



# Central & South Planning Committee

Date:

**TUESDAY, 13 DECEMBER** 

2016

Time:

7.00 PM

Venue:

COMMITTEE ROOM 5 -

CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8

**1UW** 

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

#### To Councillors on the Committee

Councillor Ian Edwards (Chairman)

Councillor David Yarrow (Vice-Chairman)

Councillor Shehryar Ahmad-Wallana

Councillor Roy Chamdal

Councillor Alan Chapman

Councillor Jazz Dhillon (Labour Lead)

Councillor Janet Duncan

Councillor Manjit Khatra

Councillor Brian Stead

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This Agenda is available online at:

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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.



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# A useful guide for those attending Planning Committee meetings

#### Security and Safety information

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**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;
- 3. 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;
- 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 cannot 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.

#### **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 previous meetings
- 1 10

- 4 Matters that have been notified in advance or urgent
- 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	Description & Recommendation	Page
6	40 Frays Avenue, West Drayton 3650/APP/2016/1437	West Drayton	Variation of condition 2 (Approved Plans) of planning permission ref: 3650/APP/2013/2962 dated 25/06/2014 (Two storey, six-bed, detached dwelling involving demolition of existing detached dwelling) to alter the roof design to create habitable roofspace.	11 - 24 74 - 80
			Recommendation: Refusal	

# **Applications without a Petition**

Ad	dress	Ward	Description & Recommendation	Page
7	Chadwick Building, Brunel University, Kingston Lane 532/APP/2016/3606	Brunel	Variation of condition 1 of planning permission reference 532/APP/2013/3688, to allow the temporary Chadwick Building to be retained for a further five years.	25 - 34 81 - 87
			Recommendation: Approval	
8	20 Vine Lane, Hillingdon 21231/APP/2016/3708	Uxbridge North	Conversion of single dwelling (Use Class C3) to form an eight-bed, ten-person House in Multiple Occupation (Sui Generis).	35 - 46 88 - 91
			Recommendation: Approval	

# **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.

9	ENFORCEMENT REPORT	47 - 56
10	ENFORCEMENT REPORT	57 - 64
11	ENFORCEMENT REPORT	65 - 72

# PART I - Plans for Central and South Planning Committee 73 - 92



# **Minutes**



# **CENTRAL & South Planning Committee**

# 9 August 2016

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

	Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Janet Duncan, Manjit Khatra and Brian Stead
	LBH Officers Present: Alex Chrusciak (Planning Service Manager), Ed Laughton (Planning Officer), Jyoti Mehta (Trainee Solicitor), Alex Quayle (Democratic Services Officer), Syed Shah (Principal Highway Engineer) and Luke Taylor (Democratic Services Officer)
73.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no apologies for absence.
74.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	There were no Declarations of Interest.
75.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 3)
	None.
76.	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 marked Part I would be considered in public, and items marked Part II would be considered in private.
77.	839 UXBRIDGE ROAD, HAYES - 71927/APP/2016/2009 (Agenda Item 5)
	Extension to rear canopy for use as a shisha lounge (Sui Generis) attached to existing restaurant (Use Class A3) (Retrospective).
	Officers introduced the report and highlighted the application site's close proximity to residential properties, the appearance of the development and its overbearing appearance, and the level of noise and disturbance to the surrounding living environment.
	The Chairman noted that a petition in support of the application had been submitted, as had two letters opposing the application. The petitioner was invited to address the Committee but no representatives were present.

Councillors sought clarification on the rear access to the site and officers confirmed that access was not currently a concern for the development as access to the front of the property was still possible.

The Committee agreed with the Officer's report that the proposed change of use was not suitable due to the impact on local residents, both by virtue of the use of the site and the appearance of the proposed development.

The Officers' recommendation for refusal was then moved, seconded, and upon being put to a vote was unanimously agreed.

#### Resolved:

That the application be refused.

# 78. **THE ROYAL BRITISH LEGION, UXBRIDGE ROAD - 172/APP/2016/1766** (Agenda Item 6)

Change of use of the first floor from office / meeting room to provide 1x1 bed flat (Use Class C3).

Officers introduced the report and confirmed to members that the proposal was considered to have a substandard floor area and unacceptable level of residential amenity for future occupants.

The Chairman commented that the Committee had previously upheld the national standards for proposed housing and confirmed his commitment to these standards.

Councillors confirmed their belief that the proposal was too small and cramped, acknowledging that the national requirement for a single bedroom flat to provide was an internal floor space of 50m<sup>2</sup>, while the proposed flat would have just 30m<sup>2</sup>.

Members also noted parking at the site was not dealt with in the application, and this should be addressed in any future application. The Committee agreed that an informative be added to confirm that parking provision was a concern, but did not need to be identified as a reason for refusal as it could be conditioned should all other matters be overcome. The Officers' recommendation with the added informative was moved, seconded and unanimously agreed when put to vote.

#### Resolved:

 That the application be refused, subject to the addition of an informative highlighting that car parking provision was a concern.

#### 79. **ENFORCEMENT REPORT** (Agenda Item 7)

#### Resolved:

1. That the recommendation in the officer's report not to proceed with enforcement action was agreed.

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).

#### 80. | **ENFORCEMENT REPORT** (Agenda Item 8)

#### Resolved:

- 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).

#### 81. **ENFORCEMENT REPORT** (Agenda Item 9)

#### Resolved:

- 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).

The meeting, which commenced at 7.00 pm, closed at 7.29 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on 01895 250833. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.

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# **CENTRAL & South Planning Committee**

#### 13 October 2016

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

	Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Roy Chamdal, Alan Chapman, Jazz Dhillon (Labour Lead), Janet Duncan, Beulah East and Brian Stead
	LBH Officers Present: Kate Boulter (Democratic Services Officer), Alex Chrusciak (Planning Service Manager), Meghji Hirani (Planning Contracts & Planning Information), Roisin Hogan (Planning Lawyer), Jyoti Mehta (Trainee Solicitor) and Syed Shah (Principal Highway Engineer)
107.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	Apologies were received from Councillor Manjit Khatra, who was substituted by Councillor Beulah East.
108.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	Councillor Janet Duncan declared a non-pecuniary interest in agenda item 8 and stated that she would leave the meeting during the discussion of the item.
109.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)
	There were no minutes for approval.
110.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
111.	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 the items of business marked Part I would be considered in public, and items marked Part II would be considered in private.
112.	12 BEACON CLOSE, UXBRIDGE (Agenda Item 6)
	Officers introduced the report and provided an overview of the application. It was noted that corrected plans had been circulated and were provided in the officer's

presentation.

No representative of the petitioner was present or indicated they wished to speak.

The agent for the applicant addressed the meeting and raised the following points:

- The property was currently tenanted and was not being used as a house in multiple occupation (HMO). The tenant would move out when the works were complete and the family which owned the property would move in.
- The number of cars at the property would reduce when the family occupied the house. There was sufficient space for vans and skip while the work was being carried out, and there was space for waste and recycling in the garage area.
- The extension had been reduced by 300mm either side, and the scheme had been amended to comply with the Council's policies.

In response to questions from Members, officers advised that:

- The correct plan numbers would be listed.
- No patio was shown on the plans, and permission would not be needed for a patio 300mm beyond unmade ground level.
- There was nothing in the application which suggested the applicant intended to use the property as an HMO.

A motion for approval subject to the correction of the plan numbers and an additional informative being added was moved and seconded. Upon being put to a vote, the motion was agreed unanimously.

**RESOLVED:** The application was approved as per the officer's recommendation subject to corrections to the plan numbers in Condition 2 and the addition of the following informative:

"This planning permission does not confer any approval for the construction of a new patio to the rear of the property. The applicant is advised that the creation of any patio which exceeds a height of 300mm above unmade, natural ground level would require planning permission.

#### 113. **203 PARK ROAD, UXBRIDGE** (Agenda Item 7)

Officers introduced the report and provided an overview of the application. It was noted that a confidential personal statement from the applicant had been circulated to Members.

A petitioner, speaking in support of the application, raised the following points:

- The proposed building, which would be occupied by the applicant's grandparents, should be viewed as an extension to the main house rather than a separate dwelling.
- The main house did not currently have an extension.
- The grandparents would enter the property through the main house and there would be no separate curtilage. A planning condition could ensure that the building was ancilliary to the main house.
- The footprint of the proposed building was under half the footprint of the existing dwelling.

In response to questions from Members, officers advised that the proposed height of 3.7m was within permitted development, but the proposed proximity to the boundary was closer than the 2m allowed for permitted development.

The following points were made by Members during discussion on the item:

- The plans showed trees on the land adjacent to the proposed building and it was not clear how these would be affected.
- There was some concern about the size and height of the building and the impact this would have on neighbours.

A motion for the application to be deferred to enable revised plans to be provided was moved and seconded. Upon being put to a vote, the motion was agreed unanimously.

**RESOLVED:** The application was deferred.

#### 114. **45 FRAYS AVENUE, WEST DRAYTON** (Agenda Item 8)

Councillor Janet Duncan, having declared a non-pecuniary interest, left the meeting for consideration of this item.

Officers introduced the report and provided an overview of the application.

A petitioner, speaking in objection to the application, raised the following points:

- The property was located in an area of special character and a flood area for the River Frays.
- The size and height of the proposed development was visually obtrusive and would cause overshadowing to the petitioner's patio.
- The description given in the application was inaccurate and misleading. They
  believed the property would have 6 bedrooms over 3 storeys. The house needed
  to be smaller and more in keeping with neighbouring properties.
- Moving the entrance to the driveway would cause disruption to neighbours.
- The property being demolished was likely to contain bats.

In response, the applicant raised the following points:

- The applicant had submitted two planning applications since 2014 and had sought extensive advice from the Planning Department before submitting the current application.
- Many neighbours had not signed the petition objecting to the development.
- The house would be a family home and its height would be no bigger than others in the street.
- The street had many different house styles and the proposed development complied with the Unitary Development Plan.
- No bats had been found in the property.

A Ward Councillor, speaking in objection, raised the following points:

- A new dwelling on the site was welcomed but it must fit into the street scene.
- The proposed development was considerably larger than others.

A Ward Councillor, speaking in support, raised the following points:

- The applicant had worked extensively with Planning and the new house would improve the street scene.
- The application was for a 4 bedroom property to replace a 5 bedroom property.
- There were no habitable rooms adjacent to number 47 Frays Avenue.

#### Officers advised that:

- The application represented a 7% increase in the footprint of the building. The overall size of the house would be larger due to the additional floors.
- The plans showed 45 degree angle taken from the midpoint of the nearest window.
- An overshadowing diagram had not been done.
- An informative could be added requiring a license if any protected species were found in the property.
- It was possible to walk out of the inset dormers.

The following points were made by Members during discussion on the item:

- There was concern regarding the possibility of overlooking from people walking out
  of the inset dormer windows, and that this feature could be out of character with the
  street scene.
- It would be helpful to see graphics clarifying measurements and visibility to and from the inset dormers windows.

A motion for the application to be deferred to enable further details to be sought in respect of the inset dormer windows was moved and seconded. Upon being put to a vote, the motion was agreed unanimously.

