



## Central & South Planning Committee

Date:	THURSDAY, 31 MARCH 2016
Time:	7.00 PM
Venue:	COMMITTEE ROOM 5 - CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8 1UW

MeetingMembers of the Public andDetails:Press are welcome to attend<br/>this meeting

#### To Councillors on the Committee

Councillor Ian Edwards (Chairman) Councillor David Yarrow Councillor Shehryar Ahmad-Wallana Councillor Roy Chamdal Councillor Alan Chapman Councillor Jazz Dhillon (Labour Lead) Councillor Janet Duncan Councillor Manjit Khatra Councillor Brian Stead

Published: Wednesday, 22 March 2016

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This Agenda is available online at: http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=123&Year=0

Putting our residents first

Lloyd White Head of Democratic Services London Borough of Hillingdon, 3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW www.hillingdon.gov.uk

# Useful information for residents and visitors

## Watching & recording this meeting

You can watch the public (Part 1) part of this meeting on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

## Watch a **LIVE** broadcast of this meeting on the Council's YouTube Channel: *Hillingdon London*

Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

## Travel and parking

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If there is a FIRE, you will hear a continuous alarm EXIT and assemble on the Civic Centre forecourt.

Fire Marshal or Security Officer. In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



## A useful guide for those attending Planning Committee meetings

## Security and Safety information

**Fire Alarm** - If there is a FIRE in the building the fire alarm will sound continuously. If there is a SECURITY INCIDENT follow the instructions issued via the tannoy, a Fire Marshall or a Security Officer.

**Mobile telephones** - Please switch off any mobile telephones before the meeting.

#### **Petitions and Councillors**

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

Ward Councillors - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

#### How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers;
- 6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

#### About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee <u>cannot</u> take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

## Agenda

## **Chairman's Announcements**

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the meetings held 28 January 2016 1 14 and 16 February 2016
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

## PART I - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

## **Applications with a Petition**

	Address	Ward	<b>Description &amp; Recommendation</b>	Page
6	11a Woodstock Gardens, Hayes 6670/APP/2015/1036	Charville	Erection of a two storey building to provide 1 x 3-bed, 2 x 1-bed and 1 x studio self contained flats with associated parking and amenity space involving demolition of existing bungalow. <b>Recommendation: Approval</b>	15 - 30 79 - 85
7	1 Hows Road Uxbridge 70108/APP/2016/95	Uxbridge South	Conversion of roof space to habitable use to include a rear dormer with two Juliet balconies and three front roof lights. <b>Recommendation: Refusal</b>	31 - 40 86 - 90

## **Applications without a Petition**

	Address	Ward	Description & Recommendation	Page
8	Crimson Court, 1390 Uxbridge Road 11982/APP/2015/4013	Hillingdon East	Installation of 8 lighting columns in car park (Retrospective). Recommendation: Approval	41 - 52 91 - 94
9	Land rear of Crescent Parade Uxbridge Road 70895/APP/2015/4349		Erection of three storey building to create 6 x 2-bed and 3 x 1-bed self contained flats, with associated parking, cycle and bin stores, and landscaping involving demolition of existing builders yard. <b>Recommendation: Approval</b>	53 - 70 95 - 104

## PART II - MEMBERS ONLY

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

10 ENFORCEMENT REPORT

71 - 78

## PART I - Plans for Central and South Planning Committee 79 - 104

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### **CENTRAL & SOUTH PLANNING COMMITTEE**

#### 28 January 2016

## Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1UW

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	Committee Members Present:
	Councillors Ian Edwards (Chairman) David Yarrow (Vice-Chairman)
	Shehryar Ahmad-Wallana
	Roy Chamdal
	Alan Chapman
	Jazz Dhillon (Labour Lead)
	Janet Duncan
	Manjit Khatra
	Brian Stead
	LBH Officers Present:
	Tim Brown (Legal), Meghji Hirani (Planning James Rodger (Head of
	Planning), Syed Shah (Principal Highway Engineer), Kiran Grover
	(Democratic Services)
15.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no enclosico fer cheenee
	There were no apologies for absence.
16.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS
	MEETING (Agenda Item 2)
	There were no declarations of interest.
17.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT
	(Agenda Item 3)
	(rigenda Kenn e)
	The Chairman advised that Item number 5 had been withdrawn. Item 11 had
	a Petition and was moved to earlier in the meeting.
18.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL
	BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2
	WILL BE CONSIDERED IN PRIVATE (Agenda Item 4)
	It was confirmed that items 6 - 13 were Part I and would be heard in public.
	Item 14 and 15 were Part II Members only and would be heard in private.
19.	11A WOODSTOCK GARDENS, HAYES - 6670/APP/2015/1036 (Agenda
	Item 5)
	Withdrawn.

20.	6 CHURCHILL AVENUE, HILLINGDON - 71202/APP/2015/3325 (Agenda Item 6)
	6 Churchill Avenue, 71202/APP/2015/3325
	A single storey detached outbuilding to the rear for use as a granny annex involving demolition of an existing shed.
	Officers introduced the report and provided an overview of the application:
	That the application site comprised of a two storey mid-terrace dwelling along Churchill Avenue, Hillingdon. That the property was characterised by a pebble dash render to the front elevation with a two storey bay window. The house benefited from a front garden which was made up of soft landscaping and trees along its common boundary, and two off road parking spaces. The rear garden had an existing garage sited at the end with access from a rear service road. The application dwelling fell within a residential area of Hillingdon and was characterised mainly by two storey terrace dwellings that was set back from the main highway and benefited from some form of front amenity area.
	The rear garden which was stated would be used as an annexe. The proposed building would be positioned at the bottom of the rear garden in place of the existing garage and would be characterised by a flat roof with a maximum height of 3m and floor area of 27.5m2. The annexe would be benefited from a bedroom, lounge, bathroom and W.C.
	The application was initially recommended for refusal. Following the deferral at committee on the 15.12.2015, the Councillors requested the Local Planning Authority work with the applicant to come to a positive conclusion regarding the proposed granny annexe following the special circumstances cited by the applicant. This had resulted in the submission of revised plans.
	The two adjoining neighbours at Nos. 4 and 8 Churchill Avenue were consulted via letter on 10.09.15. A site notice was attached to the front of the premises on 07.09.15 with an expiry date of 01.10.15. No comments were received. A petition in support containing 23 signatures has been received.
	The Petitioner in support of the proposal made the following points:
	• That the applicants had cited special circumstances for seeking this particular development and stated that it is to provide ancillary accommodation for the applicant's father, who had recently had a stroke and the annexe would allow the father to have peace of mind and enable the family to provide the care needed.
	That the Applicant had been working with Planning Officers.
	Resolved -
	That the application be approved as per the Officer's report.
	Page 2

21.	BRUNEL UNIVERSITY KINGSTON LANE, HILLINGDON - 532/ADV/2015/93 (Agenda Item 7)
	Brunel University Kingston Lane, 532/ADV/2015/93 Installation of 2 non-illuminated fascia signs, 3 non-illuminated door number vinyl's and 10 LED strip tube lights
	Officers introduced the report.
	The application related to a research building located at the far south east corner of Brunel University's Science Park at site 2 of the Uxbridge Campus. It was adjoined by Kingston Lane to the east, Nursery Lane to the south and existing University Science Park buildings to the north and west. The building had been recently constructed. 532/APP/2014/30-Construction of a research building, together with associated substation, stores, car parking access and landscaping. The application sought advertisement consent for the Installation of 2 non-illuminated fascia signs, 3 non-illuminated door number vinyls and 10 LED strip tube lights.
	Resolved - That the application be approved.
22.	CHAMBERS BUSINESS PARK SIPSON ROAD, WEST DRAYTON - 70376/APP/2015/3764 (Agenda Item 8)
	Chambers Business Park Sipson Road, West Drayton, 70376/APP/2015/3764 7 x two storey, 3-bed, semi-detached dwellings with habitable roof space with associated parking and amenity space involving demolition
	of existing warehouse
	Officers introduced the report and highlighted the changes set out in the addendum.
	The application sought full planning permission for the erection of 7 x two storey, 3 bed dwellings with habitable roof space with associated parking and amenity space involving demolition of existing warehouse.
	The proposal was considered acceptable in principle, it would not detract from the openness of the Green Belt, it would have an acceptable impact upon the street scene, it would not detract from highway safety and it would not unacceptably detract from the residential amenities of occupants of nearby dwellings. Furthermore, the future occupants of the properties would enjoy a satisfactory level of residential amenity and, subject to conditions; the proposal would be unlikely to have either a significant or widespread archaeological impact on the significant heritage asset. The revised application was considered to have overcome the previous reasons for refusal and as such, was recommended for approval.
	Councillors enquired about hard and soft landscaping. They wished to know that the allocated residential parking was to only be used by the residents

	and not to be sub-let. They also enquired about a children's play area and who would maintain it as the development would include family dwellings.
	Resolved - That the application be approved.
23.	LAND AT 186 GROSVENOR CRESCENT, HILLINGDON - 70396/APP/2015/3385 (Agenda Item 9)
	Land at 186 Grosvenor Crescent, 70396/APP/2015/3385
	Two storey, 2-bed, end-terrace dwelling with associated parking and amenity space and installation of vehicular crossover to front.
	The proposal sought planning permission for a two storey, two bedroom attached house. The proposal had been assessed against current policies and guidance for new housing development in terms of the potential effects of the design, scale and site layout on the character of the surrounding area, the potential impact on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as access for all vehicles, traffic/pedestrian safety and parking in Grosvenor Crescent. The amenities of the future occupants of the proposed and donor dwellings had also been considered.
	The proposal had been submitted in order to overcome the sole reason for refusal of the previous application on inadequate car parking grounds. Six car park spaces have been provided on site, two at the front and four at the rear served via an existing car parking area. In all other material aspects the application remained the same as previously refused.
	The application had been assessed against current policies and guidance for new housing development in terms of the potential effects of the design, scale and site layout on the character of the surrounding area, the potential impacts on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as access for all vehicles, traffic/pedestrian safety and parking in Grosvenor Crescent. The amenities of the future occupants of the proposed and donor dwellings had also been considered. It was considered that whilst the proposal overcomes the previous reason for refusal, there had been a change in policy and the proposal failed to meet the current requirements in terms of the overall internal size of the dwelling and thus failed to provide an adequate standard of accommodation for future residents and was, thus, recommended for refusal.
	RESOLVED: That the item be Deferred.
24.	<ul> <li>39 POLE HILL ROAD, HILLINGDON - 69286/APP/2015/3673 (Agenda Item 10)</li> <li>39 Pole Hill Road, 69286/APP/2015/3673</li> <li>Conversion of two storey dwelling into 3 studio flats with associated parking and amenity space, installation of vehicular crossover to front and erection of a porch.</li> </ul>
	The application sought planning permission for the conversion of a two storey dwelling into 3 x studio flats with associated parking and amenity space and installation of vehicular crossover to front.
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	The proposal was not considered to have a negative impact upon the visual amenity of the site or the surrounding area, and would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It was considered that the provision of 3 off street parking spaces was acceptable in this location and the proposed extension of the crossover was not considered to detract from pedestrian or highway safety.
	RESOLVED: That the application be approved as per the officer recommendation.
25.	76 SNOWDEN AVENUE, HILLINGDON - 17008/APP/2015/3992 (Agenda Item 11)
	76 Snowden Avenue, 17008/APP/2015/3992 2-bed, detached chalet bungalow with habitable roof space with associated parking and amenity space and installation of vehicular crossover to front
	Officers introduced the report and highlighted the changes set out in the addendum.
	The application sought planning permission for a 2-bed, detached chalet bungalow with habitable roof space, private amenity space and parking to the rear of 76 Snowden Avenue. Taking account of the strong policy justification in place at both a local and national level to control back land tandem development, it was concluded by Officers that the introduction of a dwelling house to the rear of 76 Snowden Avenue would be detrimental to the character and quality of the surrounding area and street scene.
	The loss of significant garden space to the rear of no.76 Snowden Avenue would not relate satisfactorily to the established character of the surrounding area. It was considered that the impact upon the residential amenity of the current and future occupiers of 76 Snowden Avenue, by reason of the material loss of privacy and undue disturbance which would result was also unacceptable. It was recommended by Officers that this application was refused.
	Before the Petitioner spoke the Chairman explained that anything stated would be part of the public record and therefore caution should be exercised when expressing personal detail.
	The petitioner supporting the proposal made the following points:
	<ul> <li>He had lived in Hillingdon for over forty years.</li> <li>That the proposed bungalow would help his daughter in developing her independence whilst still being near her family and their support.</li> <li>That neighbours supported the development and expressed this by signing the petition in support.</li> <li>That the proposed development had been designed with the character of the local area in mind.</li> <li>That the mature trees would be retained.</li> </ul>

	<ul> <li>That there were similar developments at other local houses</li> </ul>
	Councillors expressed their sympathy to the family but stated that their decisions needed to be consistent and in line with policy. It was suggested that the applicant discussed with Planning Officers new ways forward.
	Resolved - That the application be refused as set out in the officer report.
26.	<b>37 DELLFIELD CRESCENT, COWLEY - 71261/APP/2015/3611</b> (Agenda Item 12)
	37 Dellfield Crescent Cowley, 71261/APP/2015/3611 First floor side extension and single storey rear extension
	Officers introduced the report. The application site comprised of a two storey semi-detached dwelling along Dellfield Crescent. The property was set back from the main highway and was characterised by a hipped roof with pebble dash render and a two storey bay window. The house also benefited from an attached garage with off road parking to the front for up to 2 cars as well as ample garden space to the rear of the property. The property fell within an existing residential area of Cowley and was characterised mainly by 2 storey semi-detached dwellings with terraced blocks also found within the wider context.
	Resolved - That the application be approved.
27.	S106 QUARTERLY MONITORING REPORT (Agenda Item 13)
27.	<b>S106 QUARTERLY MONITORING REPORT</b> (Agenda Item 13) The Report was noted.
27. 28.	
	The Report was noted.
	The Report was noted.  ENFORCEMENT REPORT (Agenda Item 14)  1. That the enforcement action as recommended in the officer's report
	<ul> <li>The Report was noted.</li> <li>ENFORCEMENT REPORT (Agenda Item 14)</li> <li>1. That the enforcement action as recommended in the officer's report was agreed.</li> <li>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the</li> </ul>
	<ul> <li>The Report was noted.</li> <li>ENFORCEMENT REPORT (Agenda Item 14)</li> <li>1. That the enforcement action as recommended in the officer's report was agreed.</li> <li>2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</li> <li>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6 of Part 1 of Schedule 12A to the Local Government (Access to Information)</li> </ul>

	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
30.	ADDENDUM Addendum was noted.
	The meeting, which commenced at 7.00 pm, closed at 8.05 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Kiran Grover on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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## **CENTRAL & SOUTH PLANNING COMMITTEE**

