mortar samples and roof materials;
- and,
3. detailed drawings showing window frames, cill details and glazing bars and the brick arches at a scale of 1:10.

TREES & LANDSCAPING

The site is a strip of land between the semi-detached and terraced houses of Villier Street, within The Greenway Conservation Area. There are no significant landscape features on the site which constitute a constraint on development.

The proposal is to build an infill two-storey, two bedroom house, to match the adjoining properties. A small front garden, enclosed by a low brick wall will match the adjoining houses and a rear garden will provide private amenity space. The existing dropped kerb is to be removed and a kerb re-instated. Parking will be 'on street'.

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. No topographical, or landscape features of merit will be lost and the external spaces will be landscaped to enhance the site. Details of hard and soft landscape should be conditioned.

No objection, subject to the above observations and conditions TL5 and TL6.

ACCESS

As all accessibility issues have been taken on board following pre-application recommendations, the proposed development is compliant with the Lifetime Home Standards and therefore London Plan Policy 3.8.

HIGHWAYS

No objection, given that the development is reinstating a dwelling in the street.

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 redevelopment of the site for residential purposes.

It is worth noting that at this stage there is a separation between planning and property rights, and any rights of way over this land are a private matter between the parties and do not alter the planning considerations on which this scheme should be assessed.

7.02 Density of the proposed development

The site has a Public Transport Accessibility Level (PTAL) of 2. The London Plan (2008) range for sites with a PTAL of 2-3 in a suburban area is 150-250 habitable rooms per hectare and 59-95 units per hectare. As such, based on a total site area of 198m² the site would have a density of 50.5 units per hectare and 202 habitable rooms per hectare. This complies with London Plan standards.

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

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 external appearance of the building matches that of the existing terrace and is considered to be in keeping with the vernacular of the area. The scheme is not considered to cause harm to the appearance of the streetscene and is in keeping with the character of the Greenway Conservation Area.

7.04 Airport safeguarding

The proposed development is considered to have no impact on airport safeguarding.

7.05 Impact on the green belt

The site does not lie within or close to the green belt.

7.07 Impact on the character & appearance of the area

Addressed in paragraph 7.03.

7.08 Impact on neighbours

The proposed end of terrace house will face the windowless flank wall of no. 14 Villier Street. The proposed dwelling does not protrude any further to the rear at first floor level than the existing dwellings either side. Properties to the rear are well in excess of 21m away.

As such the scheme is not considered to result in any loss of amenity to neighbouring properties in accordance with policy BE24 of the Hillingdon UDP saved policies (September 2008).

7.09 Living conditions for future occupiers

Policy BE23 of the Council's Saved Policies UDP requires that new developments provide an appropriate amount of usable amenity space. The HDAS - Residential Layouts provides further guidance on the quantum of such space.

The proposal would provide an area of amenity space circa 100sq.m to the rear of the new dwelling. The space would be usable in terms of its layout and benefit from adequate levels of privacy. It is in excess of the minimum amenity space requirement for a 2 bed house of 60sq metres.

The HDAS - Residential Layouts also provides guidance on the appropriate level of internal floorspace for residential units. The minimum floorspace requirement for a 2 bed house is 63sq metres. The proposed dwelling would provide 63sq metres of internal floorspace in accordance with this document.

Overall, the proposal would provide appropriate living conditions for future occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The site, currently vacant, was formerly the end of terrace property. The property burned down approximately 40 years ago and has remained vacant since. Currently the front part of the site is used for ad-hoc parking by the adjoining occupier at no. 14 Villier Street.

The applicant has demonstrated that the neither the owners/occupiers of no. 14 Villier Street, nor anybody else in the street has any prescriptive rights to park on this land. As such the development of this land would not result in the loss of designated off street parking spaces.

It is worth noting that rights of way over this land are a private matter between the parties and do not alter the planning considerations on which the scheme should be determined.

The proposal would result in the requirement for a provision of a maximum of two curtilage parking spaces. Given the site configuration and pattern of the street (the front garden areas are too small for any form of car parking) no off street parking is possible. As such the maximum two parking spaces that would be required for the reinstated house would have to be provided and utilised on street.

Part of the proposal would reinstate the kerb line and remove a yellow line that is currently in front of the site, preventing parking on this section of road. This would increase the on street car parking capacity by one, resulting in only one additional on street parking space from the proposed development.

The proposal results in the net increase of one on street parking space together with the fact that the proposal is simply reinstating an end of terrace property, which would previously have required on street parking spaces. It is considered, on balance that a reason for refusal on this ground could not be substantiated and that the net increase of one parking space would not have a significant impact on traffic or pedestrian safety resulting from the proposed development.

7.11 Urban design, access and security

The existing terrace is simply designed in yellow stock brick with originally slate roof, some replaced with concrete tiles, and includes brick arch details and overhanging eaves. The new end terrace property is designed to replicate the existing terrace and as such there would be no objections to the scheme.

7.12 Disabled access

The Council's Access Officer raised no concerns. The proposed development has been designed to meet Lifetime Homes standards in accordance with Policy 3A.5 of the London Plan and guidance within the Hillingdon Design and Accessibility Statement Residential Layouts and Accessible Hillingdon Supplementary Planning Documents. The development is not of a scale which would warrant the provision of wheelchair adaptable units.

7.13 Provision of affordable & special needs housing

Given that the proposal is for a single dwellinghouse on a small site this is not relevant in this case.

7.14 Trees, landscaping and Ecology

The application site does not have any trees of merit on it at present, as such the proposal does not have any implications with regard to tree retention or removal. The Council's Trees and Landscape Officer has raised no objections to the proposal which would achieve appropriate outcomes in terms of policy BE38.

7.15 Sustainable waste management

The proposal is for a small house where no external bin storage area is required.

7.16 Renewable energy / Sustainability

The applicant's Design and Access Statement does not state whether the scheme has been designed to achieve a minimum of Level 4 of the Code for Sustainable Homes. However a condition will be attached to require the applicant to demonstrate that the building has been designed and then built to Code level 4.

7.17 Flooding or Drainage Issues

The site does not lie within a flood zone and as such there are no flooding issues on this site.

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.

7.19 Comments on Public Consultations

Objections were raised on the following ground:

- i) The neighbour was assured that the land would not be redeveloped.
- ii) This was not highlighted in solicitor's searches for the new occupier of no. 14 Villier Street.
- iii) Loss of parking on the site, currently utilised by neighbours which will result in detrimental impact on street parking.

It is considered that points i and ii are not material planning considerations.

In relation to point iii), issues relating to rights of way over a piece of land are private matters between relevant parties and do not alter planning considerations.

7.20 Planning obligations

Not applicable to this application.

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

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.

The design is such that it would provide an adequate living environment for future occupiers. The location of windows and separation distances to existing dwellings is adequate to prevent overlooking issues. The impact on the amenity of adjoining properties is considered to be acceptable.

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: Matt Kolaszewski

Telephone No: 01895 250230



Notes



Site boundary

For identification purposes only.

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Site Address

**Land between 12 & 14
(Formerly 13 Villier Street)
Villier Street, Uxbridge**

Planning Application Ref:

36559/APP/2011/374

Planning Committee

Central and South

Scale

1:1,250

Date

**Sept
2011**

**LONDON BOROUGH
OF HILLINGDON**
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