**RESOLVED:** The application was deferred.

#### 115. **544 UXBRIDGE ROAD, HAYES** (Agenda Item 9)

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:** The application was approved as per the officer's recommendation.

#### 116. UNIT 4, HAMILTON CENTRE, BRUNEL UNIVERSITY (Agenda Item 10)

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:** The application was approved as per the officer's recommendation.

#### 117. UNIT 4, HAMILTON CENTRE, BRUNEL UNIVERSITY (Agenda Item 11)

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:** The application was approved as per the officer's recommendation.

#### 118. GRANGE HOUSE, 9 GRANGE ROAD, HAYES (Agenda Item 12)

Officers introduced the report and provided an overview of the application.

Officers advised the Committee that:

- The property was a 7 bedroom House in Multiple Occupancy (HMO) and the standard parking requirement was 4 spaces.
- The Highways Officer considered the parking space to be acceptable.

The following points were made by Members during discussion on the item:

- There was concern that the parking space provided might not be adequate depending upon how many people occupied the HMO.
- Parking spaces needed to be independently accessible.

The officer recommendation for approval with an additional condition restricting the number of bedroom and occupants was moved, seconded, and upon being put to a vote was unanimously agreed.

**RESOLVED:** The application was approved as per the officer's recommendation subject to the following amendments to Condition 5 to impose a limit on the maximum occupation of the premises:

"The property shall only be used on the basis of multiple occupation with shared facilities and no more than seven letting bedrooms as indicated on the plans hereby approved and shall not be used at any time as self-contained units. Not more than seven persons shall occupy the premises at any time."

#### 119. **39 STATION ROAD, WEST DRAYTON** (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.

**RESOLVED:** The application was approved as per the officer's recommendation.

#### 120. **ENFORCEMENT REPORT** (Agenda Item 14)

**RESOLVED:** That (1) the enforcement action as recommended in the officer's report was agreed;

(2) the Committee would 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.

#### 121. **ENFORCEMENT REPORT** (Agenda Item 15)

**RESOLVED:** That (1) the enforcement action as recommended in the officer's report was agreed;

(2) the Committee would 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.
The meeting, which commenced at 7.00 pm, closed at 9.25 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on 01895 250833. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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# Agenda Item 6

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

Address 40 FRAYS AVENUE WEST DRAYTON

**Development:** Variation of condition 2 (Approved Plans) of planning permission ref:

3650/APP/2013/2962 dated 25/06/2014 (Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling) to alter the roof design to

create habitable roofspace

**LBH Ref Nos:** 3650/APP/2016/1437

**Drawing Nos:** 40/AG/AC/40/16 (Existing Floor Plans and Elevations

40/AG/AC/40/16 (Approved Site Layout AG/AC/40/16 (Location/Block Plan

Flood Risk Assessment

AG/40/16 (Approved Floor Plans and Elevations

40/AG/AC/16 Rev. C (Proposed Floor Plans and Elevations

 Date Plans Received:
 12/04/2016
 Date(s) of Amendment(s):
 11/07/2016

 Date Application Valid:
 18/04/2016
 12/04/2016

#### 1. SUMMARY

The application seeks to vary condition No. 2 (Approved Plans) of planning permission ref:3650/APP/2013/2962 dated 25/06/2014 to alter the roof design to create a habitable roofspace. The site is within The Garden City, West Drayton, Area of Special Landscape Character (ASLC).

The proposed variation of the approved plans would increase the number of proposed bedrooms within the dwelling from 6 to 9. However, the proposed development significantly exceeds minimum space and amenity standards and sufficient on-site car parking spaces are available. Subject to the property being used by a single household this change does not raise any adverse issues in its own right.

One of the key characteristics of the approved scheme was to retain a general appearance of two dwellings. This approach was considered appropriate given the location within the ASLC. The site is wider than its neighbours and generally open and any change as a result of development is likely to have a significant influence on the character of the area. In this regard, it is considered that the proposed alteration to the roof design by provision of crown roofs would harmfully change the character and appearance of the new dwelling within the street scene. Crown roofs are not a typical feature of two-storey development in the vicinity of the site, or locally on this side of Frays Avenue which is characterised by detached houses with hipped roofs. The resultant development would therefore introduce a significant discordant feature into the street scene. The proposed development is therefore not considered to be in keeping with and would be harmful to the character and appearance of the ASLC.

The issues were put to the applicant who wishes the application to be determined as it stands and is aware of the recommendation. It is recommended that the application to vary the condition be refused.

The application is brought before Committee as a result of petitions both for and against

the proposal.

#### 2. RECOMMENDATION

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

#### 1 NON2 Non Standard reason for refusal

The proposed variation, by reason of the resultant overall size, scale, bulk and design would result in a disproportionately large, over-dominant and incongruous form of development which would fail to respect the pattern of development in the area. The proposal would be detrimental to the visual amenities of the street scene and the character and appearance of the wider West Drayton Garden City Area of Special Local Character, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Paragraph 3.4 of the London Plan (2016) and the NPPF (requiring good design) and would be inappropriate in terms of the guidance set out in the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **INFORMATIVES**

#### 1 | 152 | Compulsory Informative (1)

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

#### 2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

	· ,
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the
DEOO	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,

LDF-AH	Supplementary Planning Document, adopted July 2006 Accessible Hillingdon, Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

#### 3 | 159 | 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 (2016). 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 Council's supports pre-application discussions. No pre-application discussions took place. The applicant was offered an opportunity to withdraw the application due to the fundamental objection. However, the applicant confirmed that the application should be determined as it stands

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the North West side of Frays Avenue and comprises a two storey detached dwelling. To the North East lies 38 Frays Avenue, a two storey detached dwelling and to the South West lies 44 Frays Avenue, also a detached two storey dwelling. Some 90m to the South West lies the Frays River. The street scene is residential in character and appearance, comprising of a mix of two storey detached houses and bungalows. It is noted that on the North West side of Fray's Avenue (the side the application site is located on) there is a predominance of two storey dwellings whereas on the opposite side there are predominantly bungalow/chalet bungalow type properties.

The application site is significantly wider than neighbouring sites; a width of over twice that of adjoining sites. The existing dwelling has a much greater size than neighbouring properties, both in terms of width and depth. The existing property has a number of distinct portions: there is a chalet type wing towards the North East of the site; a conventional two storey part towards the centre; another two storey element behind this; and a single storey garage towards the South West. It is noted that the site was formed from two separate

sites and the two dwellings were conjoined some time in the past. There is no planning record concerning this.

There is a large rear garden, a front driveway with a capacity for several vehicles exists and there are two vehicular crossover points to the street frontage. The existing dwelling has five bedrooms.

The application site lies within the Garden City, West Drayton Area of Special Local Character, as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application site lies within Flood Zones 2/3.

#### 3.2 Proposed Scheme

The application seeks to vary condition No. 2 (Approved Plans) of planning permission reference 3650/APP/2013/2962 dated 25/06/2014 to alter the roof design to create habitable roofspace (Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling).

#### This states:

"The development shall not be carried out otherwise than in strict accordance with the plans hereby approved, reference PS/40/2012/A Rev J, PS/40/2012/B Rev J, PS/40/2012/C Rev J, PS/40/2012/D Rev J, Design & Access Statement and Flood Risk Assessment (received 03/01/2014) unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### **REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)."

The development does not increase the height of the scheme but introduces two crown roofs.

#### 3.3 Relevant Planning History

3650/APP/2011/2511 40 Frays Avenue West Drayton

Two storey, 9-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling and alterations to existing vehicular crossovers

Decision: 03-07-2012 Refused

3650/APP/2013/1505 40 Frays Avenue West Drayton

Double storey rear extension and side extensions on both sides and Internal alterations

Decision: 26-06-2013 Withdrawn

3650/APP/2013/1677 40 Frays Avenue West Drayton

Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling

**Decision:** 20-08-2013 Refused

3650/APP/2013/2962 40 Frays Avenue West Drayton

Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling

**Decision:** 26-03-2014 Approved

3650/APP/2014/3660 40 Frays Avenue West Drayton

Details pursuant to conditions 3 (Materials), 4 (Ground Levels), 5 (Scaled Drawings of Porch, Windows and Eaves), 6 (Approved Drawings), 7 (Obscured Glaze Windows), 10 (Code for Sustainable Homes), 11 (Lifetime Home Standards), 12 (Refuse Storage/Cycle Store), 13 (Access Points), 15 (Landscaping/Soils), 16 (Method Statement and Fence Details), 17 (Landscape Scheme) and 18 (Planting Scheme) of planning permission Ref: 3650/APP/2013/29 dated 25/06/2014 (Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling)

**Decision:** 18-03-2015 Approved

3650/B/13/812 40 Frays Avenue West Drayton

**Decision:** 13-11-1972 Approved

3650/C/73/1186 40 Frays Avenue West Drayton

Householder development - residential extension(P)

**Decision:** 13-08-1973 Approved

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

The extant permission for a proposed dwelling shows that this would be arranged over two storeys, with accommodation at ground and first floor level. The dwelling would take the form of two separate rectangular wings connected at ground floor level with a single storey central core. The overall building would take a primarily rectangular shape, maintaining a set-in of around 1 m from the South West boundary and 1.6m from the North East boundary. The dwelling would take an overall, maximum depth of 17m and a total width of 22.7m.

As approved, the development would have a total of five habitable rooms at ground floor level and a total of six bedrooms arranged over the first floor. The front elevation of the new dwelling would be in line with the most forward elevation of the existing dwelling.

#### 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.
BE5	New development within areas of special local character
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.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment
5 Advorti	coment and Site Notice

#### 5. Advertisement and Site Notice

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

#### 6. Consultations

#### **External Consultees**

Neighbours were notified on 19/04/2016 and a site notice was displayed on 25/04/2016.

As a result of the publicity two objections to the development were received, one from an individual and one from the West Drayton Conservation Area Advisory Panel. A petition opposing the development with 23 signatures was received. A petition supporting the application, again with 23 signatures, was also received. These are discussed below.

#### **Internal Consultees**

Conservation and Urban Design:

Whilst the principle of a new dwelling on the site has been established there are objections in regards to the proposal. The proposed alteration to the roof design would change the character and appearance of the new dwelling within the street scene. The proposed variation of the approved plans would increase the number of proposed bedrooms within the dwelling from 6 to 9, creating a substantial sized dwelling. The proposed crown roof is not considered in keeping with the character and appearance of the ASLC. It is recommended that the hipped roof form is retained.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The principle of the redevelopment was established by the grant of planning permission for which this proposal is a variation. The approved scheme is extant.

#### 7.02 Density of the proposed development

The density is not changed by the proposal. This remains a single family dwellinghouse.

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

The site is not within a Conservation Area, however, it does fall within the West Drayton Garden City Area of Special Local Character. The scheme was referred to the Council's Conservation Officer who has advised that the proposed alteration to the roof design would change the character and appearance of the new dwelling within the street scene. The proposed crown roof is not considered to be in keeping with the character and appearance of the ASLC.

#### 7.04 Airport safeguarding

Not applicable.

#### 7.05 Impact on the green belt

Not applicable.

#### 7.06 Environmental Impact

No issues arise.