#### 16 February 2016





#### LONDON Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1UW

	<b>Committee Members Present</b> : Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Janet Duncan, Manjit Khatra, Brian Stead and John Morse (substituting for Jazz Dhillon)
	LBH Officers Present: Alex Chrusciak (Planning Service Manager), Meg Hirani (Planning Team Leader), Syed Shah (Principal Highway Engineer), Sarah White (Legal Advisor) and Alex Quayle (Democratic Services Officer)
31.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies for absence were received from Cllr Dhillon, who was substituted by Cllr Morse.
32.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	Cllr Ahmed-Wallana declared a non-pecuniary interest in item 7.
33.	TO SIGN AND RECEIVE THE MINUTES OF THE MEETINGS TAKING PLACE ON 15 DECEMBER 2015 AND 6 JANUARY 2016 (Agenda Item 3)
	Minutes of the meetings held 15 December 2015 and 6 January 2016 were approved.
34.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
35.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)
	It was confirmed that all business marked Part 1 would be considered in public and all items marked Part 2 would be considered in private.
36.	95 WOOD END GREEN ROAD, HAYES - 32/APP/2015/4360 (Agenda Item 6)
	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for approval was moved, seconded, and upon being put to a vote was unanimously agreed.
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Resolved -
That the application be approved.
27A & 27B DALEHAM DRIVE, HILLINGDON - 67783/APP/2015/4003 (Agenda Item 7)
The Chairman recommended that due to officer miscommunication the application be deferred in order to allow submission of a petition.
The recommendation for deferral was moved, seconded, and upon being put to a vote was unanimously agreed.
Resolved -
That the application be deferred.
LAND FORMING PART OF 92 PIELD HEATH ROAD, HILLINGDON - 12504/APP/2015/3703 (Agenda Item 8)
Officers introduced the report, and provided an overview of the application.
The Chairman highlighted discussion points regarding the character of the roof, the level of development on the site and the lack of parking, and commented that the development utilised a brownfield site and provided welcome housing.
A member raised concerns that though the development in the area varied in character, the proposed development on the end of a row of shops was out of keeping with the immediate setting, particularly in roof form. The lack of amenity space, despite nearby green space, was raised as a concern.
Various members cited concerns over the lack of parking. The area was already busy with traffic and insufficient parking due to the proximity of the hospital. A car free development may be appropriate in the centre of town with numerous public transport options but this was not a suitable site, and would lead to additional stress on already insufficient nearby parking and creating problems for residents. The area around the proposed development was known for congestion and difficulties parking in the vicinity of the hospital, and this application would have a significant impact on the highway.
A motion for refusal was moved, seconded, and upon being put to a vote was unanimously agreed.
Resolved -
That the application be refused. Final wording of the reasons for refusal to be agreed in consultation with the Chairman (CIIr Edwards) and the Labour Lead (CIIr Duncan)
61 ADELPHI CRESCENT, HAYES - 60953/APP/2015/3750 (Agenda Item
9)

	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for refusal was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be refused.
40.	LAND FORMING PART OF 155 GRANVILLE ROAD, HILLINGDON - 71395/APP/2015/4307 (Agenda Item 10)
	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for refusal was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be refused.
41.	TAMARA LOUNGE, 5 BYRON PARADE, UXBRIDGE ROAD,
	HILLINGDON - 61362/APP/2016/146 (Agenda Item 11)
	Officers introduced the report, and provided an overview of the application. The Chairman requested the addition of an informative regarding adherence to smoking legislation.
	The officer recommendation for approval was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be approved.
42.	TAMARA LOUNGE, 5 BYRON PARADE, UXBRIDGE ROAD,HILLINGDON - 61362/ADV/2016/3 (Agenda Item 12)
	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for approval was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be approved.
43.	FOOTPATH FRONTING QUALITY FOODS, UXBRIDGE ROAD, HAYES - 71391/APP/2015/4296 (Agenda Item 13)
	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for approval was moved, seconded, and upon being put to a vote was unanimously agreed. Page 11

	Resolved -
	That the application be approved.
44.	184 HIGH STREET, UXBRIDGE - 42966/APP/2015/3977 (Agenda Item 14)
	Officers introduced the report, and provided an overview of the application. It was noted that Council policy requires 70% of High Street frontage to be retail use. This application would have further reduced the current percentage of 66%.
	The officer recommendation for refusal was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be refused.
45.	65 MISBOURNE ROAD, HILLINGDON - 21508/APP/2015/4174 (Agenda Item 15)
	Officers introduced the report, and provided an overview of the application.
	The officer recommendation for refusal was moved, seconded, and upon being put to a vote was unanimously agreed.
	Resolved -
	That the application be refused.
46.	ENFORCEMENT REPORT (Agenda Item 16)
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
47.	ENFORCEMENT REPORT (Agenda Item 17)
	1. That the enforcement action as recommended in the officer's report was agreed.
	Daga 10

2. That the Committee resolved to release their decision and the reasons for it outlined in this report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.

This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

The meeting, which commenced at 7.00 pm, closed at 7.35 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Alex Quayle on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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#### Report of the Head of Planning, Sport and Green Spaces

Address 11A WOODSTOCK GARDENS HAYES

**Development:** Erection of a two storey building to provide 1 x 3-bed, 2 x 1-bed and 1 x studio self contained flats with associated parking and amenity space involving demolition of existing bungalow

LBH Ref Nos: 6670/APP/2015/1036

Drawing Nos: E/A1/01 Rev. A (Proposed Front and Rear Elevations) Received15-12-2015 E/A1 (Proposed First Floor Plan) Received15-12-2015 E/A1/01 (Proposed Side Elevations) Received15-12-2015 E/A1/01 Rev F E/A1/01 Rev. C (Location/Block Plan) Ecology Report

Date Plans Received:	19/03/2015	Date(s) of Amendment(s):	19/03/2015
Date Application Valid:	29/04/2015		

#### 1. SUMMARY

The application seeks full planning permission for the erection of a part two storey, part single storey building to provide  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $3 \times 1$ -bed and

The amended proposal is considered acceptable in principle, would have an acceptable impact upon the street scene, would not detract from highway safety, would provide acceptable residential accommodation and would not unacceptably detract from the residential amenities of occupants of nearby dwellings. As such the application is recommended for approval.

#### 2. **RECOMMENDATION**

#### **APPROVAL** subject to the following:

#### 1 RES3 Time Limit

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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers E/A1/01 Rev. A (Proposed Front and Rear Elevations) Received 15-12-2015, E/A1/01 Rev F, E/A1 (Proposed First Floor Plan) Received 15-12-2015, E/A1/01 (Proposed Side Elevations) Received 15-12-2015 and E/A1/01 Rev. C (Location/Block Plan) and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part

Two Saved UDP Policies (November 2012) and the London Plan (2015).

#### 3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 NONSC Non Standard Condition

Notwithstanding the details shown on the submitted plan reference E/A1 01 Rev. C, the development hereby approved shall not commence until full details of the car parking layout, including the allocation of the car parking spaces, have been submitted to and approved in writing by the Local Planning Authority and the development shall not be occupied until the approved layout is implemented. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON: To ensure that adequate facilities are provided in accordance with Policies AM14, AM7 and parking standards as set out in the adopted Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### 5 HO6 Obscure Glazing

The windows facing east and west shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 6 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

#### 7 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

#### 1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage to include details of the secure storage area in the front garden and the temporary storage area adjacent to Number 11 Windrush Gardens

2.b Cycle Storage to include provision for the storage of 6 cycles

2.c Means of enclosure/boundary treatments

2.d Hard Surfacing Materials

2.e External Lighting

#### 3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2015).

#### 8 A20 Access to Buildings for People with Disabilities

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

#### REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan

Policy 3.8 c, is achieved and maintained.

#### 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H3	Loss and replacement of residential accommodation
H12	Tandem development of backland in residential areas
H5	Dwellings suitable for large families
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework

#### 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), the London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies

from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

#### 5 l2 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** 15 **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 Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

#### 7 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.

#### 8 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

No. 11a Woodstock Gardens comprises a detached bungalow on a 0.09ha backland site which is located to the south of two storey terraced housing on Woodstock Gardens and to the north of a retail parade on Uxbridge Road, with various outbuildings at the rear. Lansbury Drive lies to the east of the site, with the more recent infill development of Regents Close to the west. The site has a narrow single width access located between Nos. 11 and 13 Woodstock Gardens which also serves an overgrown access road which runs along the rear of the adjoining terraced properties in Woodstock Gardens to the west and a private garage court to the rear of properties in Lansbury Drive, to the east. The outbuildings to the rear of the retail parade are mainly in commercial use.

The site forms part of an established residential area of mixed type and architectural style, although predominantly of two storey height.

There are trees and shrubs on and adjoining the site, particularly on the western boundary adjoining Regents Close, which is covered by Tree Preservation Order No.349. The site also has a Public Transport Accessibility Level of 3, on a scale of 1 to 6 where 1 represents the lowest level of public transport availability.

#### 3.2 Proposed Scheme

The application seeks planning permission for the erection of a part two storey, part single storey, building to provide  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 3$ -bed and  $2 \times 3$ -bed and  $2 \times 3$ -bed and  $3 \times$ 

#### 3.3 Relevant Planning History

70381/PRC/2014/109 11a Woodstock Gardens Hayes

Redevelopment to provide two and a half storey block comprise 3 x one-bedroom and 3 x twobedroom flats with associate parking and landscaping

**Decision:** 09-02-2015 OBJ

#### Comment on Relevant Planning History

#### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.			
BE19	New development must improve or complement the character of the area.			
BE20	Daylight and sunlight considerations.			
BE21	Siting, bulk and proximity of new buildings/extensions.			
BE22	Residential extensions/buildings of two or more storeys.			
5500				
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.			
H3	Loss and replacement of residential accommodation			
H12	Tandem development of backland in residential areas			
H5	Dwellings suitable for large families			
AM7	Consideration of traffic generated by proposed developments.			
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities			
AM14	New development and car parking standards.			
LPP 3.3	(2015) Increasing housing supply			
LPP 3.4	(2015) Optimising housing potential			
LPP 3.5	(2015) Quality and design of housing developments			
LPP 3.8	(2015) Housing Choice			
LPP 7.2	(2015) An inclusive environment			
LPP 7.4	(2015) Local character			
NPPF	National Planning Policy Framework			
5. Advertisement and Site Notice				
E 4	Advertisement Evning Dete: Net annliseble			

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### External Consultees

22 neighbouring properties were consulted by letter dated 8.5.15 and a site notice was displayed which expired on 9.6.15.

6 letters and a petition of objection have been received raising concerns regarding:

#### 1. Loss of privacy

- 2. Loss of light
- 3. Increased noise and disturbance
- 4. Inadequate access
- 5. Inadequate parking

#### **Internal Consultees**

Highways Officer:

The 6 parking spaces are acceptable. 5 to be allocated, one to each unit and one visitors space. 2 spaces for the existing dwellings, nos 11 and 13, should be shown on plans.

No objection subject to the plans being amended to confirm that the existing garages are to provide parking for the existing dwellings.

Officer comment: Amended plans have been received to confirm the above parking arrangement. The Council's Highways Officer has since confirmed no objection to the proposal.

Landscape Officer:

· No trees or other landscape features of merit will be affected by the proposal.

A Preliminary Ecology Assessment, by Iceni Ecology, describes the trees and shrub planting on the site and recommends their retention for wildlife unless deemed to be unsafe

 $\cdot$  The Design & Access Statement, and drawing No. 01 Rev A, confirm that the proposed front garden will provide parking spaces together 25% soft landscape in the front garden. There will also be soft landscaping within the communal garden to the rear.

 $\cdot$  The plan indicates that the existing trees and shrubs will be removed. However, their removal will not be significant, provided that suitable replacements are provided as part of a detailed landscape plan.

 $\cdot$  If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: No objection, subject to a condition relating to details of soft landscaping and hard landscaping (including refuse storage, cycle storage, means of enclosure/boundary treatments, hard surfacing materials, external lighting, and maintenance)

Access Officer:

The following access observations are provided:

1. Level access should be achieved. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance and rear entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to

be installed, including any necessary drainage, should be submitted.

2. The communal hallway is too narrow. Its width should be increased to ensure compliance with the Technical Housing Standards as prescribed in Approved Document M to the Building Regulations 2010 (2015 edition).

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The proposed development would make use of an existing brownfield site and the principle of a residential development in this location is considered acceptable. The NPPF (March 2012) at paragraph 53 advises that LPAs 'should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

The London Plan (2015) provides guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens can contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments. Policy 3.5 of the London Plan supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base.

The Mayor's Housing Supplementary Planning Guidance, November 2012 provides further guidance on the interpretation of existing policies within the London Plan as regards garden development. Paragraph 1.2.23 advises that when considering proposals which involve the loss of gardens, regard should be taken of the degree to which gardens contribute to a communities' sense of place and quality of life (Policy 3.5), especially in outer London where gardens are often a key component of an area's character (Policies 2.6 and 2.7). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.18 and 7.19) as does their role in mitigating flood risk (Policies 5.12 and 5.13). Gardens can also address the effects of climate change (Policies 5.9 - 5.11). Therefore, backland development involving the use of garden land can be supported, if considered appropriate and to this end, schemes need to be carefully considered in terms of the weight and balance given to the various factors.

In this instance, the principle of replacing an existing dwelling in this backland location, adjacent to a number of properties in a backland location in Regent Close on one side and a garage court on the other, is considered to be acceptable in principle.

#### 7.02 Density of the proposed development

The London Plan (2015) in Table 3.2 suggests that an appropriate residential density for this site which has a PTAL score of 3 and a suburban setting would range from 150-250 habitable rooms per hectare (hr/ha) and 40-80 units per hectare (u/ha) for units with a typical size of 3.1-3.7 habitable rooms per unit (hr/u). The Council's HDAS: 'Residential Layouts' further advises that larger rooms over 20sqm and capable of subdivision should be counted as 2 rooms. The revised scheme equates to a density of 45 u/ha and 147 hr/ha which accords with the Mayor's guidance. However, density guidelines are of limited use on small infill sites as it will be more important to ensure that the scheme successfully harmonises with its neighbours whilst still affording appropriate living conditions for its future occupants. This is dealt with in an other relevant sections of this report.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application

#### 7.05 Impact on the green belt

Not applicable to this application.

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

Policy BE1 of the the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk.

The proposal would have a similar siting to that of the existing bungalow with an enlargement of the overall height, bulk and level of hardstanding. The proposal has been amended and reduced in bulk over that which was considered at the pre-application stage with a reduced level of hardstanding and increased landscaping. A minimum gap of 1m is shown to be retained to the side boundaries of the site with additional landscaping along these boundaries. It is considered, on balance, that the proposed two storey building, would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.08 Impact on neighbours

The Council's policies BE20 and BE21 seek to the protect the residential amenity of adjacent neighbouring properties through spaces between them to allow for adequate sunlight and daylight. Furthermore Policy BE24 seeks to ensure that occupants of neighbouring properties do not suffer any loss of privacy.

New development needs to protect the amenities of surrounding residential occupiers and in the case of residential development, needs to provide accommodation of a suitable standard. The Council's Supplementary Planning Document HDAS: Residential Layouts provides further clarification in that it advises that buildings of two or more storeys should maintain at least a 15m separation distance from adjoining properties to avoid appearing overdominant and a minimum 21m distance between windows and private amenity space.