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

There are 15 designated Areas of Special Local Character (ASLC) within the Borough. They are designated on the basis of their local architectural, townscape or historic merits. Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires all new development to harmonise with the materials, design features, architectural style and building heights predominant in the area. Within ASLC's there is a presumption in favour of retaining buildings and features that make a positive contribution to the character and appearance of the area. The site is within the West Drayton Garden City Area of Special Local Character. This incorporates all of Frays Avenue which is within the southern/south-eastern part of the ASLC.

The street scene is residential in character and appearance comprising a mix of two storey detached houses and bungalows. On the same side of the road as the application site there is a predominance of two-storey dwellings whereas on the opposite side there are predominantly bungalow/chalet bungalow type properties.

The existing dwelling is considered to be an attractive large detached house, of around

1930s construction within the ASLC. The house has been extended to the side and later to the rear and at one time was two-dwellings, which explains the overall width of the site. Whilst the rear additions are modern and do not relate to the appearance of the original house, the earlier side extension is considered to be well designed and sits very comfortably with the original design. The hipped roof, bonnet ridge tiles and tile hung elevation all contribute positively to the architectural quality of the house.

The immediate vicinity of the existing site is characterised by smaller scale two storey detached houses, single storey and chalet style bungalows.

The scheme as approved proposed to demolish what is considered to be an attractive property and replace it with a significantly larger dwelling. However, given the design of the proposal to mimic the smaller dwellings, similar to the general pattern of development in the street scene, the proposal was not considered to be detrimental to the character and appearance of the area.

The site is generally open when viewed from Frays Avenue. It is wider than all of the sites in the immediate vicinity on this side of the avenue. Therefore any change on the site is likely to have a significant public presence and a scheme of landscaping would not adequately mitigate any adverse impacts, especially given that this would take a considerable time to mature. The proposed amendment introduces crown roofs which are a form of development which is not typical of two-storey dwellings the area. It is also noted that the street has mainly individually designed dwellings, typically with hipped roofs. The scheme as approved sought to mimic the character of the area. However, the introduction of crown roofs to the the proposed dwelling would create a bulk and appearance of development which differs considerably from the general design in the area and which would introduce a prominent and discordant feature which would not be characteristic of the area.

The general openness of the site would further emphasise the visual impact this since effective screening would be difficult to achieve. Given that there is an emphasis within policy BE5 that requires new development to harmonise with the materials, design features, architectural style and building heights predominant in the area, it is considered, that the proposed variation would introduce a design solution which will be harmful to the special character of the area. It is therefore considered that the proposed variation would be unacceptable and would not be in accordance with Policies BE5, BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and section 4.0 of the Council's HDAS Supplementary Planning Document: 'Residential Layouts'.

#### 7.08 Impact on neighbours

Impact on neighbours was considered as part of the approval for the scheme for which this is a proposed amendment. It was considered that as the approved scheme would be set away from the neighbouring property's flank wall by around 2m at ground floor level and 5m at first floor level, the 45 degree line from the nearest first floor habitable room window would not be breached and the proposal would not have a detrimental impact on the amenities of 44 Frays Avenue's occupiers, by way of a loss of daylight, outlook or an increased sense of enclosure.

Also, in respect of the impacts on the neighbouring dwelling to the North East (38 Frays Avenue), the proposal was considered acceptable. This neighbouring dwelling has a single storey side addition that runs along the boundary between the two sites. There are no habitable room windows to the flank wall of this single storey element to the neighbouring

dwelling. The frontage of the proposed dwelling would be in line with the frontage of 38 Frays Avenue. The ground and first floor rear element of the proposed dwelling closest to 38 Frays Avenue as approved would be set forward by around 4m from the rear wall of this neighbouring dwelling. At such a depth and combined with a separation distance of around 3m, the proposal was considered acceptable, not having a detrimental impact on the amenities of the occupiers of 38 Frays Avenue, given that the 45 degree guideline would not be breached from the windows in the rear elevation of this neighbouring occupier.

The amendments relate to the centre section of the proposed building and, notwithstanding the design considerations elsewhere in the report, it is considered that the proposed development does not raise any additional amenity issues for neighbours. As such the proposal would be in accordance with Policies 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, 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 new standards came into effect on 1 October 2015 and they have been adopted by The Mayor of London in the form of Housing Standards Minor Alterations to The London Plan (March 2016). This sets out how the existing policies relating to Housing Standards in The London Plan should be applied from March 2016. This represents a material change since the previous approval and must therefore be considered.

Table 3.5 specifies that the minimum internal floor space area/standard for a 6 bedroom (7 person) three-storey dwelling is 129 square metres. This is the largest size of property considered under the standards. The nationally described space standards defines the Gross Internal Area (GIA) or internal floor space area of a dwelling as 'the total floor space measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. At approximately 600 square metres the proposed development significantly exceeds this standard.

Section 4.7 of the SPD: Residential Layouts, states careful consideration should be given in the design of the internal layout, and that satisfactory indoor living space and amenities should be provided. Given the spacious internal layout, it is considered that the internal space proposed would provide acceptable living conditions for future occupiers.

Section 4.15 of the SPD: Residential Layouts requires a minimum of 100 sq.m. amenity space for units with over 4 bedrooms. Over 1000 sq.m. of private amenity space would be provided for the future occupiers of the new house. This represents a provision significantly in excess of the minimum standard and no adverse issues are raised.

The proposal therefore provides acceptable living conditions for future occupiers, in accordance with Hillingdon Local Plan Policy BE23, Policy 3.5 of the London Plan Minor Alterations (March 2016) and would be appropriate in terms of the guidance set out in the HDAS Residential Layouts SPD.

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

The site has a PTAL rating of 1a, which is at the lowest end of a rating scale that rises to level 6 (where a PTAL of 6 indicates a site with excellent public transport links and a PTAL of 1 has poor public transport links). The Council's parking standards for a dwelling of this size would require two off-street parking spaces. The increase in the number of bedrooms

does not change this.

The front driveway area would be able to accommodate well in excess of the two parking spaces required under the standards. As such, the proposal is unlikely to result in an increase in on-street parking to the detriment of highway and pedestrian safety, in accordance with policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.11 Urban design, access and security

The design of the proposed building is considered to be unacceptable and the issues are discussed elsewhere in the report. The proposal does not raise and material access or security issues other than those considered in the approved scheme.

#### 7.12 Disabled access

No additional issues are raised by the proposed development.

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

As the proposal relates to a single dwelling, the proposal falls below the threshold requiring affordable housing provision. It is not special needs housing.

#### 7.14 Trees, landscaping and Ecology

There are a number of trees and hedges that contribute to the arboreal character of the Garden City Area of Special Local Character within the front and rear gardens of the site. The Trees and Landscaping Officer reviewed the previous proposal at the site and considered the trees were sufficiently distanced to ensure they would not be harm by the proposed development subject to appropriate conditions. In the event of this proposal being considered acceptable, an informative would be recommended that all the other conditions would continue to apply.

#### 7.15 Sustainable waste management

This matter was considered as part of the approved scheme and no additional issues

#### 7.16 Renewable energy / Sustainability

No additional issues arise.

#### 7.17 Flooding or Drainage Issues

The proposed development lies within Flood Zone 2 and 3 as defined by the Environmental Agency. This issue was considered as part of the approved scheme. There is no change to the ground floor area and no additional issues arise.

#### 7.18 Noise or Air Quality Issues

No issues arise.

#### 7.19 Comments on Public Consultations

The petition in support did not give any planning reasons why the petitioners support the application but the document does note that this will give the applicant an opportunity to speak at the Committee meeting.

The petition of objection states that the development will result in an increase in bulk, will be overpowering and will be out of keeping with the character of the area.

The one individual objection believes the development will result in an increase in bulk, will be overpowering and out of character with the area.

The objection from the West Drayton Conservation Area Advisory Panel comments that the development appears to be an attempt to revert to the original scheme for redevelopment of the site (3650/APP/2011/2511) that was refused, rather than being a minor

change as the form of the application tends to suggest. The proposed changes represent over development of the site, replacing normal ridges with two massive crown roofs that run the whole depth of the buildings. The effect is not fully apparent from the streetscape submitted as part of the application as this under-represents the effect the overall mass the building would have when seen at an angle, especially when compared to the more modest size of its neighbours. Even in the form that was approved, the house is out of scale with its surroundings and this proposal would make matters worse and be actively detrimental to the street scene.

The issues raised are dealt with elsewhere in the report.

#### 7.20 Planning obligations

The Council adopted the Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floorspace for residential developments is £95 per square metre. This is in addition to the Mayoral CIL charge rate of £35 per square metre. The proposed floorspace is 610 square metres representing an increase of 297 square metres. This results in a total CIL charge of £38,610 were planning permission to be granted.

#### 7.21 Expediency of enforcement action

Not applicable.

#### 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

#### 10. CONCLUSION

The proposed variation of the approved plans would increase the number of proposed bedrooms within the dwelling from 6 to 9. Since the proposal exceeds all minimum standards and the dwelling is to be used for single household occupation.

The change does not raise any adverse issues in its own right. One of the key benefits of the approved scheme was to retain a general appearance of two dwellings, which reflected the general special character of the street and which is a requirement when considering development within the ASLC. The proposed amendment would remove this benefit and would introduce a discordant feature out of keeping with the general character of development in the area. As such, it is considered that the proposed alteration to the roof design by provision of crown roofs would harmfully change the character and appearance of the new dwelling within the street scene. The proposed development is not considered to be in keeping with the character and appearance of the ASLC.

The issues were put to the applicant who wishes the application to be determined as it stands. It is recommended that the application to vary the condition be refused.

#### 11. Reference Documents

Hillingdon Local Plan: Part One (November 2012)

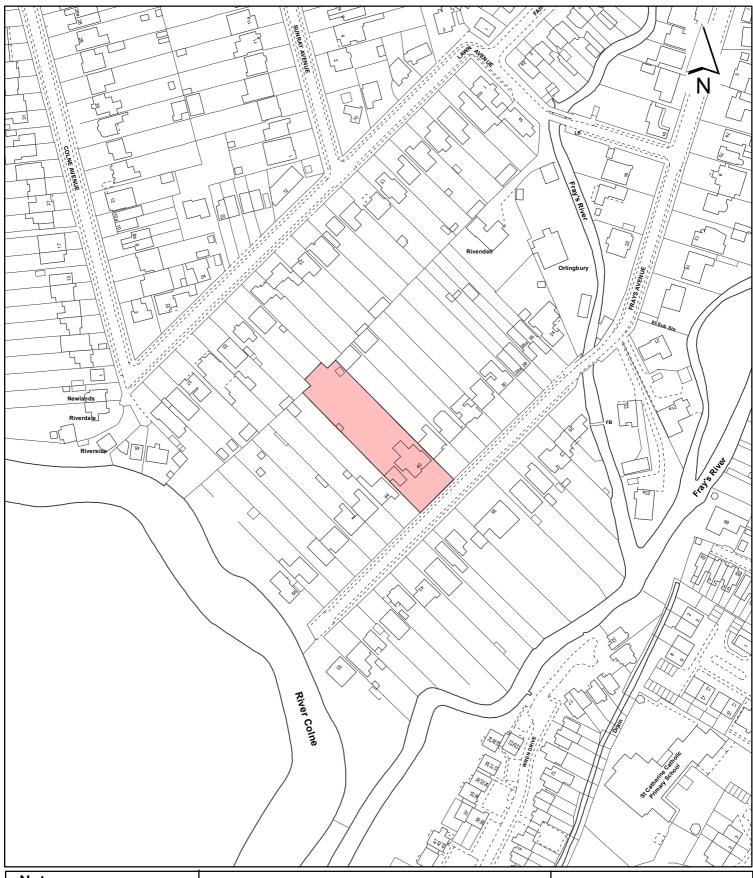
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

London Plan 2016

Accessible Hillingdon SPD

Council's HDAS Supplementary Planning Document: 'Residential Layouts'.