In the case of surrounding residential properties, it is considered that the siting of the two storey block would be acceptable in terms of the amenities of No. 26 Regents Close. A separation distance of approximately 4.5m would be retained between the two storey flank wall of the properties with the 15m line not being breached to both the front and rear elevations of 26 Regent Close. The submitted plans show that the principal windows serving habitable rooms will be located in both the front and rear elevations with obscure glazed, secondary windows (which are conditioned to be obscure glazed) being located in the flank elevations. The flank walls of the building will be set more than 1m off the side boundaries. The submitted plans have been annotated to show that the 45 degree angle is not breached, demonstrating that the occupants of this property would not suffer an unacceptable loss of light or outlook. Furthermore in view of the separation distances involved and the obscure glazing to the windows in the side elevations of the proposed building, the proposal would not result in an unacceptable loss of privacy to occupants of nearby properties.

In summary it is considered that the proposed development would not constitute an unneighbourly form of development in compliance with Policies BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

#### 7.09 Living conditions for future occupiers

On 25 March 2015 the Government introduced new technical housing standards in England. These are now reflected in the Housing Standards MALP (March 2016).

The Housing Standards MALP sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. It requires a 3 bedroom (5 person) flat to have a minimum internal floor area of 80m2 and a one bedroom (2 person) flat to have a minimum internal floor area of 50m2. The proposed layout would accord with this advice. New dwelling plans should also demonstrate that all homes are provided with adequate space and services to be able to work from home. Whilst the submitted plans do not include details of built in storage and work from home facilities, there is adequate space within each flat to provide such facilities. The plans have been amended throughout the course of the application to remove the proposed second floor flat following concerns raised in terms of the quality of the living space in the proposed second floor flat. The proposal is therefore considered to result in an acceptable standard of living environment for future occupants of the flats in accordance with Policy 3.5 of the London Plan 2015.

The Hillingdon Design and Accessibility Statement Residential Layouts, requires a 1 bedroom flat to be provided with at least 20 square metres of private or communal amenity space and a 3 bed flat to provide at least 25m2. The proposal would provide a shared communal amenity area of 250 square metres, with an additional private garden area to each of the ground floor flats to the rear of the building. Planting is proposed to ensure there is some privacy to the ground floor flats which can be further reinforced and secured by condition. Therefore, sufficient outdoor private amenity space would be provided, in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012).

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

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of three off-street parking spaces for each dwelling.

The submitted plans show the provision of 6 parking spaces. The Highways Officer has raised no objection to use of the existing access and the proposed parking layout subject to 5 of the spaces being allocated, one to each unit, and one visitor space. The proposed access driveway serves a number of properties and the increased use of the driveway is not considered to result in an unacceptable impact on highway safety. Provision has been made for the storage of cycle within a covered store at the front of the block for 6 cycles which accords with the Mayor's cycle standards of 5 long-stay and 1 short stay spaces for residential units.

The proposal is considered acceptable in accordance with Policies AM7, AM9 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### 7.11 Urban design, access and security

These issues are covered in other sections of the report.

#### 7.12 Disabled access

Technical Housing Standards, as prescribed in Approved Document M to the Building Regulations 2010 (2015 edition) as reinforced by the Housing Standards MALP (2016), require the communal hallway to be no less than 1200mm. Amended plans have been receive which confirm that the 1.2m hallway is achieved. As such the proposal is considered acceptable in respect of Policy 3.8 of the London Plan and the Housing Standards MALP (2016).

The issues relating to disabled access and lifetime homes is now covered under the building regulations and it is recommended that a condition requiring that the development meets the the requirements of the Approved Document M to the Building Regulations 2015 (Category 2 M4(2) - accessible and adaptable dwelling) be added to any permission granted.

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

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 trees or other landscape features of merit will be affected by the proposal and a minimum of 25% of the frontage would be laid to soft landscaping. The Council's Landscape Officer has advised that no objection is raised to the proposal subject to the imposition of landscape conditions to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment. The application is therefore considered acceptable in accordance with Policy BE38 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### 7.15 Sustainable waste management

The proposed layout plan indicates the provision of a bin storage area at the front of the site. Refuse/recycling waste would have to be moved adjacent to No. 17 Windrush Drive on collection days by the management company. The Council's Highways Engineer has no objection to this arrangement. Further details of the storage area are suggested to be sought via condition.

#### 7.16 Renewable energy / Sustainability

In March 2015 the Government removed the requirement for new dwellings with the exception of "legacy cases" to comply with the Code For Sustainable Homes. As such there would not be a requirement for the new dwellings to achieved a Code Level 4 as energy efficiency issues would now be dealt with under the Building Regulations.

The proposal would be required to achieve appropriate standards of sustainable design and reduce water consumption in accordance with policies contained within section 5 of the London Plan. This is proposed to be covered by a condition.

#### 7.17 Flooding or Drainage Issues

A requirement to provide suitable Sustainable Urban Drainage (SuDs) is proposed to be secured by condition.

#### 7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

The comments raised by neighbours are addressed within the report above.

#### 7.20 Planning obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

The proposal would attract a CIL Liability of:

CIL £26,840.51 Mayoral CIL £10,509.42

Total CIL £37,349.93

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

No other issues are raised.

#### 8. Observations of the Borough Solicitor

#### General

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

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

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

#### **Planning Conditions**

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

#### Planning Obligations

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

Equalities and Human Rights

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

#### 9. Observations of the Director of Finance

Not applicable to this application.

#### 10. CONCLUSION

The application seeks full planning permission for the erection of a part two storey, part single storey building to provide  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $2 \times 1$ -bed and  $1 \times 3$ -bed and  $3 \times 1$ -bed and

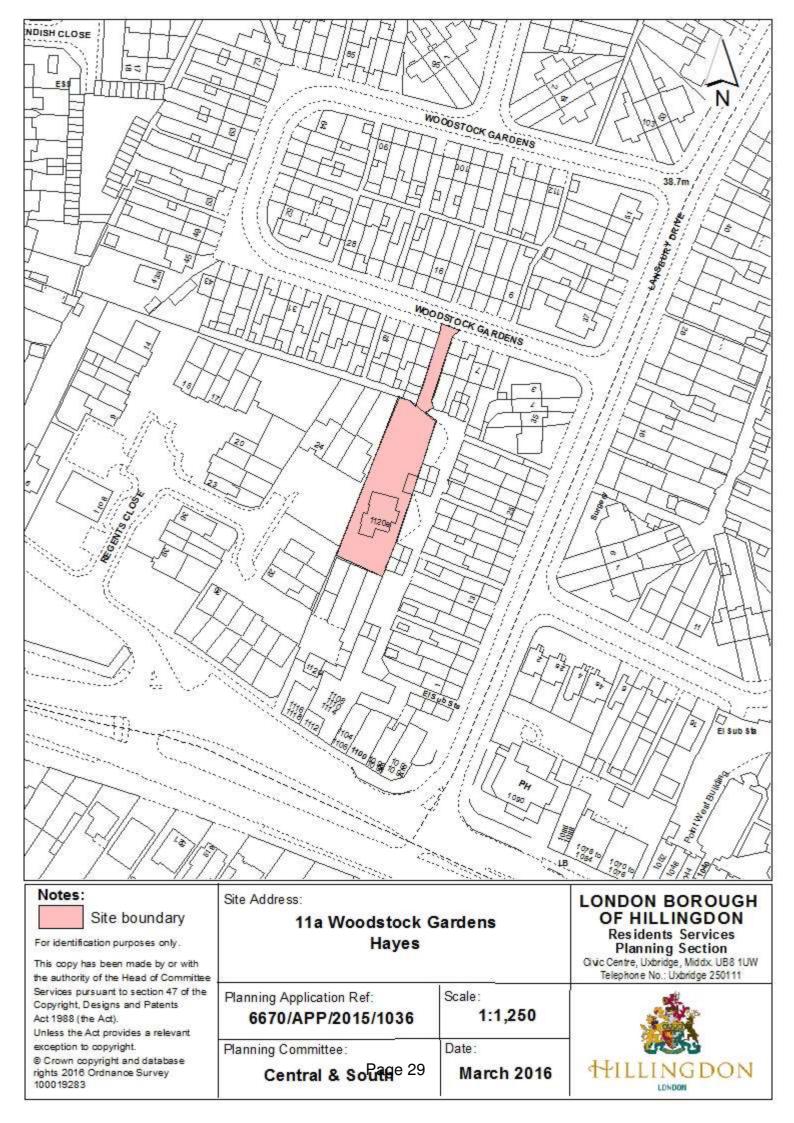
The amended proposal is considered acceptable in principle, would have an acceptable impact upon the street scene, would not detract from highway safety, would provide appropriate standards of residential accommodation and would not unacceptably detract from the residential amenities of occupants of nearby dwellings. As such the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2015)
Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework
The London Plan Housing Standards MALP (March 2016)

Contact Officer: Nicola Taplin

**Telephone No:** 01895 250230



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# Agenda Item 7

## Report of the Head of Planning, Sport and Green Spaces

Address 1 HOWS ROAD UXBRIDGE

**Development:** Conversion of roofspace to habitable use to include a rear dormer with two Juliet balconies and three front rooflights

LBH Ref Nos: 70108/APP/2016/95

Drawing Nos: 2948-01 Rev A 2948-02 Rev A Location Plan Volume Calculations

 Date Plans Received:
 11/01/2016

 Date Application Valid:
 13/01/2016

Date(s) of Amendment(s):

## 1. CONSIDERATIONS

#### 1.1 Site and Locality

This application is being referred to the Planning Committee due to a call-in request from a Ward Councillor and the receipt of a petition in support of the application from local residents.

The application site comprises a two-storey, semi-detached cottage-style single-family dwelling, and it is situated on the western side of Hows Road. The site is situated within the Rockingham Bridge, Uxbridge Conservation Area.

The application dwelling comprises buff-brickwork facings, a main gable end roof, ground floor front bay/canopy feature, side/rear chimneys, an original two-storey mono-pitched rear outrigger and a single storey part-brick rear conservatory (which projects from the rear of the outrigger). The main roofspace of the dwelling has been internally converted to form a bedroom with a rear rooflight.

The northern side boundary of the site lies adjacent to a public car park and open space area, while the rear garden backs onto the heavily wooded bank of the River Frays to the west. The adjoining semi-detached dwelling to the south at No. 3 Hows Road has an existing single storey rear extension and a substantially sized rear dormer with three front rooflights in the main roofslope. The rear dormer straddles the party wall boundary with the roof of the application dwelling.

The streetscene is residential in character and appearance, and comprises a mixture of two storey semi-detached and terraced dwellings with main gable end roofs. The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

## 1.2 **Proposed Scheme**

The application proposal seeks planning permission for the re-conversion of the main gable end roofspace to habitable use to include a rear dormer with two Juliet balconies and three

front rooflights.

The rear dormer would have a scale, design and proportion to match those of the existing rear dormer at the adjoining dwelling at No.3. The proposed rear dormer would facilitate the creation of a larger bedroom and new bathroom in the roofspace, while an existing bedroom with en-suite bathroom on the first floor (in the rear outrigger) would be reconfigured for adaptable wheelchair use for the applicant's daughter.

## 1.3 Relevant Planning History

## 70108/APP/2015/2965 1 Hows Road Uxbridge

Conversion of roof space to habitable use to include a rear dormer (including dormer extension over original two storey rear projection) and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development)

## Decision Date: 05-10-2015 Refused Appeal:

## **Comment on Planning History**

70108/APP/2015/2965 - Conversion of roof space to habitable use to include a rear dormer (including dormer extension over original two storey rear projection) and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development) Decision: Refused on 05/10/2015.

## Reason for refusal:

- The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the dwellinghouse is on article 2(3) land (Rockingham Bridge, Uxbridge Conservation Area).

## 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- 17th February 2016

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

## 3. Comments on Public Consultations

## EXTERNAL CONSULTEES

4 neighbouring properties (Nos. 2, 3, 4 and 8 Hows Road) were consulted by letter on 15/01/2016. A site notice was also displayed in the area on 26/01/2016.

A petition containing 33 signatures in support of the application proposal has been received. The grounds of support are summarised below:

- The proposal is sympathetic to the Conservation Area as the rear dormer will not be visible from the front.

- The rear dormer will be identical to the dormer at the neighbouring property.

- The overall character of the application property will be maintained and the proposal will have no adverse impact on the surrounding area.

A letter of support from Ward Councillor (Councillor Judith Cooper) has also been received. The grounds of support in the letter are outlined below:

- The dormer will exactly match with the one on the adjoining property and the materials are in sympathy with nearby properties.

- It is not visible from the street.

- There will be a potential and partial view from a few properties in Rockingham Road, which is a significant distance away and their view is across a car park.

- It is a very modest alteration to the exterior of the property, which will have very limited impact on the Conservation Area, and which will enable the daughter, who has limited mobility, to remain in her family home and continue to receive support from her parents.

- Social Services have made an assessment and concluded that adaptations to the interior of the property, together with the dormer are necessary to enable the daughter to continue to live there.

The grounds of support from the residents and ward Councillor in respect of Officer's assessment of the scale, design and impact of the proposed development on the visual and residential amenities of the surrounding Conservation Area are considered in greater detail in the 'Main Planning Issues' section of this report below.

#### INTERNAL CONSULTEE

Conservation Officer:

Recommendation - Unacceptable.

This is a very attractive, small, end of terrace, Victorian cottage of brick with a shallow pitched roof and good brickwork detailing. It lies within Rockingham Bridge Conservation Area, and the open area immediately to its north, means that the side and rear are visible in views within the Conservation Area.

This proposal would involve the building of a roof box the entire height, depth and width of the roof containing two French windows with Juliet balconies, with rooflights on the front elevation. This development would be completely inappropriate for a cottage of this quality and date, and contrary to the Council's policies on dormer windows and roof extensions as set out in the HDAS Residential Extensions.

The neighbouring property, No. 3, has a construction similar to that being proposed. However, this was built without the benefit of planning permission, in circa 2008, permission being unnecessary before the Conservation Area was designated in 2012. The situation has now changed, and all new development in the Conservation Area should now preserve or enhance its special architectural or historic character.

#### 4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM14 New development and car parking standards.

- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2015) Quality and design of housing developments

## 5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area and in particular the conservation area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and provision of adequate off-street parking spaces.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that new development within Conservation Areas will be expected to preserve or enhance those features, which contribute to their special architectural and visual qualities.

Policies BE13, BE15 and BE19 of the Local Plan specify that development will not be permitted if the layout and appearance fail to harmonise with the existing streetscene or other features of the area, which the Local Planning Authority considers it desirable to retain or enhance.

Paragraph 1.20 of the adopted HDAS SPD: Residential Extensions (December 2008) gives advice that proposals for sites within a Conservation Area will require: a higher standard of design, traditional materials and features that are complementary to the existing building.

With regards to the proposed rear dormer, paragraph 7.5 of the Residential Extensions HDAS SPD gives advice that it is important to create a roof extension that will appear secondary to the size of the roof face within which it will be set. Paragraph 7.7 of the HDAS SPD specifies that as a guide, any roof extension or dormer window to a smaller semidetached dwelling should be set at least 0.3m below the ridge level, at least 0.5m above the eaves level and at least 0.5m from the sides of the roof. The proposed rear dormer would be 4.6m wide, 2.7m high and 4m deep. The proposed dormer would be set-in from the unattached/gable end side of the roof by 0.5m but it would only be minimally set below the roof ridge level by 0.1m. The proposed dormer would be minimally set above the roof eaves level by 0.1m and it will straddle the party wall boundary with the adjoining dwelling at No.3. As such, the separation distances of the proposed dormer from the ridge/eaves and attached side boundary of the roof would be significantly less than the required minimum specified in the HDAS SPD. The inadequate separation distances are such that the

proposed rear dormer would not achieve sufficient visual containment within the main rear roofslope of the application dwelling. In this respect, the Conservation Officer has commented that the proposed rear dormer would not constitute an acceptable secondary, subordinate and appropriate addition to the dwelling, and that it would not preserve or enhance the character and appearance of the dwelling and surrounding Conservation Area.