Contact Officer: Cris Lancaster Telephone No: 01895 250230



#### Notes:



#### Site boundary

For identification purposes only.

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Site Address:

# 40 Frays Avenue **West Drayton**

Planning Application Ref: 3650/APP/2016/1437 Scale:

1:2,000

Planning Committee:

Central & Soաthge 24

Date:

December 2016

#### **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



# Agenda Item 7

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

Address CHADWICK BUILDING BRUNEL UNIVERSITY KINGSTON LANE

HILLINGDON

**Development:** Variation of condition 1 of planning permission reference 532/APP/2013/3688

to allow the temporary Chadwick Building to be retained for a further five year

**LBH Ref Nos:** 532/APP/2016/3606

**Drawing Nos:** BUCHDK-GW-00-PLN-002

BUCHDK-GW-00-SIT-002 BUCHDK-GW-00-EXT-001 BUCHDK-GW-01-EXT-101 BUCHDK-GW-00-ELE-003 Covering Letter/Statement

Date Plans Received: 28/09/2016 Date(s) of Amendment(s):

**Date Application Valid:** 30/09/2016

#### 1. SUMMARY

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years years, in order to provide decanting facilities for the University.

No changes to the appearance of the building are proposed and so there would be no change to the impact of the building on the street scene or the Green Belt.

The proposed retention of the building for another five years complies with Policies BE13 and OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Polices (November 2012). It is therefore recommended that the application is approved.

#### 2. RECOMMENDATION

#### APPROVAL subject to the following:

#### 1 T4 Temporary Building - Removal and Reinstatement

The building hereby permitted shall be removed and the land restored to its former condition within five years of the date of this consent.

#### REASON

The building, by reason of its design is not considered suitable for permanent retention in compliance with Policies BE13 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 2 NONSC Non Standard Condition

The accommodation hereby approved shall be occupied solely by persons associated with Brunel University in accordance with Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

#### REASON

To safeguard the visual amenities of the area, having regard to the Green Belt setting of the proposed development and the residential amenity of surrounnding properties, in

compliance with PoliciesOL4 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **INFORMATIVES**

#### 1 | 152 | Compulsory Informative (1)

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

#### 2 I53 Compulsory Informative (2)

The decision to GRANT/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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE13	New development must harmonise with the existing street scene.
OL4	Green Belt - replacement or extension of buildings
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises the Chadwick Building located within Site 1 of the Brunel University campus. The building is accessed from the West Spur Road running east/west off Cleveland Road.

The Chadwick Building is bordered to the east by the Arts and Social Sciences Faculty (Gaskell Building) and by a student residential accommodation block to the west. The Phase 3 students' Halls of Residence is located north of the site whilst to the south lie residential properties in Ratcliffe Close.

The entire University campus together with land to the south is located within the Green Belt. Sites 1 and 2 of the University Campus have historically been identified as a 'Major Developed Site', in which certain forms of infilling and redevelopment are considered appropriate.

#### 3.2 Proposed Scheme

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years in order to accommodate staff displaced by the major refurbishment

work within the Wilfred Brown building and elsewhere on the campus.

The spaces will be used in conjunction with refurbishment of the Wilfred Brown building, which remains ongoing, and other refurbishment projects involving internal refurbishment of buildings at the campus. Permission is sought to retain the building for a period of five years, until these projects are scheduled to be completed. No elevational changes are proposed.

#### 3.3 Relevant Planning History

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

532/HQ/86/1760 - Erection of two-storey portakabin duplex building

532/NS/96/1836 - Renewal of planning permission ref. 532HQ/86/1760 dated 05/01/87; Erection of a two storey portakabin (duplex series MKII)

532/APP/2013/3688 - Retention of two storey pre-fabricated building for a period of three years.

Brunel University has an extensive planning history, most of which is not relevant to this application.

Outline planning permission was granted on 19 April 2004 for the erection of 48,064 square metres of new academic floor space, 69,840 square metres of new student residential accommodation, ancillary floor space and infrastructure, provision of 645 additional parking spaces, improved access from Kingston Lane, new access from Cowley Road, highway improvements to Cleveland Road, improved pedestrian and cycle routes, landscaping and environmental improvements, involving demolition of 18,600 square metres of existing floor space.

It should be noted that this part of the campus is earmarked for redevelopment for academic floor space, as part of the 2004 outline masterplan permission.

The existing prefabricated building was granted a 10 year temporary planning permission under reference 532/HQ/86/1760 on 05/01/87. On the 10/02/1997. Permission was granted under reference 532/NS/96/1836 for a further 5 years, subject to the removal of the building and restoration of the land to a state agreed with the Local Planning Authority within 5 years of the date of the permission (e.g. 10/02/2002).

Notwithstanding this condition, since 10/02/2002 the building has remained in situ and been used for the temporary accommodation of various faculties during refurbishment of existing university buildings.

In 2013, permission was granted for a further three years (reference 532/APP/2013/3688), to provide decant space in conjunction with refurbishment of the Wilfred Brown Building. It was originally hoped that these works could be completed within three years, but the accommodation remains in use for this purpose, due to delays in construction.

While no application has ever been submitted to the Local Planning Authority seeking to confirm the lawful use of the building, it is noted that the building has been in situ for more than 10 years since its removal was required by condition. Based on the information currently before the Council, the building would appear to be immune from enforcement action and, had an application for a certificate of lawfulness been submitted, the Council may have concluded that the building was lawful.

It is considered that this application seeking permission for retention of the building for a further temporary time period must be considered on it's individual merits and on the basis for which permission is sought (e.g. temporary consent). However the fact that the current building may be immune from enforcement action and that it has been in situ for circa 27 years without any adverse planning impacts is a significant material consideration in determining the application.

#### 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.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

#### Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
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OL4 Green Belt - replacement or extension of buildings

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons
AM7 Consideration of traffic generated by proposed developments.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

#### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 25th November 2016

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

#### 6. Consultations

#### **External Consultees**

Consultation letters were sent to 9 local owners/occupiers, the Cleveland Road Neighbourhood Watch and the Cleveland Road Residents Association. To date one response has been been received making the following comments

- Occupants of Chadwick on the upper floor look straight into our rooms
- If the building is to continue in use, Brunel should take measures to substantially reduce the amount of interference from security lights since this impacts a number of properties in Ratcliffe Close.

#### **Internal Consultees**

None.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The application site lies the Metropolitan Green Belt and historically has been identified as a 'Major Developed Site', in which certain forms of infilling and redevelopment are considered appropriate. Accordingly, the proposal is subject to the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The proposal is to retain an existing temporary building for an additional five years.

There are no changes proposed to the appearance of the building which has been in situ for circa 27 years and so there would be no change in the visual impact on the Green Belt. Given the temporary nature of the proposal and its location within a major developed site, the proposal is considered consistent with Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.02 Density of the proposed development

Not applicable to this application.

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

The site is not within an Archaeology Area, Conservation Area or Areas of Special Character, nor does it affect the setting of a Listed Building.

#### 7.04 Airport safeguarding

Not applicable to this application.

#### 7.05 Impact on the green belt

The impact on the Green Belt is discussed in Section 7.01.

#### 7.06 Environmental Impact

This application relates to the retention of an existing temprary building. As such there would be no construction or operational impacts on the environment.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect the character and appearance of the street scene. The existing building is to be retained for an additional five years and no elevational changes are proposed. There would therefore be no change in the impact of the building on the street scene, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.08 Impact on neighbours

The original siting of the building was considered to be appropriate, taking into account the need to ensure residential amenity was not impacted. It is not considered that the continued use of the building for purposes relating to the University would lead to any new or unforeseen impacts on residential amenity.

The building is over 26m from the nearest residential property which is located outside of the university site. As such, it is considered that the proposed retention of the building for an additional five years would not impact on residential amenity, in terms of outlook loss of privacy or light. The proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

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

No specific car parking has been allocated for the Chadwick Building, which has been served historically by the adjoining parking areas accessed from the West Spur Road. Parking would not be affected by the retention of the building. These parking arrangements

have not given rise to any problems to date and the University is confident that this will continue to be the case. In addition, there is not anticipated to be an increase in traffic to and from the site as a result of the proposal.

No objections are raised on highways and transportation grounds in terms of traffic generation, on-site parking or access issues, in compliance with Policies AM7, AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### 7.11 Urban design, access and security

No changes are proposed to the building in terms of design, access and security.

#### 7.12 Disabled access

The proposal seeks to retain an existing building and there would be no change to the existing accessibility of the building.

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

Not applicable to this application.

#### 7.15 Sustainable waste management

Not applicable to this application.

#### 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 issues raised have been covered in the main body of the report.

#### 7.20 Planning obligations

Not applicable to this application.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

None.

#### 8. Observations of the Borough Solicitor

#### 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

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years, in order to accommodate staff displaced by the major refurbishment work within the Wilfred Brown building and elsewhere on the campus.

No changes to the appearance of the building are proposed. As such there would be no change to the impact of the building on the street scene and the Green Belt. The proposed retention of the building for another five years for use associated with the University is considered to be compliant with Policies BE13, OE1, OL4 and relevant residential amenity

policies of the Hillingdon Local Plan: Part 2 - Saved UDP Polices (November 2012). It is therefore recommended that the application is approved.

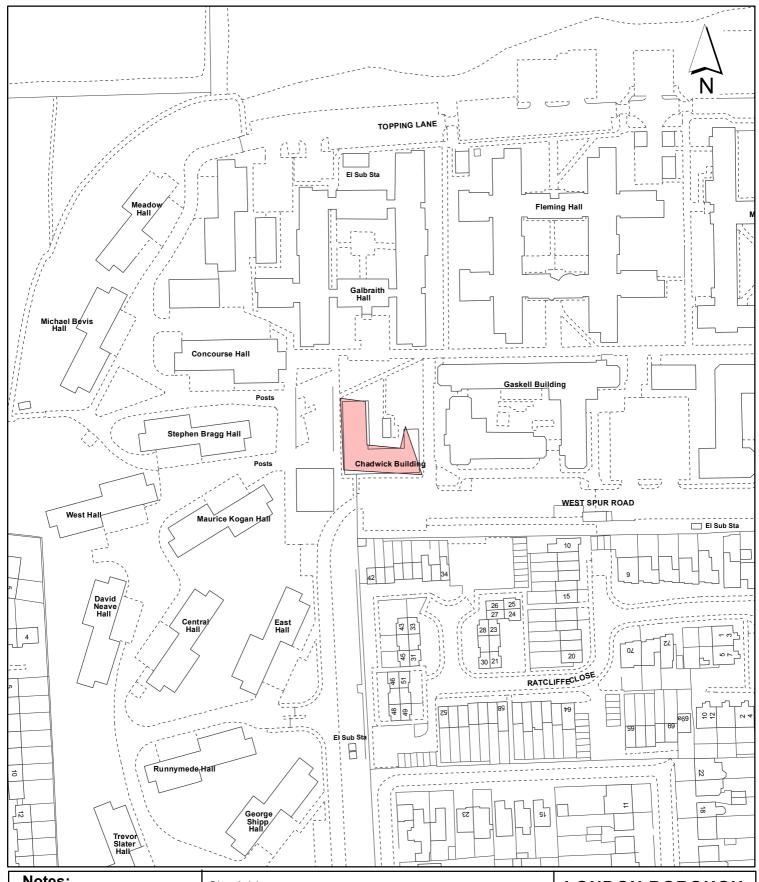
#### 11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan 2016

National Planning Policy Framework (NPPF)

Contact Officer: Karl Dafe Telephone No: 01895 250230



#### Notes:



#### Site boundary

For identification purposes only.