With regards to the representations from local residents, it is acknowledged that the proposed rear dormer would have similar scale, design and proportion to those of the existing rear dormer at the attached dwelling at No.3. However, the Conservation Officer has commented that the rear dormer is not an acceptable precedent and does not justify permission for the proposed dormer, given that the existing dormer at No.3 was erected without the benefit of planning permission. Building Control records indicate that works to erect the rear dormer at No.3 commenced in September 2008, at a time when planning permission would not have been required for the rear dormer. It is also instructive to note that the rear dormer at No.3 was erected four years before the designation of the immediate locality as a Conservation Area in 2012. It is noted that the Town and Country Planning (General Permitted Development) (England) Order 2015 restricts the erection of rear dormers on properties sited within Conservation Areas.

It should also be noted that since the Conservation Area was designated two other properties in Hows Road have been granted consent for loft conversions. In both cases (no.s 15 and 17 Hows Road) cottage style dormer windows were installed. The applicant has advised that they would not wish to install cottage style dormer windows as they would not provide the desired internal floor area.

It is considered that the proposed scale and proportion of the three front rooflights are modest and acceptable in design terms. If the application was considered acceptable in all aspects, it would have been conditioned that the rooflights should be fit flush with the roof and be of a Conservation type. However, whilst it is acknowledged that the proposed rear dormer would not be readily visible from the streetscene directly in front of the application dwelling, the adjacent siting of the northern side of the dwelling to an expanse of open space and a public car park is such that the proposed dormer would be visibly prominent from views in the car park and open space, and from the rear elevations of properties further to the north on New Windsor Street. It is considered that the scale and bulk of the proposed rear dormer are such that it would constitute an unduly bulky and unsympathetic addition to the existing dwelling, and it would be totally out of keeping with the character and appearance of the dwelling and the surrounding Rockingham Bridge, Uxbridge Conservation Area. As such, the proposed development in respect of the rear dormer would not accord with the design objectives and guidance of the adopted HDAS SPD: Residential Extensions (December 2008), Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The grounds of support in respect of the disability of the applicant's daughter and the need for adaptable habitable accommodation (as assessed by Social Services) is noted. Officers note and sympathise with the need to provide appropriate and additional accommodation within the dwelling for the wellbeing of the applicant's daughter. However, it is considered that there could be scope for the structural reconfiguration of the existing layout and accommodation within the dwelling, without compromising the character and appearance of the existing dwelling and surrounding Conservation Area.

The Council has given some weighing as a material consideration the adaption of the

internal layout of the property for a disabled person. It is important to note in this case that although the ground and first floor are being adapted that the loft conversion is not directly required to meet the needs of a disabled person. The loft conversion proposed seeks a slightly larger floor area and a box dormer to ensure the overall property retains a desired rather than the essential overall internal floor area.

With regards to the impact on neighbouring amenity, it is considered that any direct and/or oblique views offered from the proposed rear dormer over the adjacent neighbouring residential gardens and adjacent public car park would be no worse than those already afforded from the existing first floor rear windows of the dwelling. The front rooflights would only offer limited views over Hows Road. It is therefore considered that the proposal would not have any significant harm on the residential amenities of the occupiers of the neighbouring properties in terms of increased overshadowing, loss of sunlight, loss of outlook and visual intrusion. As such, the proposal is in compliance with Policies BE20, BE21, BE22 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Paragraph 5.13 of the HDAS SPD requires sufficient garden space to be retained as a consequence of an extension. The existing dwelling has four bedrooms and the proposal would not result in any net gain of the number of bedrooms in the dwelling. The existing rear garden has a usable amenity area of 82 sq.m, which is less than the minimum garden area of 100 sq.m required by the HDAS SPD for a four-bedroom dwelling. However, the upper level siting of the rear dormer and front rooflights is such that it would not displace the existing usable area in the rear garden. Adequate garden/amenity space would be therefore be retained for the occupiers, in compliance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The existing dwelling does not have any existing off-street parking provision within the front garden, and there is controlled on-street parking for residents on the highway. However it is clear that this forms part of the character of the area, which is densely built up, and as such, the re-configured bedrooms would not impact upon parking requirements. The high Public Transport Accessibility Level (PTAL) score of 4 for the site and immediate locality is noted in this respect, as is the close proximity of the site to the Uxbridge Town Centre and its public transport facilities.

Notwithstanding the above considerations in respect of parking provision, the application is recommended for refusal.

## 6. **RECOMMENDATION**

## **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposed dormer in the rear roofslope of the application dwelling, by virtue of its minimal distances from the ridge, eaves and southern side boundary of the roof, overall size, scale, bulk, and design would result in an unduly bulky, obtrusive and incongruous addition to the dwelling. The proposed rear dormer would therefore fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and the visual amenities of the surrounding Rockingham Bridge, Uxbridge Conservation Area. The proposal would therefore be contrary to Policies BE1

and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions (December 2008).

# INFORMATIVES

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.
- AM14 New development and car parking standards.
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- HDAS-E> Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2015) Quality and design of housing developments
- 3 On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies September 2007), the London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- 4 In dealing with the application, the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way.

The applicant have been advised that elements of the scheme are considered unacceptable and have not taken up the opportunity to address the elements of the scheme considered unacceptable by way of any satisfactory amendments. The Council has therefore decided to determine the application to allow the applicant the opportunity to exercise their right of appeal, and to have a formal decision to provide the context for any future redesign and resubmission.

## **Standard Informatives**

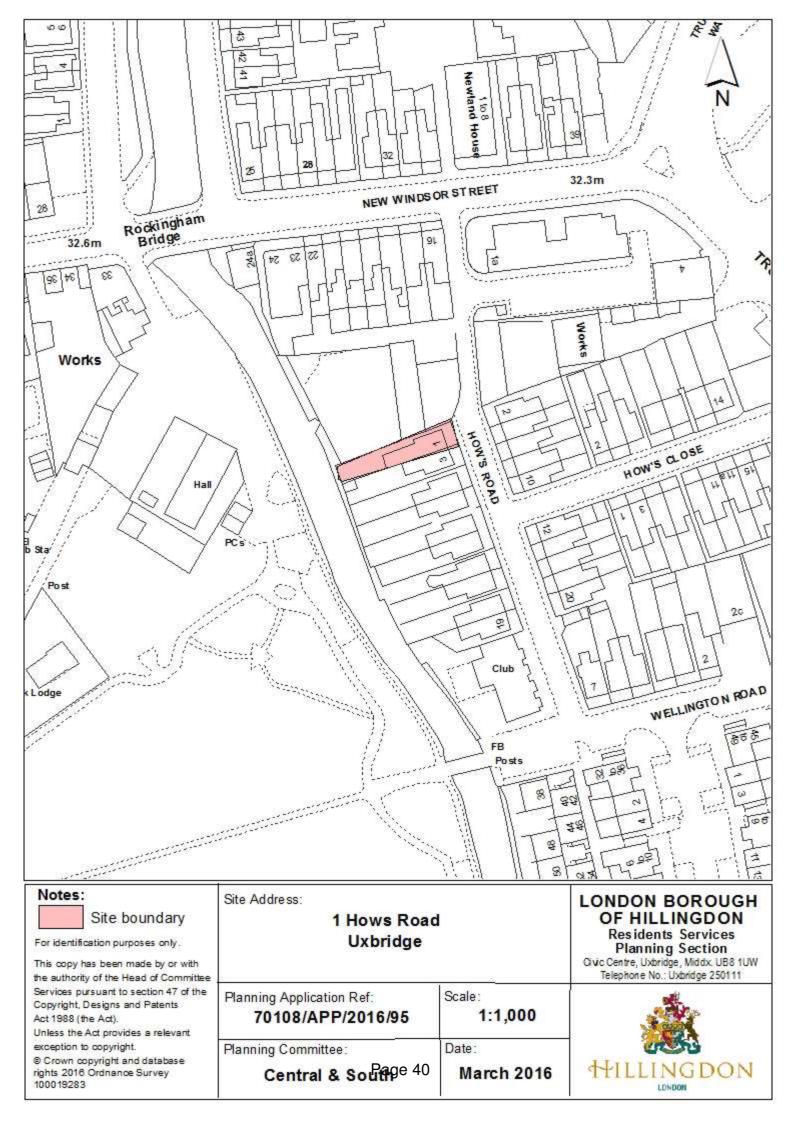
- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

## Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

## Part 2 Policies:

AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments



# Agenda Item 8

# Report of the Head of Planning, Sport and Green Spaces

Address CRIMSON COURT 1390 UXBRIDGE ROAD HILLINGDON

**Development:** Installation of 8 lighting columns in car park (Retrospective)

- **LBH Ref Nos:** 11982/APP/2015/4013
- Drawing Nos: 1022-51 Rev B Planning Statement Semai Lighting Details AD-Semai Lighting Details Installation Details LED By Design Details SK-1022-2

Date Plans Received: 28/10/2015

Date(s) of Amendment(s):

Date Application Valid: 18/11/2015

# 1. SUMMARY

The application seeks retrospective planning permission for the installation of 8 lighting columns which are required to achieve the Secured by Design Accreditation for the three second floor flats which are nearing completion. The lighting columns are considered acceptable in visual terms and following the remediation works involving the tilting of the light away from the neighbours at 31-42 Paget Road and turning one light off which originally caused nuisance to number 5 De Salis Road, the lighting columns are not considered to result in an unacceptable loss of residential amenity. As such the application is recommended for approval.

## 2. **RECOMMENDATION**

## **APPROVAL** subject to the following:

## 1 COM4 Accordance with Approved Plans

The development hereby permitted shall be retained in complete accordance with the details shown on the submitted plan number 1022-51 Rev B and shall thereafter be maintained for as long as the development remains in existence.

## REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

# **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).

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# 2 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

**BF13** New development must harmonise with the existing street scene. **BE15** Alterations and extensions to existing buildings **BE19** New development must improve or complement the character of the area. **BE20** Daylight and sunlight considerations. **BE21** Siting, bulk and proximity of new buildings/extensions. OE1 Protection of the character and amenities of surrounding properties and the local area OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

## **3** I59 **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), the London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises a three storey building located on the northern side of Uxbridge Road which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). Works are well advanced in respect of a recently granted prior approval application to change the use of the first and second floor to residential and the extension and conversion of the roof into 3 additional flats.

#### 3.2 **Proposed Scheme**

The application seeks retrospective planning permission for the installation of 8 lighting columns, each 6 metres high. The applicants have advised that a lower level lighting scheme was not considered acceptable to meet the Secured by Design Criteria required by Condition 7 of the original planning permission. As such the lamp columns have been erected to meet the Secured by Design Criteria.

#### 3.3 Relevant Planning History

11982/ADV/2014/35 Milupa House 1390 Uxbridge Road Hillingdon

Installation of non-illuminated signage

Decision: 29-07-2014 Approved

11982/ADV/2014/44 Milupa House 1390 Uxbridge Road Hillingdon Installation of 1 x non-illuminated fascia sign

Decision: 26-08-2014 Approved

11982/APP/2000/1342 31-42 Paget Road Hillingdon

DETAILS OF TREE SURGERY IN COMPLIANCE WITH CONDITION 5 OF PLANNING PERMISSION REF.11982K/85/1252 DATED 08/10/85; OFFICE BUILDING AND 12 FLATS

Decision: 18-07-2000 Approved

11982/APP/2013/1093 31-42 Paget Road Hillingdon Alterations to fenestration on all elevations

Decision: 24-06-2013 Approved

11982/APP/2013/2723 Milupa House Uxbridge Road Hillingdon

Change of use from B1 (office) to residential (C3) (Application for Prior Approval under Schedule Part 3 Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended))

Decision: 20-11-2013 PRN

11982/APP/2014/1795 Milupa House 1390 Uxbridge Road Hillingdon

Installation of perimeter fence and gates to front elevation, extension of existing bin store and minor alterations to exterior of the existing building.

Decision: 29-07-2014 Approved

11982/APP/2014/2239 Milupa House 1390 Uxbridge Road Hillingdon

Installation of brick canopy above flat entrance, free standing letter boxes and alterations to eas elevation

Decision: 26-08-2014 Approved

11982/APP/2014/3599 Milupa House 1390 Uxbridge Road Hillingdon

Installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated amenity space and cycle store

Decision: 08-12-2014 Approved

11982/APP/2014/4466 Milupa House 1390 Uxbridge Road Hillingdon

Details pursuant to discharge conditions 3 (Materials) and 4 (Landscape Scheme) of planning permission Ref: 11982/APP/2014/3599 dated 08/12/2014 (Installation of new roof with 3 front ar 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated amenity space and cycle store)

Decision: 11-02-2015 Approved

11982/APP/2014/771 31-42 Paget Road Hillingdon

Alterations to fenestration on south east and north west elevations

Decision: 30-04-2014 Approved

11982/APP/2015/1426 Crimson Court 1390 Uxbridge Road Hillingdon

Installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated cycle store (part retrospective)

Decision: 30-06-2015 Approved

11982/APP/2015/2125 Crimson Court 1390 Uxbridge Road Hillingdon Installation of 8 lighting columns (Retrospective)

**Decision:** 17-09-2015 Withdrawn

11982/APP/2015/524 Milupa House 1390 Uxbridge Road Hillingdon

Removal of condition 7 (Secured by Design) of planning permission Ref: 111982/APP/2014/359 dated 08/12/2014 (Installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated amenity space and cycle store)

Decision: 08-04-2015 Refused

11982/E/81/9015 1390 Uxbridge Road Hillingdon Non-illuminated flat wall sign. (Kimal House)

Decision: 26-06-1981 Approved

11982/G/83/1274 1390 Uxbridge Road Hillingdon

Proposed use of office for head office depot and retail sales area with ancillary accommodation.

Decision: 16-11-1983 Withdrawn

11982/H/83/1414 1390 Uxbridge Road Hillingdon

Three storey office building and 12 flats (outline application)

Decision: 20-12-1983 Approved

11982/J/84/1966 1390 Uxbridge Road Hillingdon Three storey office building and 11 flats. (outline application)

Decision: 05-02-1985 Approved

11982/K/85/1252 1390 Uxbridge Road Hillingdon Office building and 12 flats.

Decision: 08-10-1985 Approved

11982/L/85/3133 1390 Uxbridge Road Hillingdon Erection of hoarding.

Decision: 21-11-1985 Approved

11982/M/85/1726 1390 Uxbridge Road Hillingdon Details in compliance with 11982/K/85/1252 (P)

Decision: 30-10-1985 Approved

11982/R/98/0884 31-42 Paget Road Hillingdon

Details of tree surgery to two Sycamores trees in compliance with condition 5 of planning permission ref.11982K/85/1252 dated 08/10/85; Erection of office building and 12 flats

Decision: 17-06-1998 Approved

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

The following planning history is considered to be of relevance to this application:

11982/APP/2015/2125 - Installation of 8 lighting columns (Retrospective) Withdrawn to enable consideration to remediation works in association with the Council's EPU Officer.

11982/APP/2015/1426 - Retrospective planning permission for the installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated cycle store and represents a revision to application reference 11982/APP/2014/3599 (submitted for consideration)

11982/APP/2015/524: Removal of condition No. 7 (Secured by Design) of planning permission Ref: 111982/APP/2014/3599 dated 08/12/2014 (Installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated amenity space and cycle store). Refused for the following reason:

"The removal of condition 7 of planning permission reference 111982/APP/2014/3599 is not

considered acceptable as the condition is considered necessary to address the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (March 2015) Policies 7.1 and 7.3."

11982/APP/2014/2239: Installation of brick canopy above flat entrance, free standing letter boxes and alterations to east elevation. Approved.

11982/APP/2014/3599 - Installation of new roof with 3 front and 3 rear dormers to allow conversion of roofspace to habitable use to create 3 x 2-bed flats with associated amenity space and cycle store - Approved.

Prior approval was recently granted under application under application reference 11982/APP/2013/2723 for the change of use from B1 (office) to residential (C3) (Application for Prior Approval under Schedule 2 Part 3 Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)).

Application reference 11982/APP/2014/1795 was also recently approved for the installation of a perimeter fence and gates to front elevation, extension of existing bin store and minor alterations to exterior of the existing building.

Application reference 11982/ADV/2014/44 non illuminated sign. (Approved).

# 4. Planning Policies and Standards

## UDP / LDF Designation and London Plan

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

Part 1 Policies:

# PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
5.	Advertisement and Site Notice

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

## 5.2 Site Notice Expiry Date:- Not applicable

# 6. Consultations

## **External Consultees**

34 Neighbouring properties were consulted by letter dated 20.11.15 and a site notice was displayed to the front of the site which expired on 22.12.15.

4 letters of objection have been received from neighbouring occupants raising concerns regarding:

1. Light pollution and excessive lighting to this development detracting from residential amenity.

2. The retrospective nature of the development.

The application has been called to committee by the Ward Councillor.

## **Internal Consultees**

EPU Officer:

The EPU officer had originally advised that the car park lights in their current position were causing light pollution to the surrounding residents. However, following a meeting on site between the Council's EPU officer and the applicant, the remedial works carried out on the car park lighting columns at Crimson Court have drastically reduced the light intrusion into the complainants' properties; hence the reported light pollution has been resolved in the two nearby properties that were under investigation.

## 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

Not relevant to this application. The the need for the lighting scheme is directly related to the recent planning permission reference 11982/APP/2014/3599.

## 7.02 Density of the proposed development

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

# 7.04 Airport safeguarding

Not relevant to the consideration of this application.

## 7.05 Impact on the green belt

Not relevant to the consideration of this application.

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

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

The proposed lights, in themselves set well back from the street frontage and are not considered to have any detrimental visual impact.

#### 7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE21, whilst potential impacts on daylight/sunlight are considered under Policy BE20. Policy OE1 seeks to safeguard the character and amenities of surrounding properties as a result of various impacts, including noise, vibration, dust, smell or other pollutant emission. Policy OE3 advises that impact will only be acceptable if controlled through appropriate mitigation.

The columns are not considered to result in an unacceptable loss of light or outlook to the occupants of nearby dwellings in compliance with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). However, a number of concerns have been raised about the light pollution resulting from these columns.

A meeting has been held at the site and at the objecting neighbours property following remediation work carried out by the applicant in consultation with the EPU Officer. The remediation works involved the tilting of the light away from the neighbours at 31-42 Paget Road and turning one light off which originally caused nuisance to number 5 De Salis Road.

It is noted that a neighbour has since confirmed that an objection is still raised in respect of the light pollution following the remediation works. Whilst there remain concerns from local residents regarding the impact of the lights, the Council's EPU is satisfied that the lighting columns do not now result in an unacceptable level of light intrusion. If the Council therefore sought to refuse the proposal on the ground of impact on adjacent properties, it would not have the support of it's own in-house specialist advisors.

In light the of the lack of objection to the scheme from the Council's Environmental Protection Officer, it is considered that the proposal should be found, on balance, not to represent a sufficient level of impact or loss of amenity to the occupants of the adjacent properties as to warrant refusal under Policy OE1 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

## 7.09 Living conditions for future occupiers

Not relevant to the consideration of this application

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

Not relevant to the consideration of this application

7.11 Urban design, access and security

The applicant has advised that the lighting columns are required to achieve Secured by Design Accreditation for the flats within the roofspace.

# 7.12 Disabled access

Not relevant to the consideration of this application

7.13 Provision of affordable & special needs housing

Not relevant to the consideration of this application

7.14 Trees, landscaping and Ecology

Not relevant to the consideration of this application

- 7.15 Sustainable waste management
- Not relevant to the consideration of this application7.16 Renewable energy / Sustainability

Not relevant to the consideration of this application

# 7.17 Flooding or Drainage Issues

Not relevant to the consideration of this application

7.18 Noise or Air Quality Issues

Not relevant to the consideration of this application

# 7.19 Comments on Public Consultations

The comments of the consultees are addressed above.

# 7.20 Planning obligations

Not relevant to the consideration of this application.

## 7.21 Expediency of enforcement action

The site is subject to a related enforcement investigation. This has been placed on-hold pending the outcome of this application.

## 7.22 Other Issues

No other issues raised.

## 8. Observations of the Borough Solicitor

#### General

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

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

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

#### **Planning Conditions**

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

#### Planning Obligations

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

Equalities and Human Rights Section 149 of the Equalities Act 2010, requires the Council, in considering planning

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

## 9. Observations of the Director of Finance

## 10. CONCLUSION

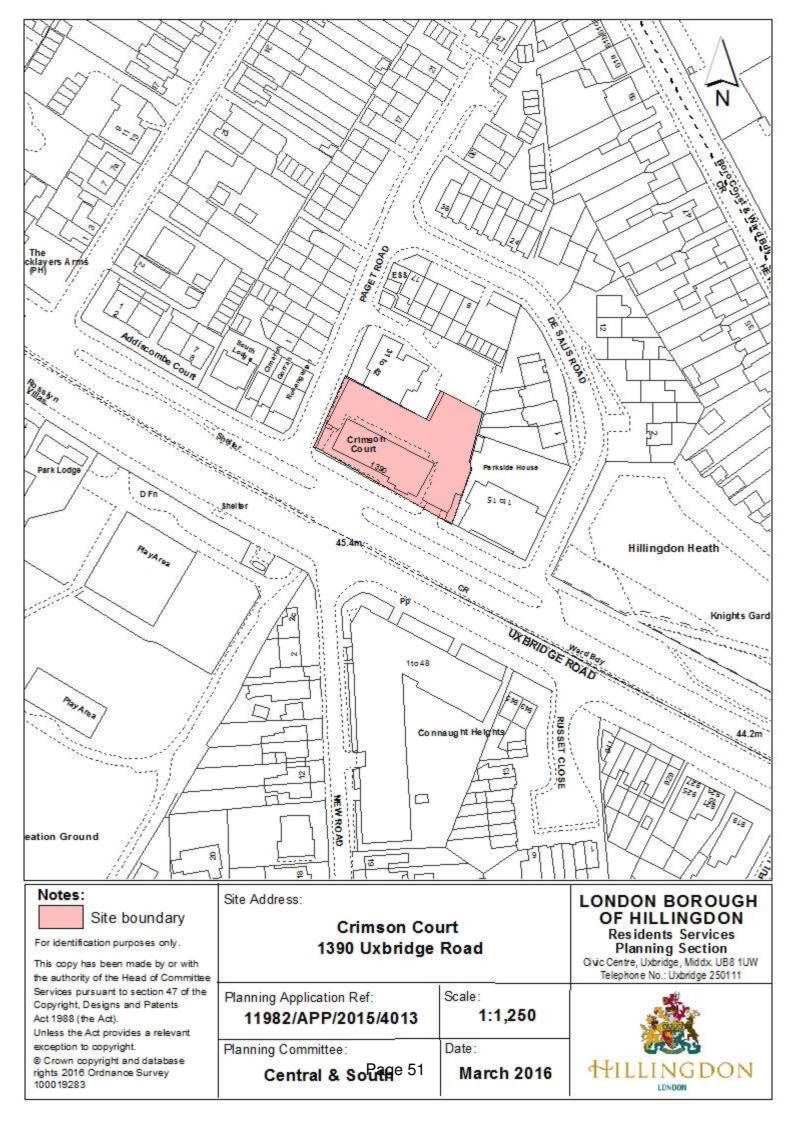
The application seeks retrospective planning permission for the installation of 8 x lighting columns which are required to achieve the Secured by Design Accreditation for the three second floor flats. The lighting columns are considered acceptable in visual terms and following a number of remediation works, are not considered to result in an unacceptable level of light pollution to nearby residential properties. As such the application is recommended for approval.

#### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) The London Plan (2015). Supplementary Planning Document HDAS: Accessible Hillingdon National Planning Policy Framework

Contact Officer: Nicola Taplin

**Telephone No:** 01895 250230



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# Agenda Item 9

# Report of the Head of Planning, Sport and Green Spaces

Address LAND REAR OF CRESCENT PARADE UXBRIDGE ROAD HILLINGDON

**Development:** Erection of three storey building to create 6 x 2-bed and 3 x 1-bed self contained flats, with associated parking, cycle and bin stores, and landscaping involving demolition of existing builders yard.

**LBH Ref Nos:** 70895/APP/2015/4349

Drawing Nos: Transport Statement Appendix B: Photos of Builders Yarc Planning, Design and Access Statement Location Plan Tree Constraints Plan Arboricultural Survey Appendix A: Pre Application Drawings: Prelim 01 and Prelim 02 15-3378-10 15-3378-13 15-3378-12 15-3378-11

Date Plans Received:	26/11/2015	Date(s) of Amendment(s):	26/11/2015
		( - )	

## Date Application Valid: 01/12/2015

# 1. SUMMARY

The application seeks permission for the erection of a three storey building to provide  $3 \times 1$  bed and  $6 \times 2$  bed self contained flats with associated parking, amenity space and bin store.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area.

The principle of the proposed development is considered acceptable and the scheme is considered compatible with the character and appearance of the surrounding area and the amenities of the occupiers of neighbouring residential properties. The internal floor space provides an adequate level of amenity for future occupants as well as external amenity space. In addition, the scheme provides sufficient car and cycle parking in accordance with the Council's guidelines and would not prejudice highway safety. The proposal would support the local economy and economic prosperity of the Borough.

The application has been called in for committee determination by Ward Councillor.

# 2. RECOMMENDATION

## **APPROVAL** subject to the following:

# 1 RES3 Time Limit

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 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15-3378-10; 15-3378-11; 15-3378-12 and 15-3378-13 and shall thereafter be retained/maintained for as long as the development remains in existence.

## REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

## 3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

## REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

## 4 RES13 Obscure Glazing

The flank wall windows shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

## REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

## 5 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. 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.

Thereafter, the development shall be implemented in accordance with the approved

details. 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:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e 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 can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 6 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

## 2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

- 5. Other
- 5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and

AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

# 7 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 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 BS 3998:2010 'Tree work -Recommendations' 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

# 8 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

# 9 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

## REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

## 10 NONSC Non Standard Condition

The development shall not begin until a scheme for the control of noise transmission between adjoining flats has been submitted to and approved in writing by the Local Planning authority. Thereafter the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason:To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

## 11 NONSC Non Standard Condition

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

## REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 c, is achieved and maintained.

## 12 NONSC Non Standard Condition

Prior to the commencement of any works details for the provision of one car park space to mobility standard and details for the proposed shared surface access works and the shared surface table should be submitted to and approved in writing by the Local Planning authority.

Reason:

To ensure that pedestrian and vehicular safety is not prejudiced in compliance with the requirements of Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

## **13** COM30 **Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and

provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

## REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

## **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).

## 2 153 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.	
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- AM14 New development and car parking standards.
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.

BE21 BE22	Siting, bulk and proximity of new buildings/extensions. 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.
H4	Mix of housing units
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
LPP 3.3	(2015) Increasing housing supply
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 5.13	(2015) Sustainable drainage
NPPF	National Planning Policy Framework
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

# 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

# 4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

# 5 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Councilÿ¿¿¿s Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

## 3. CONSIDERATIONS

## 3.1 Site and Locality

The site is a triangular piece of land located to the rear (north) of Crescent Parade, a row of terraced retail properties with residential above that is located and set back from the junction of Uxbridge Road and Long Lane. To the north of the plot on Long Lane are residential properties and the site is accessed from the service road between Crescent Parade and 15 Long Lane. To the west of the site is an area of open land off Athol Way which is covered by TPO 78a and within the Hillingdon Village Conservation Area. The site itself is currently being used as a Builders Merchants and is enclosed within 2m high metal railing and comprises a mixture of single storey buildings and external storage.

The street scene was primarily commercial and residential in character and appearance.

The application site lies within the Developed Area as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The Hillingdon Village Conservation Area is situated to the west of the site.

## 3.2 Proposed Scheme

The proposal is for the demolition of the existing builders yard and replacement with a three storey building to create 6 x 2-bed and 3 x 1-bed self contained flats, with associated parking, cycle and bin stores, and landscaping.

#### 3.3 Relevant Planning History

70895/APP/2015/3456 Land Rear Of Crescent Parade Uxbridge Road Hillingdon

Two new single storey buildings for use as a trade counter and a warehouse and installation of a new loading bay, external storage racks and car parking involving demolition of 4 existing buildings.

Decision: 22-12-2015 Approved

 70895/PRC/2015/68
 Land Rear Of Crescent Parade
 Uxbridge Road Hillingdon

Erection of 9 flats with car parking, bin and cycle store and amenity space

Decision: 09-07-2015 OBJ

## Comment on Relevant Planning History

70895/APP/2015/3456 - Two new single storey buildings for use as a trade counter and a warehouse and installation of a new loading bay, external storage racks and car parking involving demolition of 4 existing buildings (approved) 70895/PRC/2015/68 - Erection of 9 flats (objection)

In consideration of the pre application submission there was no in principle objection to a residential development subject to an application demonstrating compliance with all relevant Development Plan policies. In the form submitted it was considered the scale and design of the proposal was unacceptable and the plans did not demonstrate that adequate private amenity space could be provided, including ensuring the protection of privacy for the ground floor flats.

## 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
LPP 3.3	(2015) Increasing housing supply
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 5.13	(2015) Sustainable drainage
NPPF	National Planning Policy Framework
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
5. Adverti	isement and Site Notice

- 5.1 Advertisement Expiry Date:- 6th January 2016
  - 5.2 Site Notice Expiry Date:- Not applicable

# 6. Consultations

# **External Consultees**

A total of 46 neighbours were consulted for a period of 21 days expiring on the 24 December 2015. Revised plans were subsequently submitted and an additional 14 day consultation was carried out for all consultees, with an expiry date of the 2 March 2016. One response was received from the nearby neighbours who raised the following issues:

- I don't think the infrastructure will cope with such a development
- The roads are already busy due to over population of the area
- Out of keeping with the area which is mainly houses

Hillingdon Residents Association: No response

Hillingdon Village Conservation Panel:

The proposal represents a dense development of 9 apartments with relatively compact outdoor amenity area. The open land surrounding the adjacent Highfield House represents a very peaceful area of ecological and amenity value. The character of the adjacent Conservation area arises principally from its extent of open space and is of great importance in the context of the widespread residential area. The proposed development would adversely affect this character. The proposed three storey building in close proximity to the properties in Long Lane would be obtrusive and over dominant. Poor access, which at times is congested and dangerous. The proposal does nothing to enhance the character of the Conservation Area.