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Site Address:

## **Chadwick Building Brunel**

Planning Application Ref: 532/APP/2016/3606 Scale:

1:1,500

Planning Committee:

Central and Sputh 33

Date:

December 2016

#### **LONDON BOROUGH** OF HILLINGDON **Residents Services**

**Planning Section** 

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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## Agenda Item 8

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

Address 20 VINE LANE HILLINGDON

**Development:** Conversion of single dwelling (Use Class C3) to form an 8 bed, 10 person

House in Multiple Occupation (Sui Generis)

**LBH Ref Nos**: 21231/APP/2016/3708

**Drawing Nos:** VL PA 02 Rev. E

VL PA 01 Rev. E

Site Supervision Management Plar

Date Plans Received: 06/10/2016 Date(s) of Amendment(s):

**Date Application Valid:** 06/10/2016

#### 1. SUMMARY

Full Planning Permission is sought for the change of use from a single dwelling (Use Class C3) to a Sui Generis use to form an 8 bed House in Multiple Occupation (HMO). The site requires planning permission as the number of occupants proposed, exceed the maximum number of 6 people allowed under permitted development for the conversion of residential properties to houses in Multiple Occupation.

There are no external alterations proposed and the dwelling would remain with a similar layout as existing with 8 double bedrooms with 6 of them being en-suite, a kitchen, an indoor swimming pool/gym and off road parking for a minimum of 8 cars.

#### 2. RECOMMENDATION

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

#### 1 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 VL PA 01 Rev. E and VL PA 02 Rev. E 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 (2016).

#### 2 MDR5 Multiple Occupation/Shared Facilities

The property shall only be used on the basis of multiple occupation with shared facilities and no more than 8 bedrooms. Not more than 10 persons shall occupy the premises at any time.

#### **REASON**

To ensure the development would not result in an unacceptable degree of intensification, which could result in an increase in noise and disturbance, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012) and the Council's Supplementary Planning Guidance: Houses in Multiple Occupation 2004.

#### 3 NONSC Non Standard Condition

The Site Management Supervision Plan must be adhered to for the duration of the occupation of the property as a House of Multiple Occupation.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 4 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

#### **REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2016).

#### 5 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 of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS 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.

#### 6 NONSC Non Standard Condition

Within 1 month of the date of this decision, a scheme to include details of Refuse and Cycle Storage shall be submitted to and approved in writing by the Local Planning Authority. 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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016).

#### **INFORMATIVES**

#### 1 | 152 | Compulsory Informative (1)

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

#### 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) 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.
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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
H7	Conversion of residential properties into a number of units
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities

#### 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 (2016). 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.

#### 4 147 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 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

The application site comprises of a large detached dwelling situated at the junction of Vine Lane and Chetwynd Drive.

The property is set well back from the adjacent highway and is constructed from a light red brick with a hipped roof and benefits from a single flat roof dormer to the front elevation and a converted single garage which projects beyond the principal elevation. The property is enclosed by a brick and iron fence with the full front garden area consisting of hardstanding to accommodate a minimum of 6 cars. The rear garden is also of a substantial size.

#### 3.2 Proposed Scheme

The application seeks retrospective permission for the change of use from a single dwelling (Use Class C3) to a Sui Generis use to form an 8 bed House in Multiple

Occupation (HMO). The application site comprises of 8 bedrooms, 6 which benefit from en suite, a shared kitchen, a swimming pool/gym and off road parking for a minimum of 6 cars.

#### 3.3 Relevant Planning History

21231/A/86/2074 20 Vine Lane Hillingdon

Householder dev. (small extension,garage etc) (P)

**Decision:** 19-12-1986 Approved

21231/APP/2007/3858 20 Vine Lane Hillingdon

ERECTION OF A PART TWO STOREY PART SINGLE STOREY REAR EXTENSION.

**Decision:** 10-03-2008 Approved

**Decision:** 20-09-2016

21231/APP/2016/1015 20 Vine Lane Hillingdon

Conversion of dwelling from Use Class C3 (Dwelling house) to Sui Generis to form an 8 bed

House in Multiple Occupation (HMO)

Approved

## Comment on Relevant Planning History

21231/APP/2016/101: Conversion of dwelling from Use Class C3 (Dwelling house) to Sui Generis to form an 8 bed House in Multiple Occupation (HMO) - Approved.

The above approval was for an 8 bed house for up to 8 people.

This application differs from the previous in that it proposes to increase the number of occupants to 10.

#### 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.
- 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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
H7	Conversion of residential properties into a number of units
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities

#### 5. Advertisement and Site Notice

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

#### 6. Consultations

#### **External Consultees**

A total of 7 adjoining and nearby neighbouring properties were consulted via letter dated 12.10.16 including a site notice displayed adjacent to the premises on 13.10.16.

One response received stating:

"Para 14 This dwelling is already an approved 8 bed HMO. Para 15 States 'no trees or hedges' I understand there is a conservation order on the two large pine trees to the front."

The application has been called to Planning Committee at the request of a Ward Councillor.

#### **Internal Consultees**

**Housing Surveyor:** 

I have reviewed the proposed plans and can confirm I have no objection to the revised proposal relating to the kitchen facilities.

Trees and Landscape:

This site is occupied by a large two-storey house on a corner plot at the junction with Chetwynd Drive. The front garden is largely paved, with space for approximately 8 cars.

There are two specimen Corsican pines within the front garden, which contribute to the character of the area. The Corsican pines are protected by TPO 715 (T1 and T2 on the schedule). Drawing No. VL\_PA\_02 Rev E fails to show the position of the trees but there is an annotation to confirm that they will be retained as part of the conversion.

The trees will require protection from wilful, or accidental damage during any building operations associated with the conversion. The plan indicates that the rear garden will be retained. The location of the bike store should be indicated on plan in relation to the garden layout to ensure that it is sensitively sited. If the application is recommended for approval, landscape conditions should be

imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

#### Access Officer:

I have considered the detail of this planning application and have no comments to make.

#### EPU:

Propose sound insulation between the lounge and bedroom 3 situated below.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

Policy H7 seeks to safeguard existing housing in the borough, and in this respect it should be noted the Council does not consider the change of a dwellinghouse to a HMO to represent a loss of residential accommodation. This type of accommodation does not fall within a specified class of the 1987 use classes order but constitutes a 'sui generis' use.

The demand for converting detached houses, although low, is often the most suitable form as larger plots enable more off street parking and garden space in addition to reduced impact on adjoining occupiers in respect of noise levels.

#### 7.02 Density of the proposed development

Not applicable to this application.

### 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

Policies BE13 and BE19 require all new development to harmonise with the existing street scene and to complement or improve the amenity and character of the area. There are no external alterations proposed as part of the application for the change of use.

Policy OE1 states permission will not normally be granted for uses and structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally due to their siting or appearance, the storage or display of items, traffic generation and congestion, and noise and vibration emissions.

In accordance with this policy, and as the proposal is for the conversion from a single dwelling to a HMO, it would be considered prudent to impose a condition which requires details of management and maintenance for the up keep of the house and garden. Although properties used by single families are equally capable of becoming run down, many landlords do not live on-site and so physical problems with converted properties can go undetected for some time without proper management supervision. The transient nature of many converted properties, because of the relatively short duration of tenancies, also increases the need for the effective management and maintenance of properties. Regardless of the interior condition of a property, outwardly visible signs of poor management and maintenance (such as unkempt gardens) tend to have a detrimental effect on the overall street scene and level of residential amenity.

Effective management control, whether it be carried out by housing associations, managing agents or applicants themselves, is crucial to maintaining a satisfactory environment for tenants and for achieving a good tenant/neighbour relationship. A management and maintenance plan of the property has been attached with the application stating the property has an assigned property Manager who visits the property once a week and is responsible for ensuring the upkeep of the property which includes:

- Keeping front and rear gardens free of refuse and unsightly household items;
- Mowing of grassed areas;
- Repairing of broken fencing, gates and other enclosures;
- Repairing of damaged or broken external facades of building(s).

Subject to the implementation of the management and supervision plan, the proposal is considered acceptable in accordance with Policies BE13, BE15, BE19 and OE1 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012).

#### 7.08 Impact on neighbours

The potential impacts of the additional number of residents at 20 Vine Lane upon the adjoining neighbours in terms of the additional noise, greater comings and goings to the property, vehicle movements that would be the case with ten persons in shared occupation rather than the eight approved cannot easily be assessed.

These identified impacts relate primarily to social and behavioural issues, which for private dwellings cannot be controlled under planning legislation and are not necessarily any more likely to occur in a shared household than in a single family dwelling house. Although there have been complaints in the past relating to several matters since an HMO use commenced at No. 20, these are investigated individually and appropriate warnings/action taken if absolutely necessary. However, these occurrences should be taken as being the exception and an increase in two persons living at the application property would be unlikely to give rise to a significant increase in the likelihood of these disturbances.

#### 7.09 Living conditions for future occupiers

Hillingdon's HMO SPG 2004 guidance states that shared kitchen facilities must be of such a layout and size and equipped with such facilities as to allow those sharing the facilities to store, prepare and cook food. In accordance with the Housing Surveyors recommendation, the kitchen layout meets with the minimum standards for up to ten people as set out.

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

Policy AM14 of the Hillingdon Local Plan Part Two Saved UDP Policies and the Hillingdon HMO SPG seeks a maximum of 1 car parking space per 2 habitable rooms.

The application site is currently occupied as a 6 bed HMO with a large front hardstanding area capable of accommodating at least 8 cars. The application site benefits from more car parking spaces than the Council's current required parking standard.

As such the proposal is considered to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and the Councils SPG to Hillingdon UDP Houses in Multiple Occupancy and other Non-Self Contained Housing.

#### 7.11 Urban design, access and security

With regard to private amenity space, the Council require a minimum of 15 m2 of private usable amenity space per habitable room (excluding those used for communal living purposes). Given that the rear garden measures approximately 450 square metres in addition to a large indoor swimming pool and gym area, it is considered that sufficient amenity space would be available to meet these requirements.