Officer comments: There was no update received from the Panel to the revised design.

## Internal Consultees

# Access Officer:

Step free access should be achieved and all nine flats should be compliant with dimensions for a Category 2, M4(2) dwelling. This should be conditioned.

# Environmental Protection:

The site has been in use as a builder's yard for some time and the soil and concrete on site may have been contaminated. A contamination land survey is required. If approved I would recommend this be conditioned for submission.

# Conservation and Urban Design:

Initial concerns were made regarding the design and impact of the proposed building on the character of the area and the adjacent Conservation Area. Amended plans have been submitted and the scheme is considered more appropriate for the location and an enhancement to the fringes of the Conservation Area. From a Conservation and Urban Design perspective there would be no objection in principle.

# Highways:

The transport assessment should assess multi-modal trip generation using sites in London and demonstrate comparability of selected TRICS sites by reference to size of development, car parking provision and PTAL.

- If the range of trip rates has a wide range, both the average and 85%lle rates should be considered.

- Car parking should include 20% active and 20% passive provision for electric vehicles.

- Access to the service road does not allow two way traffic flow and also serves access to the rear of all properties on Crescent Parade.

- The transport assessment should consider proposals for improving the safety of residents and visitors, including pedestrian movements to the site. A shared access road of 4.1m is recommended.

- Surveys of existing traffic/travel movements should be undertaken including qualitative operational observations at the access and the road junction.

Officer Response: A Transport Statement was subsequently received. The Highway Officer advised the proposed shared surface should not impinge on the adopted highway and the applicants should satisfy themselves that the works can be delivered. A revised plan of shared surface works should be submitted. One car park space to mobility standard (required to meet Policy AM14) should be provided, please secure this provision via planning condition. Also a condition will be required to secure the proposed shared surface access works and details of the shared surface table should be agreed prior to start of construction.

There are no highway objections to the proposed development.

Trees/Landscaping:

No objection subject to landscape conditions to ensure the proposals preserve or enhance the character and local distinctiveness of the surrounding built and natural environment

# 7. MAIN PLANNING ISSUES

## 7.01 The principle of the development

National Planning Policy Framework states there is a presumption in favour of sustainable development which is described for decision taking as "approving development proposals which accord with the development plan." As a core planning principle the effective use of land is encouraged by reusing land that has been previously developed (brownfield land). The proposed site currently comprises of a builders yard and constitutes 'previously

developed land'. There is a presumption in favour of residential development on brownfield land subject to other material planning considerations as detailed below.

Policy H4 of the Hillingdon local plan states that wherever practicable a mix of housing units of different sizes should be provided including in particular, units of one or two bedrooms. H8 also advises that a change of use from non residential to residential will be permitted if:

i. A satisfactory residential environment can be achieved;

ii. The existing use is unlikely to meet demand for such accommodation in the foreseeable future; and;

iii. The proposal is consistent with other objectives of this plan

The area is an established residential area and therefore the principle of residential development of the site is considered acceptable.

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The proposed development would have a density of 35 units per hectare Policy 3.4 of the London Plan requires developments within areas suburban area with PTAL scores of 2-3 to be within 35-65 units per hectare. Therefore, the development would be at the lower end of the recommended density levels. The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

Policy BE4 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states new development within or on the fringes of Conservation Areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities.

A row of semi detached properties dating from the 1930's are located to the front of the site, set back from Long Lane behind a large grass verge. A slip road giving access to the site runs between these properties and the 3 storeys premises to the south and east of the site (comprising a shopping parade with residential above) fronting Uxbridge Road and Long Lane. The west of the site is bounded and well screened by mature, dense vegetation, which positively contributes to the character of the Conservation Area.

Initial concerns were raised over the design of the proposed building. The revised scheme has altered the proposed building to a more traditional design, which includes pitched roof elements obscuring the central flat roof part of the property and has changed to a two storey building with roof accommodation as opposed to a 3 storey style The Conservation Officer has advised that this scheme is considered to be more appropriate for the location and is an enhancement to the fringes of the Conservation Area. From a Conservation and Urban Design perspective there are no in principle objections.

# 7.04 Airport safeguarding

Not applicable to this application

# 7.05 Impact on the green belt

Not applicable to this application

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

There are a diverse range of styles, designs and materials in the makeup of the existing properties within the street scene. This comprises one, one and a half and two storey properties along Uxbridge Road and two storey properties along Long Lane. The Crescent forming the east and southern boundary of the site varies from two storey to two and a half storey in the centre of the Crescent where it faces the road junction. The area of open space to the west of the site is screened by large well established trees. The proposed building is of a traditional design with front and rear facing gable features and so the main road. It measures 20.15m in width by 11.9m in depth with a maximum height of 10.4m. The Conservation Officer has advised that from a urban design perspective the proposal would enhance the adjacent Conservation Area. It is therefore considered that the proposal would complement the character of the wider street scene and the adjacent Conservation Area. As such the proposal complies with Policies BE4, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies.

# 7.08 Impact on neighbours

The Hillingdon Design and Accessibility Statement (HDAS) SPD: Residential Layouts paragraph 4.9 advises that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.

Policy OE1 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook of sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The proposed building is orientated with an east/west outlook with the principle living accommodation situated at the rear of the building overlooking the open park land. The proposed bedrooms are situated to the front of the building primarily overlooking the proposed parking area toward the access road between the buildings. All windows on the flank elevations are either secondary windows or serve non habitable rooms and as such could be conditioned to be obscure glazed and fixed shut below 1.8m in height. It is noted that the bedrooms of flats 6 and 9 will face the rear of no. 15 Long Lane, however at a

distance of 24m between their conservatory and the proposed building it is not considered there would be a significant loss of privacy as a result of this proposal.

The nearest residential unit is above no.1 Crescent Parade, which is set back approximately 15.75m from the side elevation of the proposed building and orientated at an angle facing north east. It is further noted that the windows of that property facing the rear are the bathroom and kitchen. It is therefore considered that the proposed building would not result in an unacceptably oppressive and overbearing outlook to the occupants of these properties.

The impact on the amenities of the neighbouring properties is therefore considered to be satisfactory. As such it is not considered that the proposal is an unneighbourly form of development and complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

## 7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These are now reflected in the Housing Standards MALP (2016).

The London Plan Housing Standards MALP sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. This identifies that the minimum space standards for a one bed 2 person flat is 50sqm plus 1.5sqm storage; a two bed and a three person flat requires 61sqm plus 2sqm of storage. The dimensions scaled from proposed plans show the proposed floors all exceed these respective requirements. It is therefore considered the proposed flats are of an adequate size for future occupiers and are acceptable.

It is 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.

With regards to external amenity space, the Council's HDAS guidelines require a minimum of 20sqm for a one bedroom flat and 25sq.m for a two bedroom flat. This would give an overall requirement of 210sqm. The proposal includes balcony space for all of the flats providing a total of 30.15sqm of private amenity space. The proposal also includes a communal garden providing additional amenity space of approximately 345sqm. As such, the proposal provides an acceptable level of amenity for the future occupiers of the proposed unit and the proposal complies with the requirements of Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies and the Council's (SPD) HDAS: Residential Layouts.

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

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 1.5 spaces per dwelling.

The application site has a PTAL rating of 2, which is considered poor for public transport

accessibility. However it is noted that there are existing bus stops by the access road on Long Lane and around the corner on Uxbridge Road. There is also a range of local shops and services all within easy walking distance. Therefore a potential reduction in the car parking standards to provide only one space per residential unit would be acceptable. The proposal includes 10 parking spaces including 1 disabled space and there is ample cycle parking provision. It is therefore considered that the proposal complies with the requirements of policy AM14 of the Hillingdon Local Plan (November 2012).

#### 7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

#### 7.12 Disabled access

The Access Officer has advised that step free access should be achieved and all nine flats should be compliant with dimensions for a Category 2, M4(2) dwelling. These details can be conditioned if all other aspects of the proposal were considered acceptable..

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

The Tree/Landscape Officer has raised no objection to the proposal subject to landscape conditions to ensure the proposals preserve and enhance the character and local distinctiveness of the surrounding built and natural environment

#### 7.15 Sustainable waste management

A sustainable water management condition is recommended.

#### 7.16 Renewable energy / Sustainability

Not applicable to this application.

#### 7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

The ability for the development to connect with existing infrastructure would be addressed through Building Regulations. Concern has also been raised regarding the potential impact of the development on the open character of the adjacent Conservation Area. In this regard it is noted that the site is currently used as a builder merchants, with materials stacked high over the majority of the site, including along the rear boundary with the Conservation Area. It is also noted that there was a recent approval for a storage building of 6.77m in height as well as a new prefabricated building to be used as a trade counter. Therefore although the proposed building will be higher, it will occupy less of the site and could visually enhance the character of the Conservation Area. With regard to the access, the current use as a builder yard generates a high volume of traffic movements both from suppliers and customers and the residential use of the site could reduce car movement and the improvements to the access would be beneficial to highway safety.

All other issues are addressed within the report.

#### 7.20 Planning obligations

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and

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the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of additional floor space of 243sq metres are as follows:

Hillingdon CIL =  $\pounds 23,085.00$ Mayoral CIL =  $\pounds 8,505.00$ 

#### 7.21 Expediency of enforcement action

Not applicable.

#### 7.22 Other Issues

None.

#### 8. Observations of the Borough Solicitor

#### General

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

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

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

#### **Planning Conditions**

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

#### Planning Obligations

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

#### Equalities and Human Rights

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

#### Central & South Planning Committee - 31st March 2016 PART 1 - MEMBERS, PUBLIC & PRESS

pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

#### 9. Observations of the Director of Finance

Not applicable.

#### 10. CONCLUSION

The application seeks permission for the erection of a three storey building to provide  $3 \times 1$  bed and  $6 \times 2$  bed self contained flats with associated parking, amenity space and bin store.

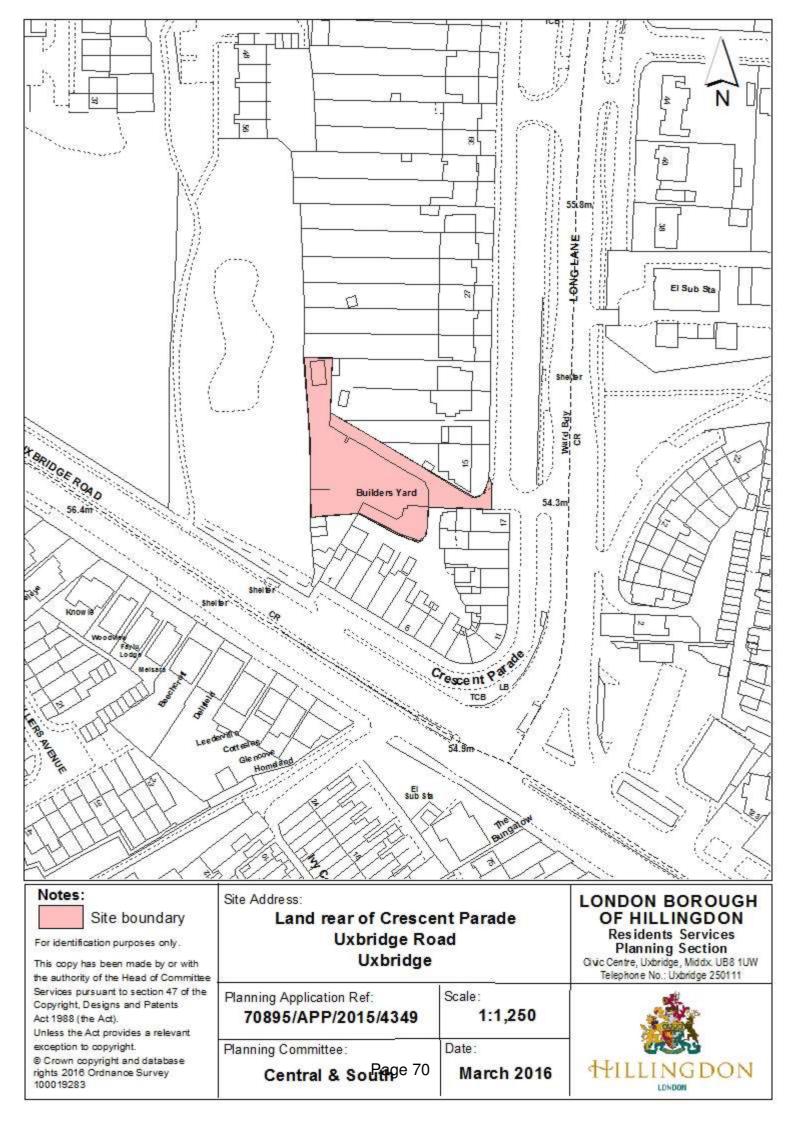
The principle of the proposed development is considered acceptable and the scheme is considered compatible with the character and appearance of the wider area and adjacent Conservation Area. It is also considered not to have a significant adverse impact the amenities of the occupiers of neighbouring residential properties. The internal floor space provides an adequate level of amenity for future occupants as well as external amenity space. In addition, the scheme provides sufficient car and cycle parking in accordance with the Council's guidelines and would not prejudice highway safety. The proposal would support the local economy and economic prosperity of the Borough.

#### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan Part 2 The London Plan (2015) Supplementary Planning Document 'Accessible Hillingdon' National Planning Policy Framework

Contact Officer: Liz Arnold

**Telephone No:** 01895 250230



### By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

## Agenda Item 10

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Agenda Annex

# Plans for Central & South Applications Planning Committee

## Thursday 31st March 2016





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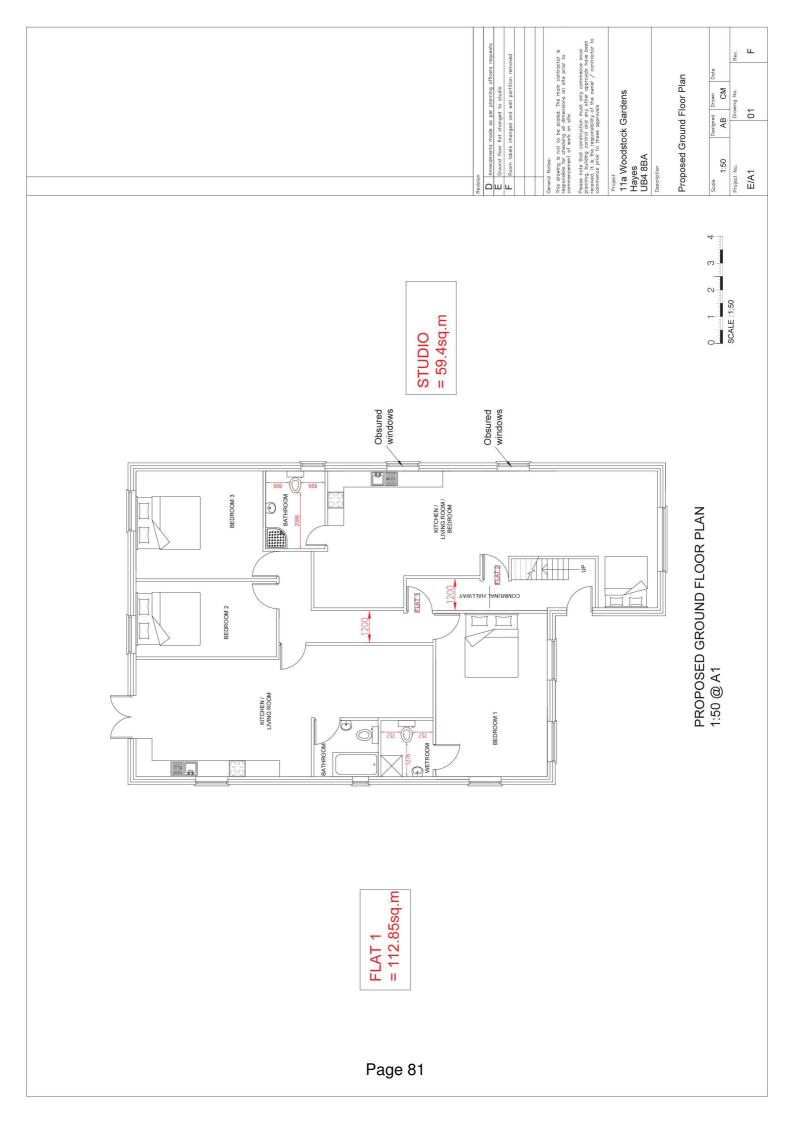
Address 11A WOODSTOCK GARDENS HAYES

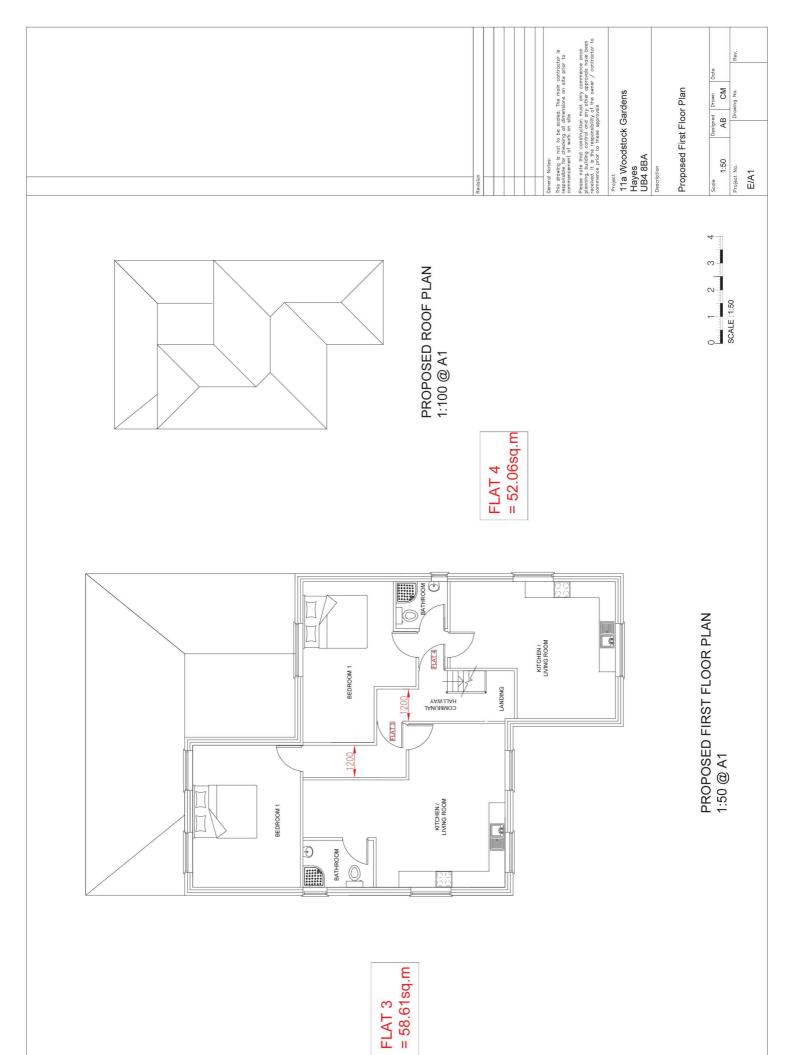
**Development:** Erection of a two storey building to provide 1 x 3-bed, 2 x 1-bed and 1 x studio self contained flats with associated parking and amenity space involving demolition of existing bungalow

LBH Ref Nos: 6670/APP/2015/1036

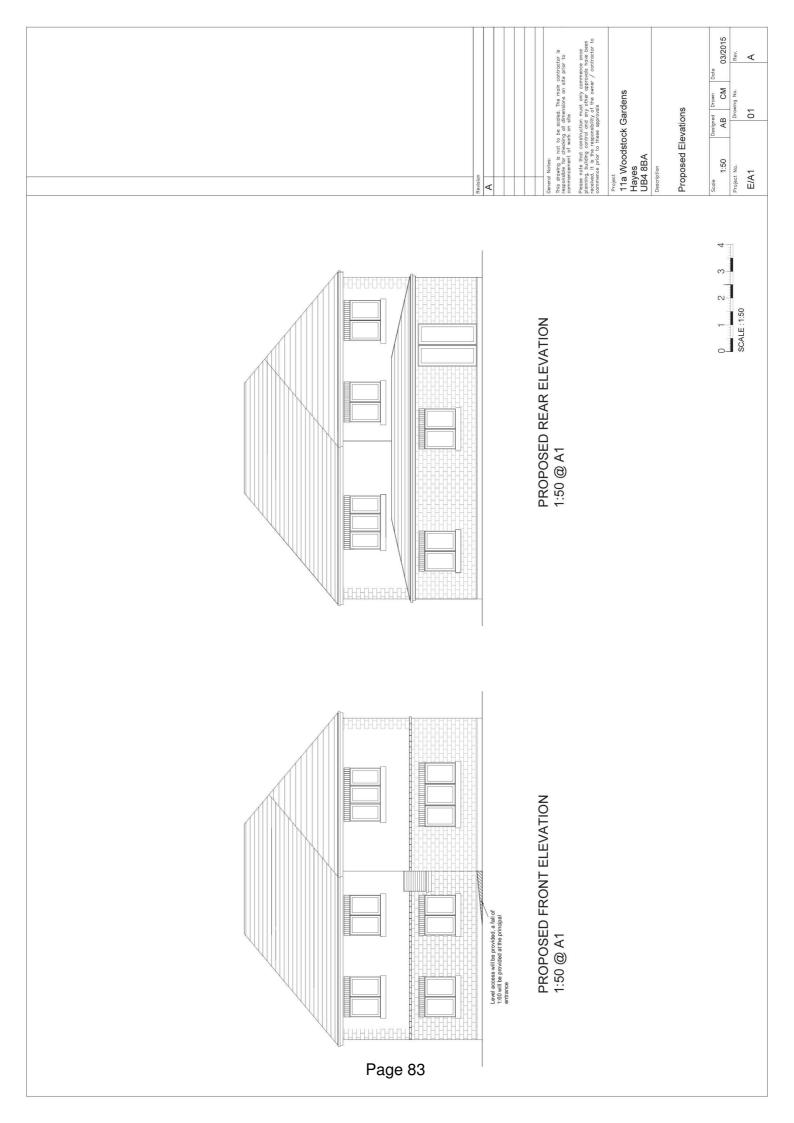
Date Plans Received:	19/03/2015
Date Application Valid:	29/04/2015

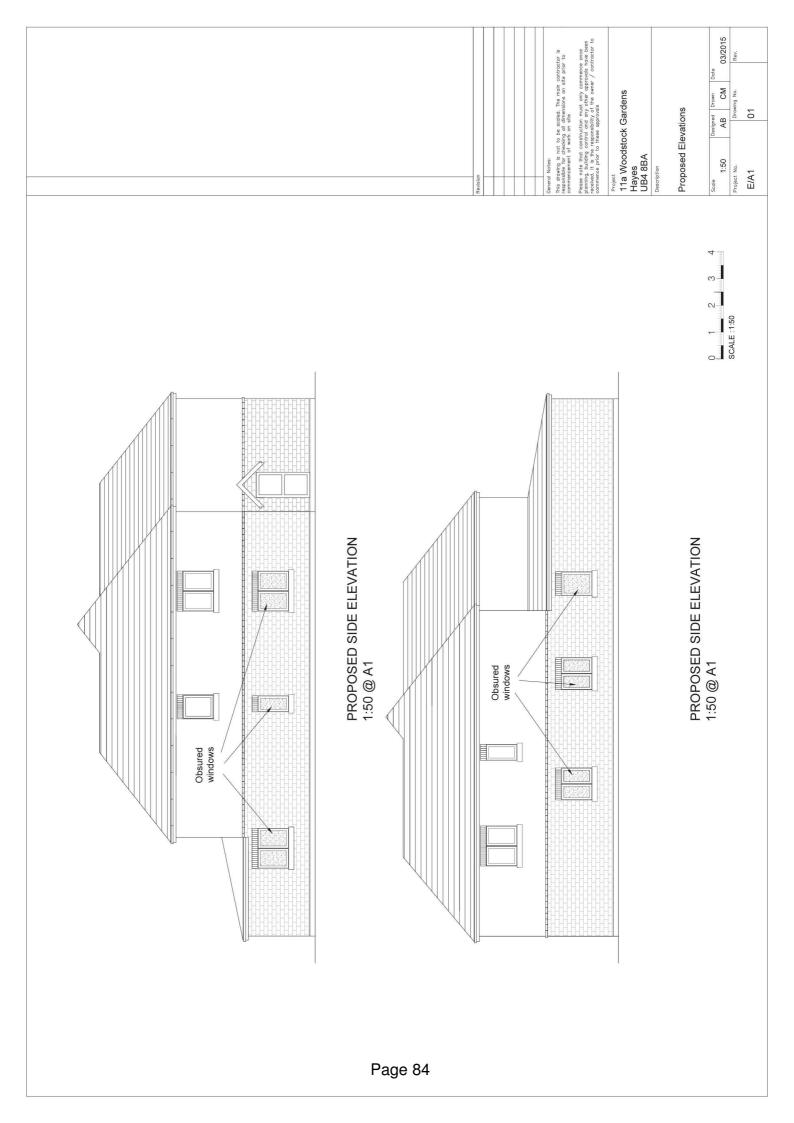
Date(s) of Amendment(s): 19/03/2015

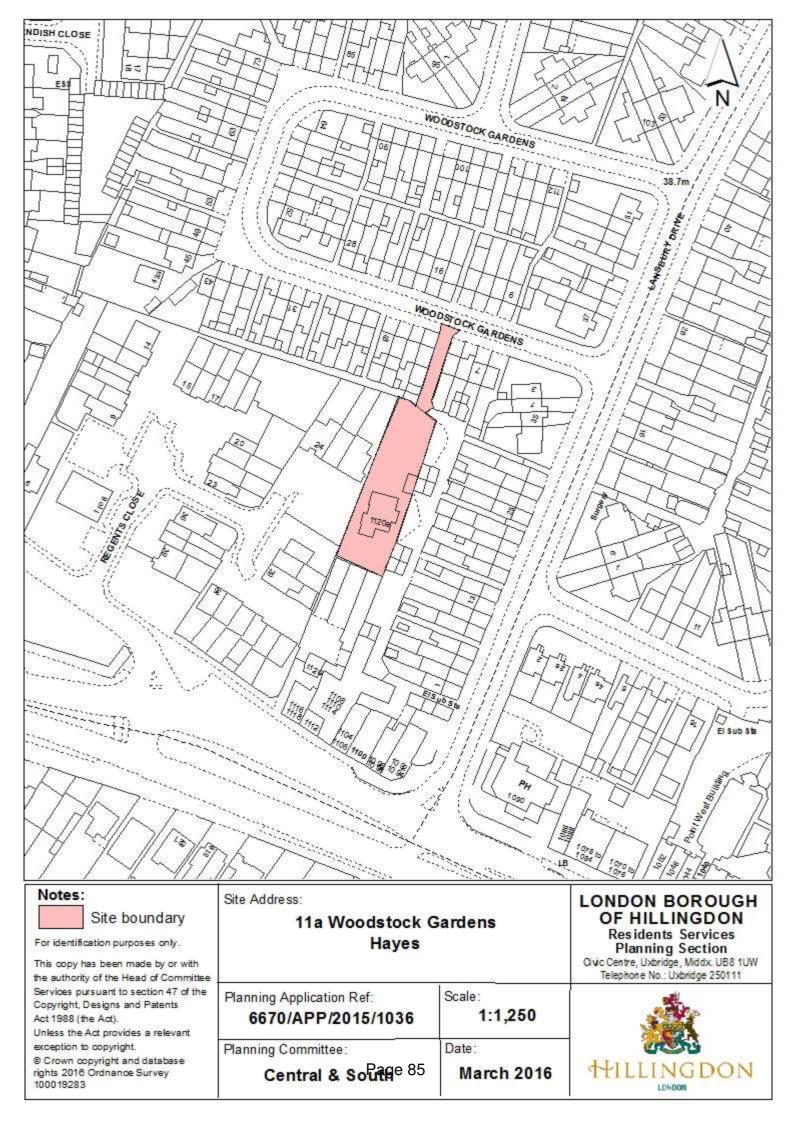




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Address 1 HOWS ROAD UXBRIDGE

**Development:** Conversion of roofspace to habitable use to include a rear dormer with two Juliet balconies and three front rooflights

**LBH Ref Nos:** 70108/APP/2016/95

 Date Plans Received:
 11/01/2016

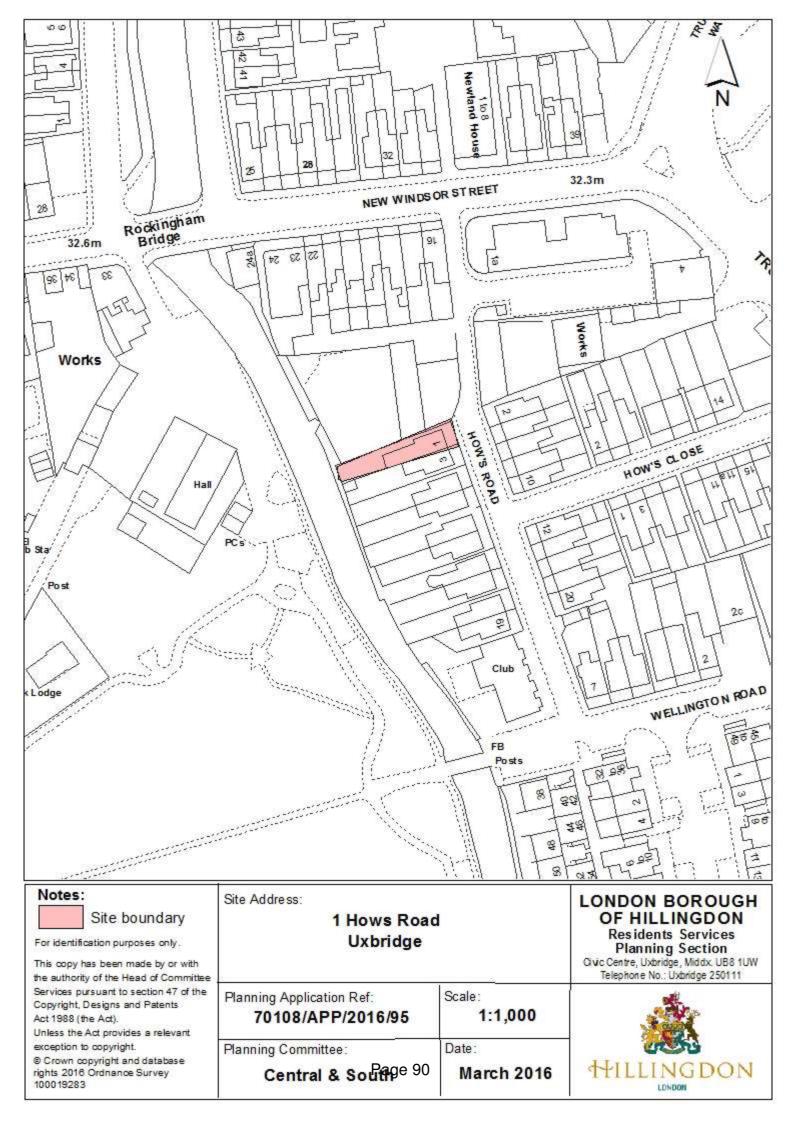
 Date Application Valid:
 13/01/2016

Date(s) of Amendment(s):