With regard to the residential living conditions proposed, the Hillingdon HMO SPG for detached housing requires at least one ground floor habitable room over 10m2 other than a kitchen for communal living purposes. The house has adequate facilities including a large communal swimming pool/gym area as well as a breakfast/dining area as viewed on site, a kitchen and a WC, as set out in the Council's Supplementary Planning Guidance 'Houses in Multiple Occupation and other non-self contained housing' (2004) and thus an adequate standard of accommodation, layout and amenity space is provided ensuring compliance with Policies H7 and BE23 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012.

#### 7.12 Disabled access

Not applicable to this application.

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

Policy BE38 of the Local Plan seeks to retain and utilise topographical and landscape features of merit and the provision of new landscaping and planing wherever possible.

The application site is covered by TPO 715, however as there is no external development proposed to the site, it is considered no trees, protected or otherwise will be affected. The submitted proposed plans indicate the existing trees within the site are to be retained.

Accordingly, for these reasons, the proposal is considered to comply with the objectives of Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.15 Sustainable waste management

Not applicable to this application.

#### 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

The application site benefits from planning permission for use as a HMO for up to 8 people with a similar layout, as such it is considered not necessary to impose a further condition seeking the installation of sound insulation between bedrooms.

#### 7.19 Comments on Public Consultations

Discussed within main body of the report.

#### 7.20 Planning obligations

Not applicable to this application.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

None.

#### 8. Observations of the Borough Solicitor

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

Planning Permission is sought for the change of use from a single dwelling (Use Class C3) to a Sui Generis use to form an 8 bed House in Multiple Occupation (HMO) for up to 10 people.

There are no external alterations proposed and the dwelling would benefit from a new kitchen layout sufficient for up to 10 people.

The proposal is not considered to have a greater impact upon the adjoining neighbours and character of the street scene and surrounding area, than the existing use and with sufficient off road car parking and amenity area, the application is considered acceptable.

#### 11. Reference Documents

Hillingdon Local Plan: Part One (November 2012)

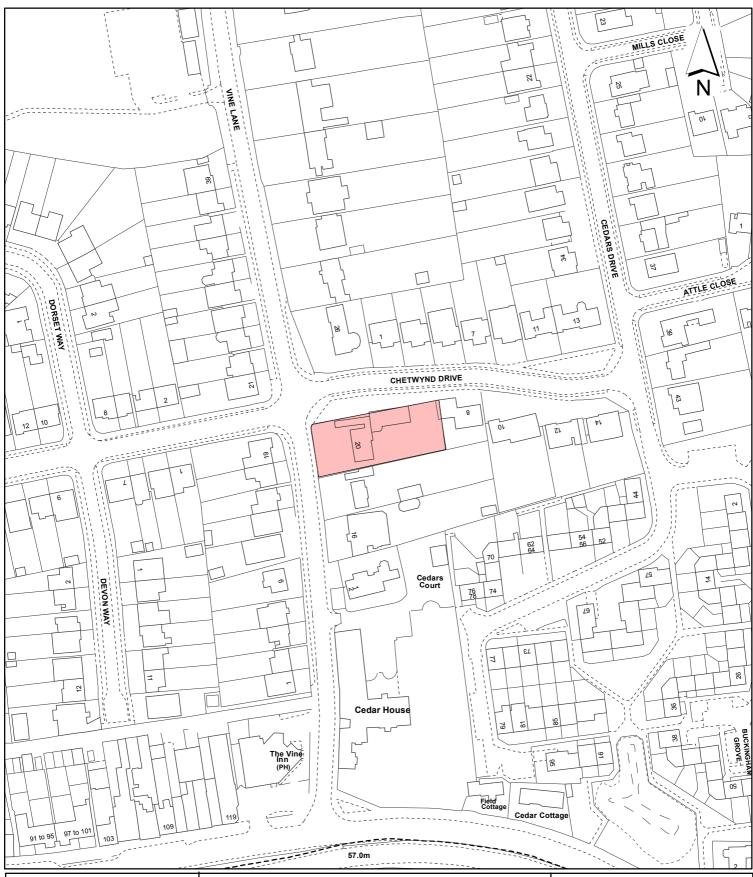
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

London Plan 2016

Accessible Hillingdon SPD

Hillingdon Supplementary Planning Guidance on Houses in Multiple Occupation and other non-self contained housing (2004).

Contact Officer: Naim Poptani Telephone No: 01895 250230







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## 20 Vine Lane Uxbridge

Planning Application Ref: 21231/APP/2016/3708

Scale:

1:1,500

Planning Committee:

Central and South 46

Date:

December 2016

#### LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



# Agenda Item 9

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

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# Agenda Item 10

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

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# Agenda Item 11

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

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# Plans for Central & South Applications Planning Committee

Tuesday 13th December 2016





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

Address 40 FRAYS AVENUE WEST DRAYTON

**Development:** Variation of condition 2 (Approved Plans) of planning permission ref:

3650/APP/2013/2962 dated 25/06/2014 (Two storey, 6-bed, detached dwelling involving demolition of existing detached dwelling) to alter the roof design to

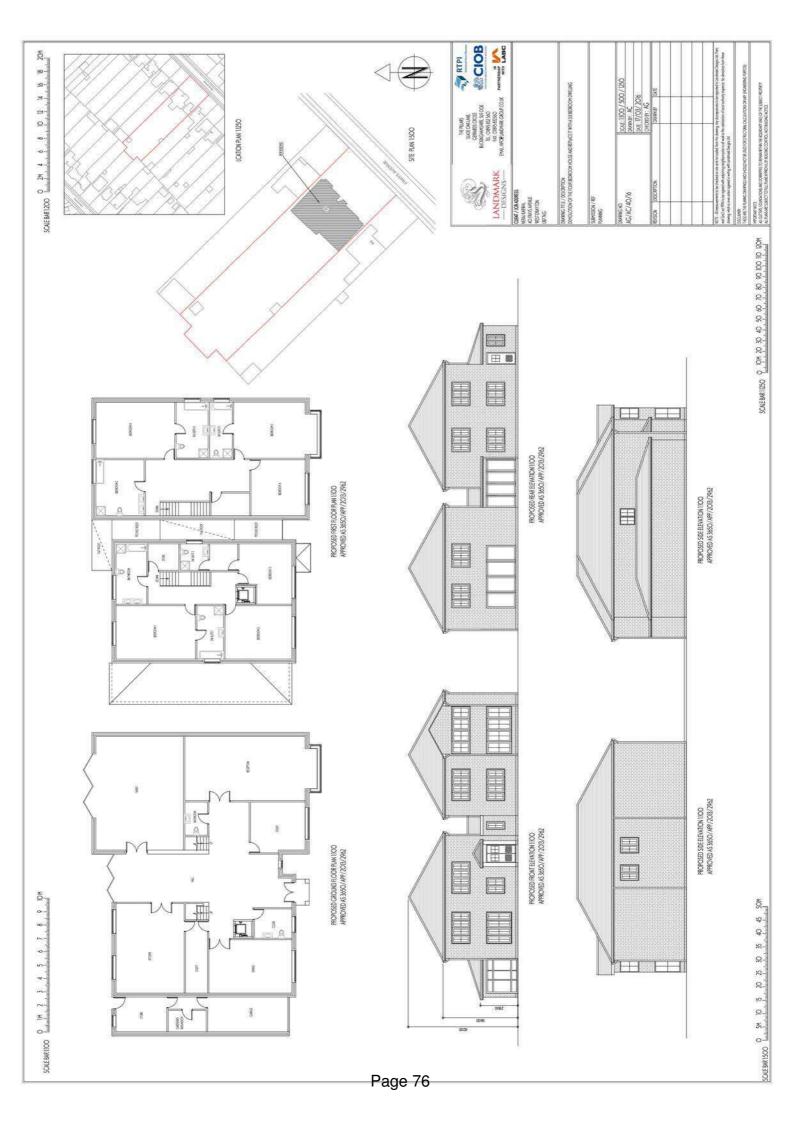
create habitable roofspace

**LBH Ref Nos:** 3650/APP/2016/1437

Date Plans Received: 12/04/2016 Date(s) of Amendment(s): 11/07/2016

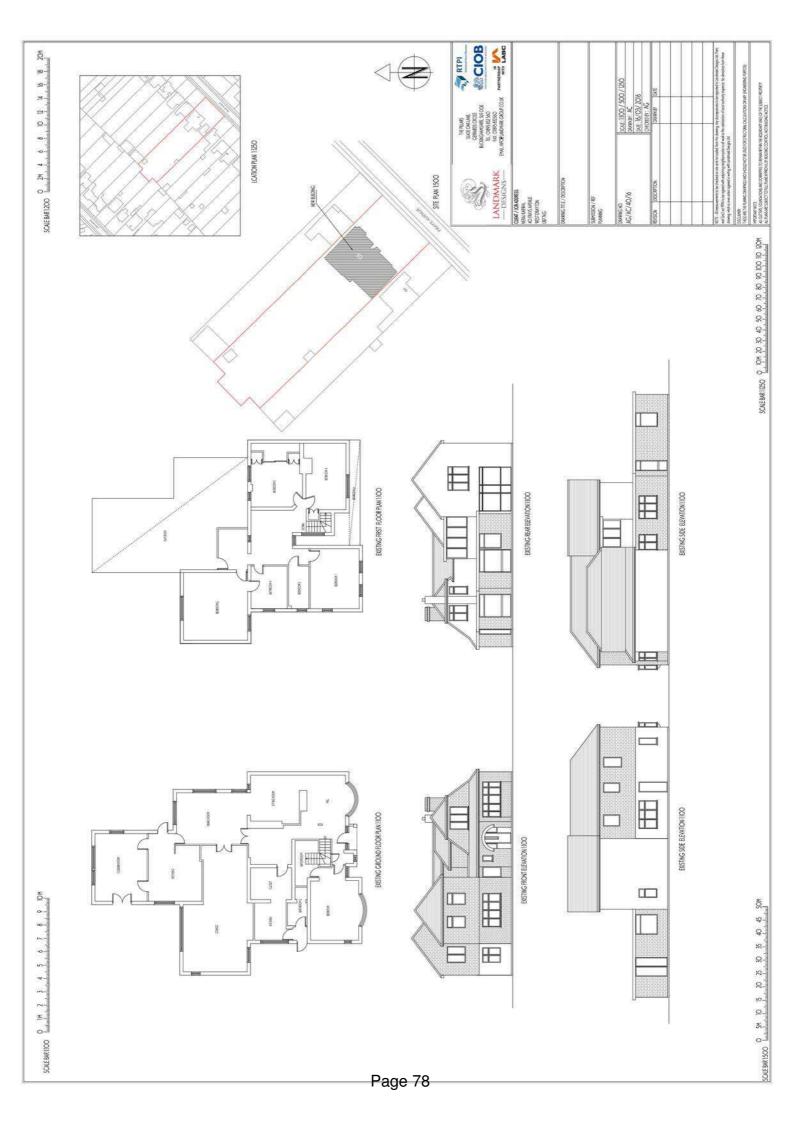
**Date Application Valid:** 18/04/2016 12/04/2016

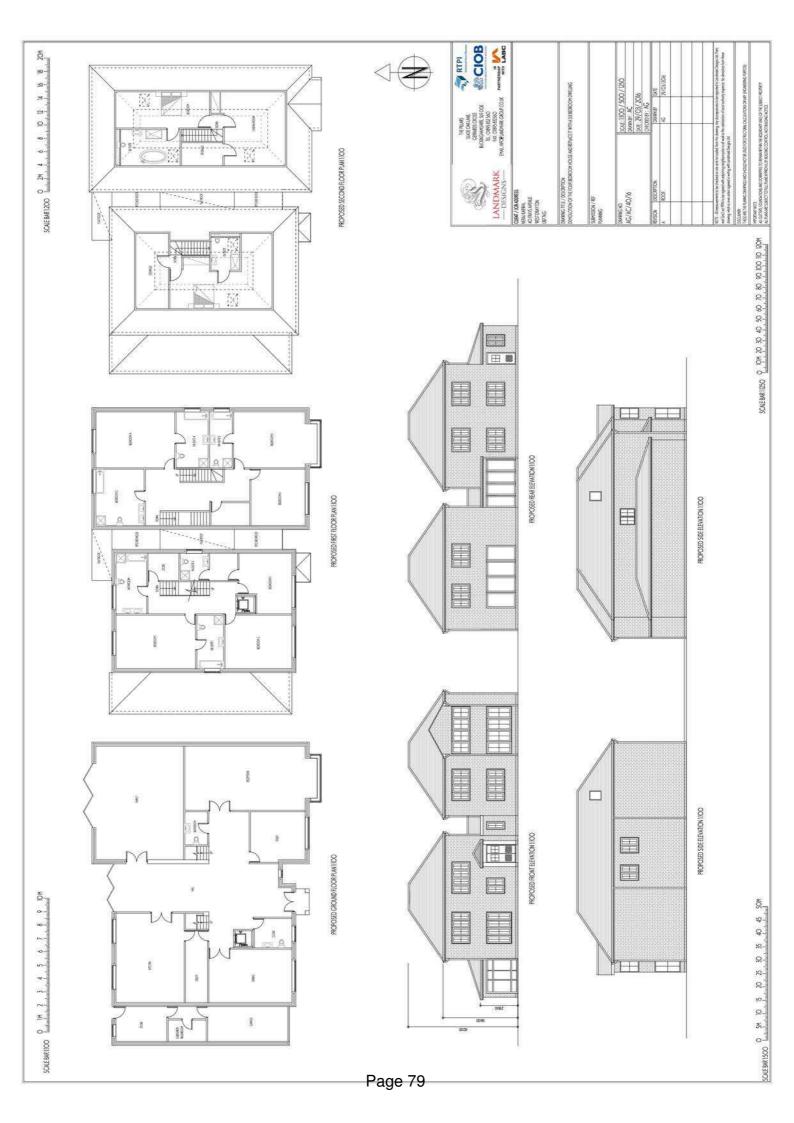
18/04/2016

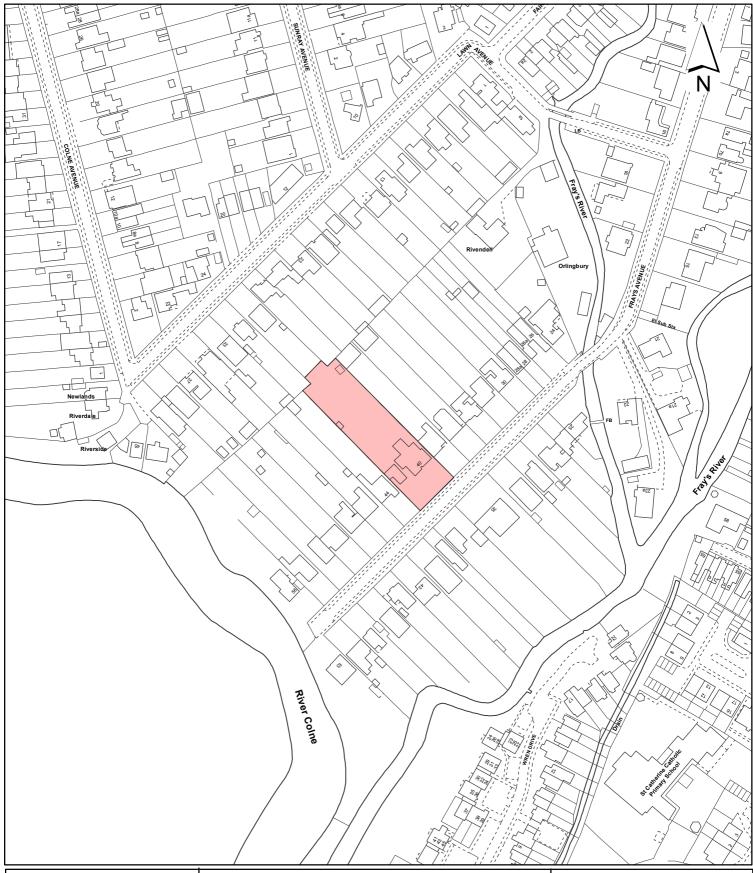




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# 40 Frays Avenue West Drayton

Planning Application Ref: 3650/APP/2016/1437

Scale:

1:2,000

Planning Committee:

Central & Southge 80

Date:

December 2016

#### LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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

Address CHADWICK BUILDING BRUNEL UNIVERSITY KINGSTON LANE

HILLINGDON

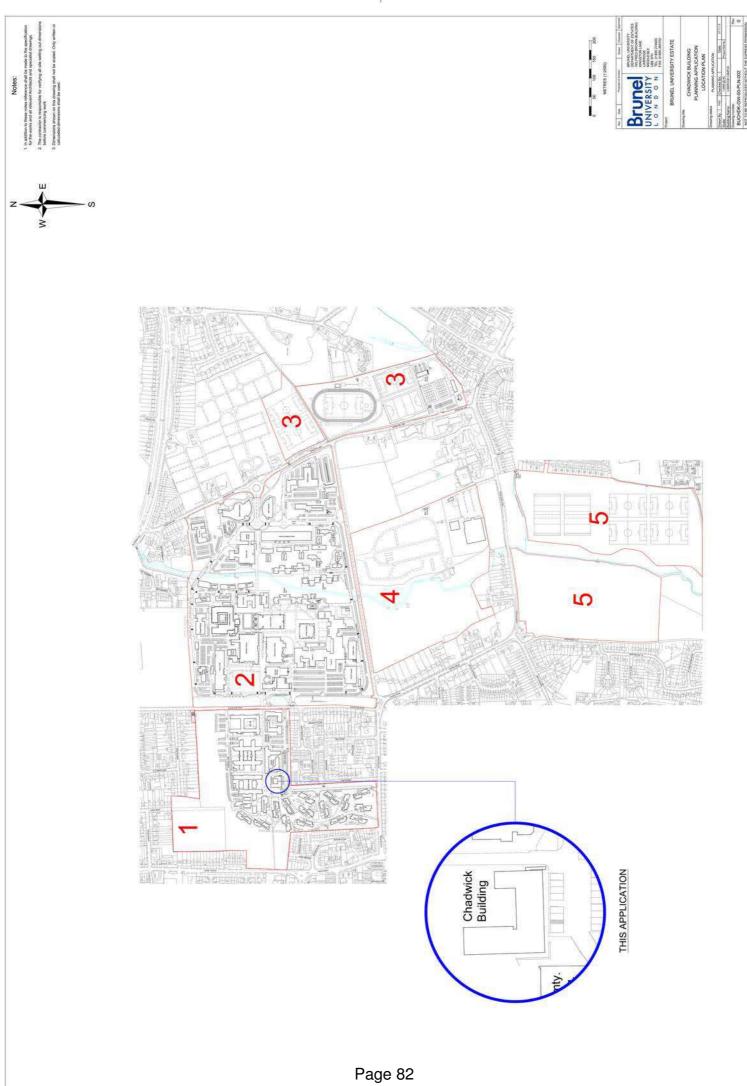
**Development:** Variation of condition 1 of planning permission reference 532/APP/2013/3688

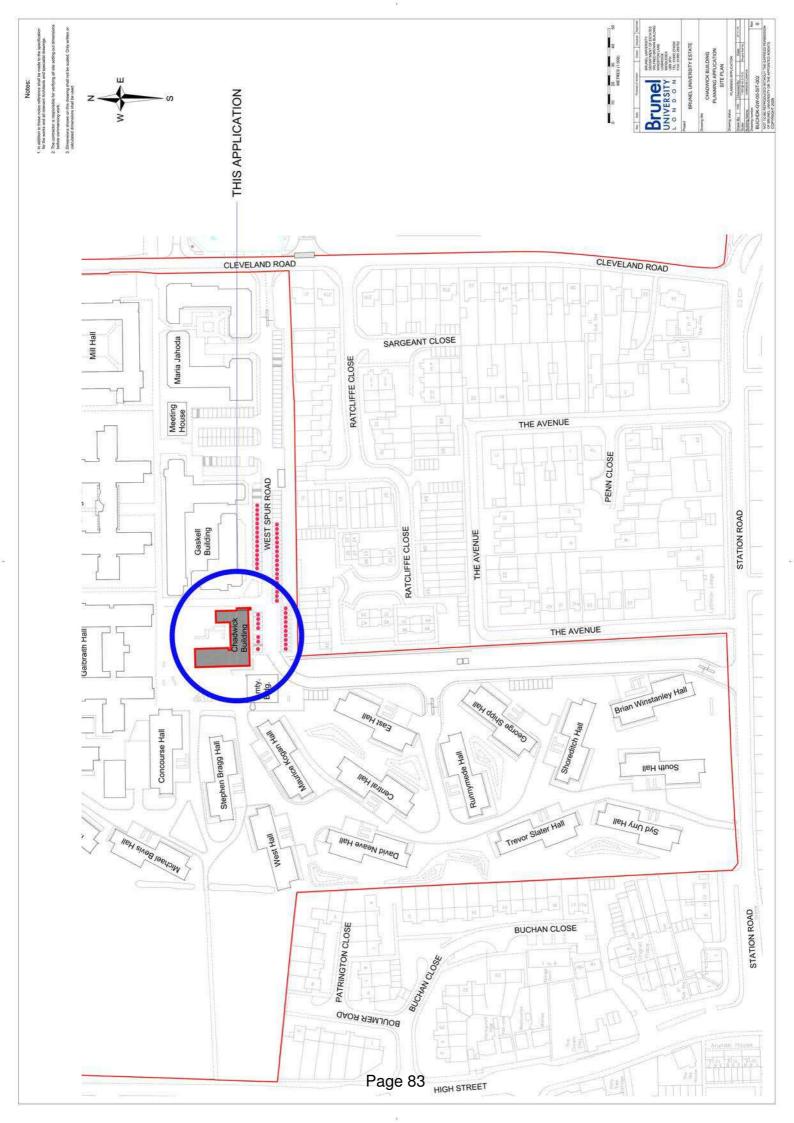
to allow the temporary Chadwick Building to be retained for a further five year