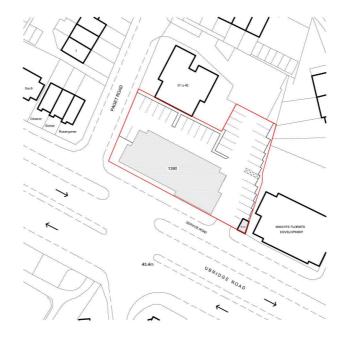




AddressCRIMSON COURT 1390 UXBRIDGE ROAD HILLINGDONDevelopment:Installation of 8 lighting columns in car park (Retrospective)LBH Ref Nos:11982/APP/2015/4013

Date Plans Received:	28/10/2015
Date Application Valid:	18/11/2015

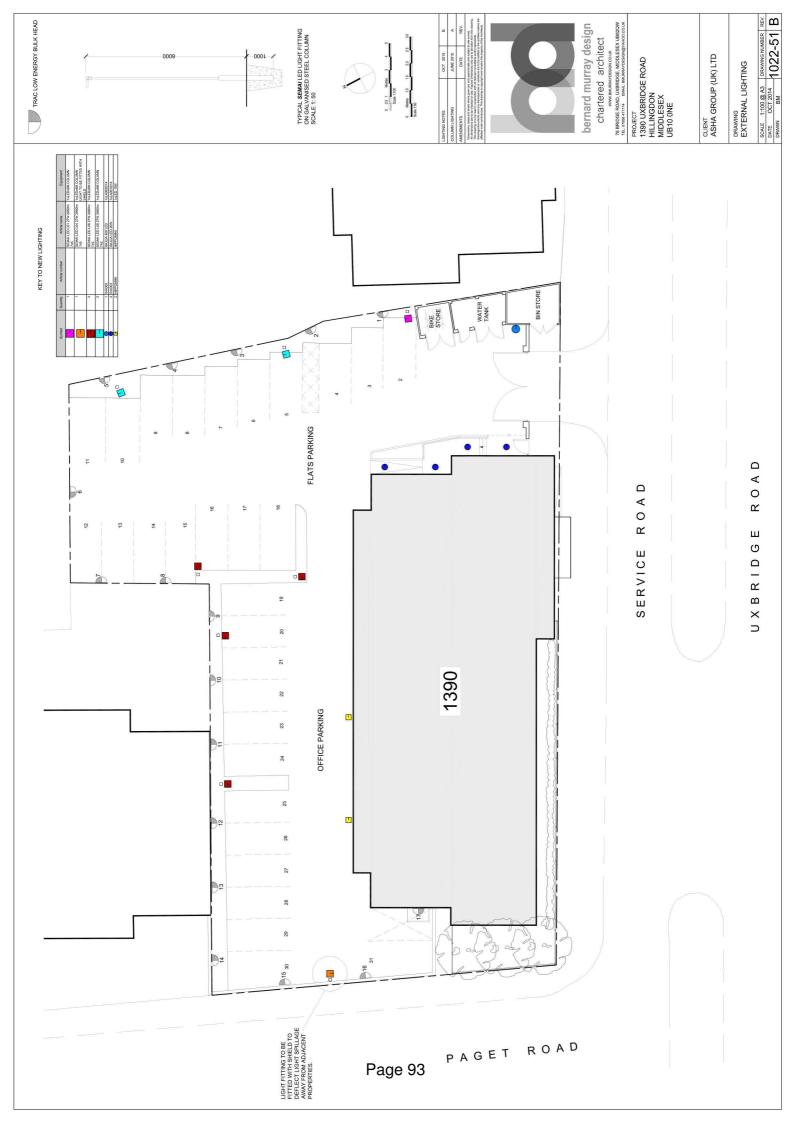
Date(s) of Amendment(s):

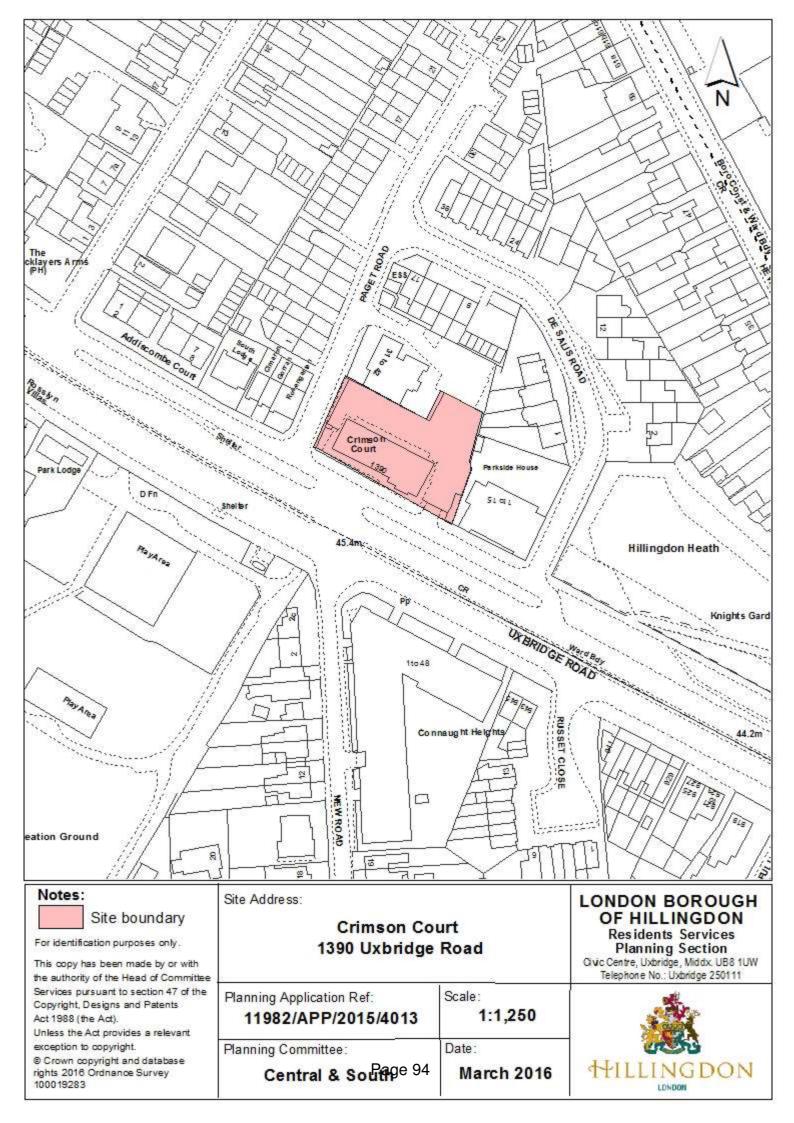




Bernard Murray Design Ltd 78 Bridge Road, Uxbridge, Middlesex, UB8 2QW Tel: 01895 813583 Mob: 07958 471714 Email: bmurraydesign@yahoo.co.uk Website: http://bmurraydesign.co.uk







Date(s) of Amendment(s):

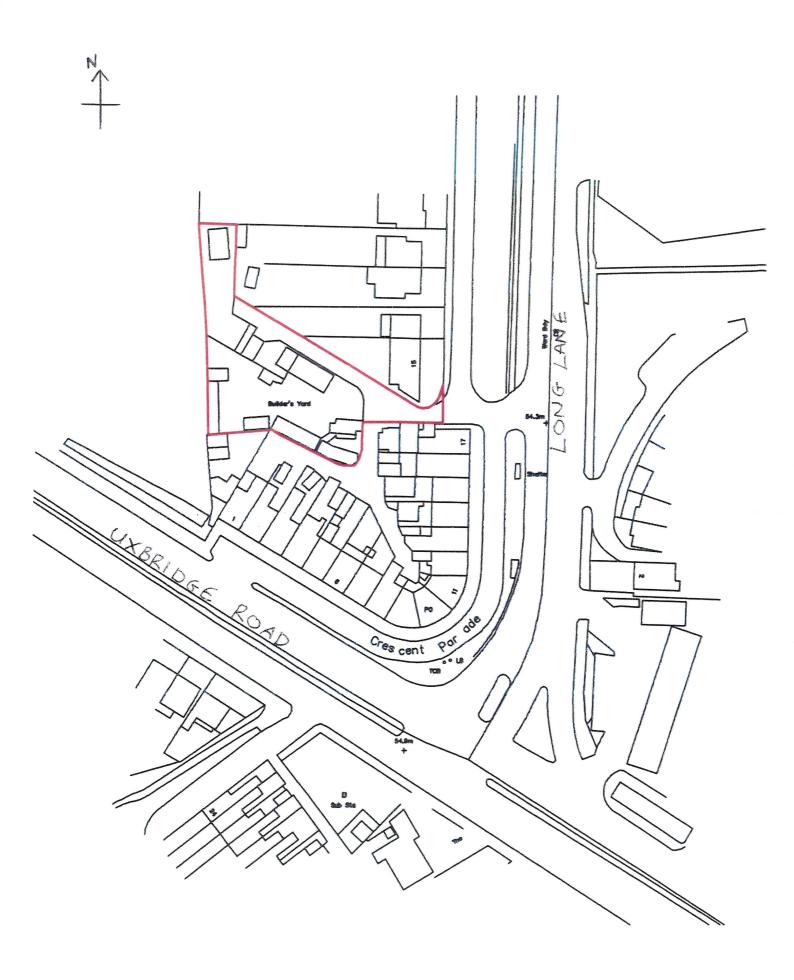
26/11/2015

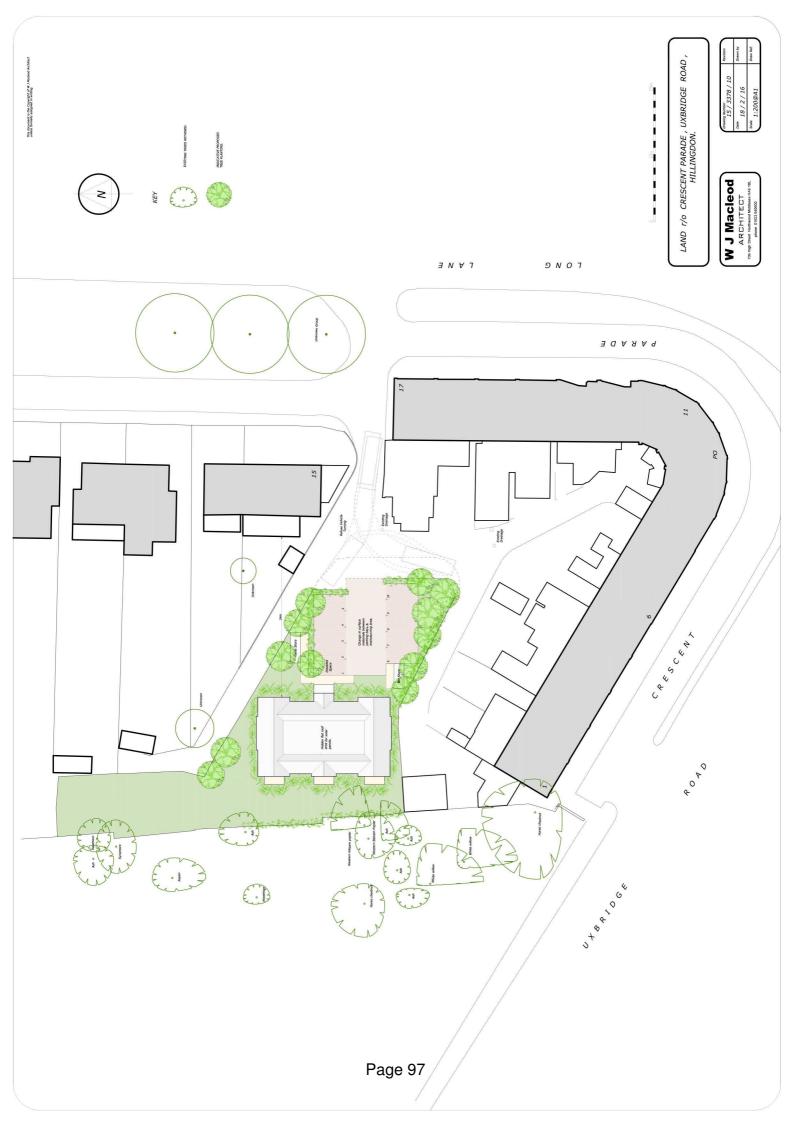
Address LAND REAR OF CRESCENT PARADE UXBRIDGE ROAD HILLINGDON

- **Development:** Erection of three storey building to create 6 x 2-bed and 3 x 1-bed self contained flats, with associated parking, cycle and bin stores, and landscaping involving demolition of existing builders yard.
- LBH Ref Nos: 70895/APP/2015/4349

Date Plans Received:	26/11/2015
Date Application Valid:	01/12/2015

Central & South Planning Committee - 31st March 2016 PART 1 - MEMBERS, PUBLIC & PRESS





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LAND r/o CRESCENT PARADE, UXBRIDGE ROAD, HILLINGDON.

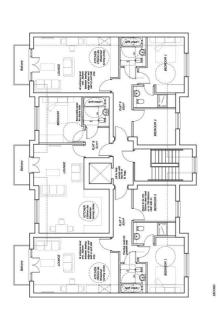
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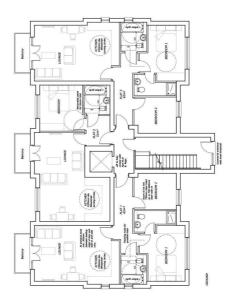
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FLOOR PLANS





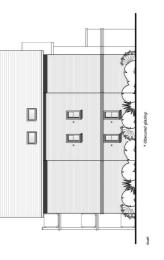


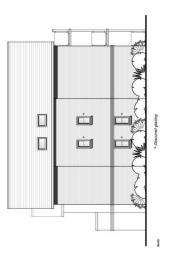
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ELEVATIONS







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