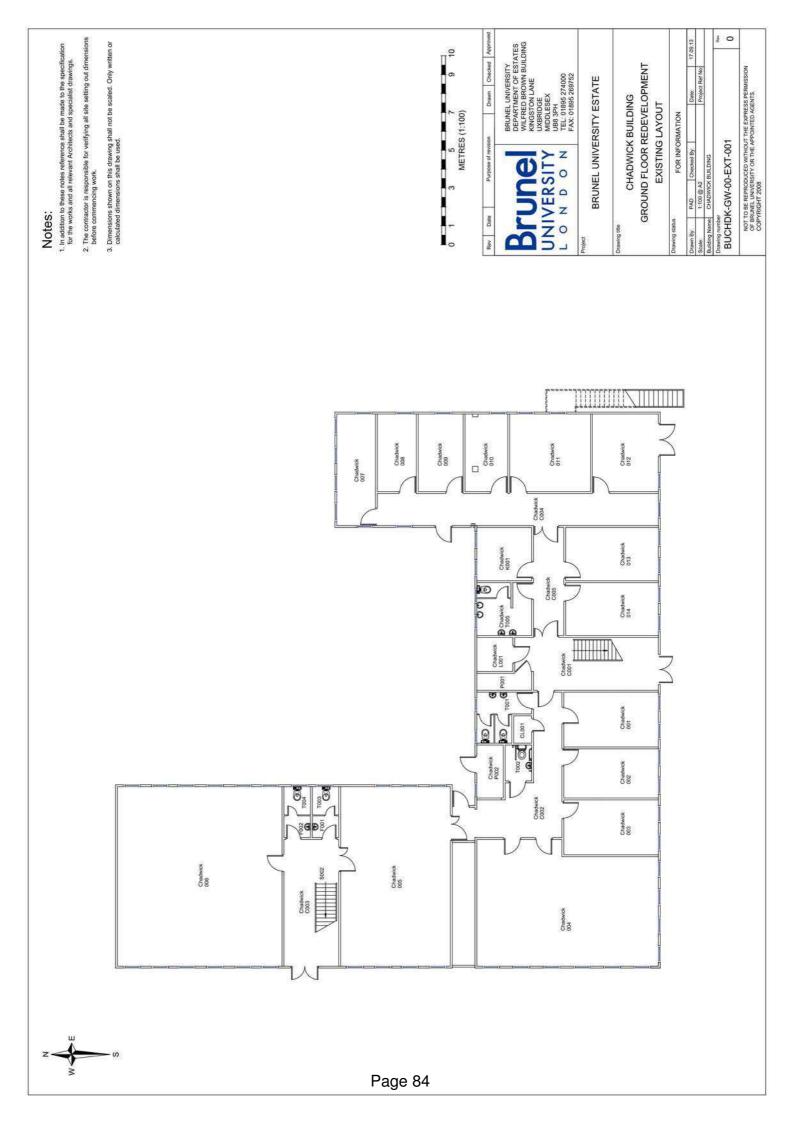
**LBH Ref Nos:** 532/APP/2016/3606

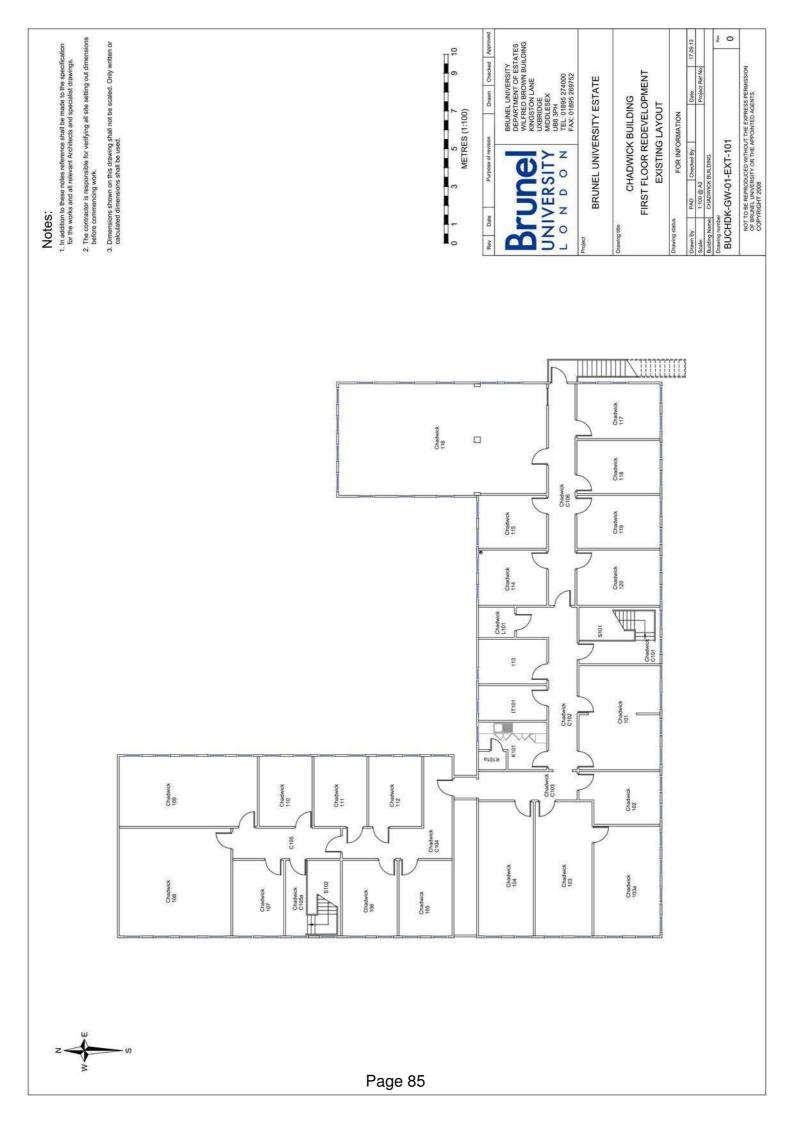
Date Plans Received: 28/09/2016 Date(s) of Amendment(s):

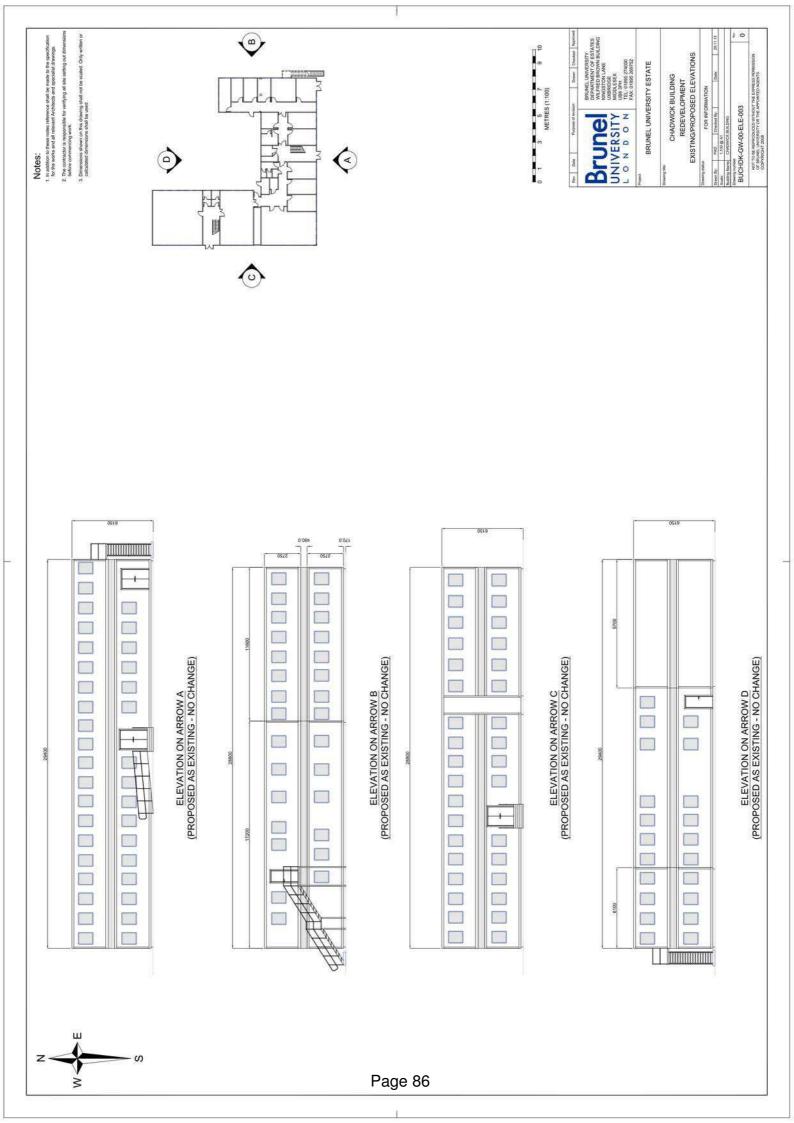
Date Application Valid: 30/09/2016

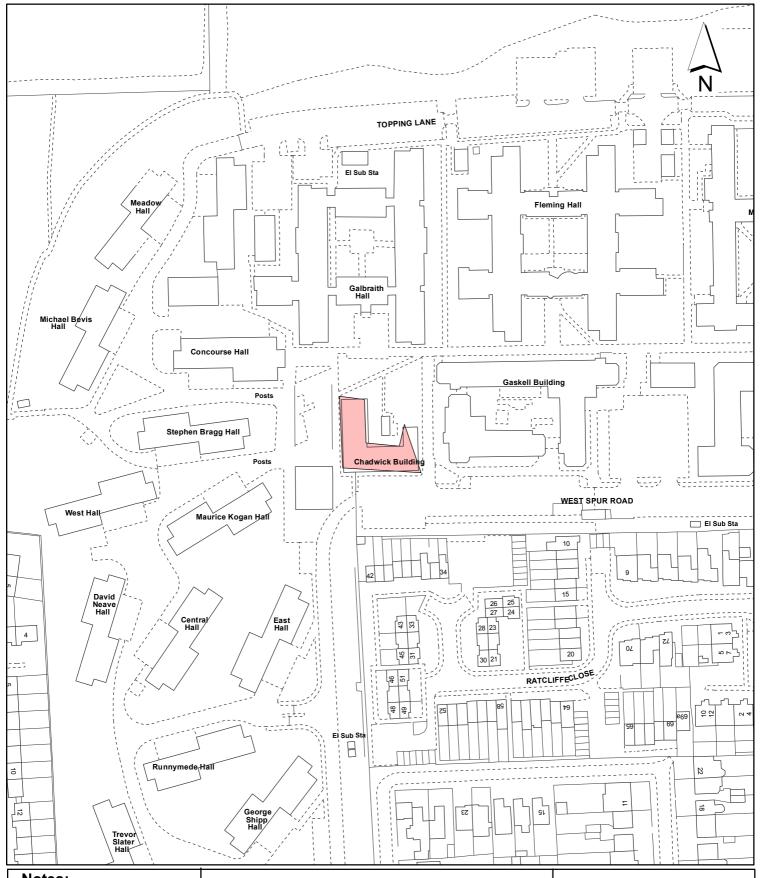












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# Chadwick Building Brunel

Planning Application Ref: 532/APP/2016/3606

Scale:

1:1,500

Planning Committee:

Central and Sputh 87

Date:

December 2016

#### LONDON BOROUGH OF HILLINGDON Posidents Services

Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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

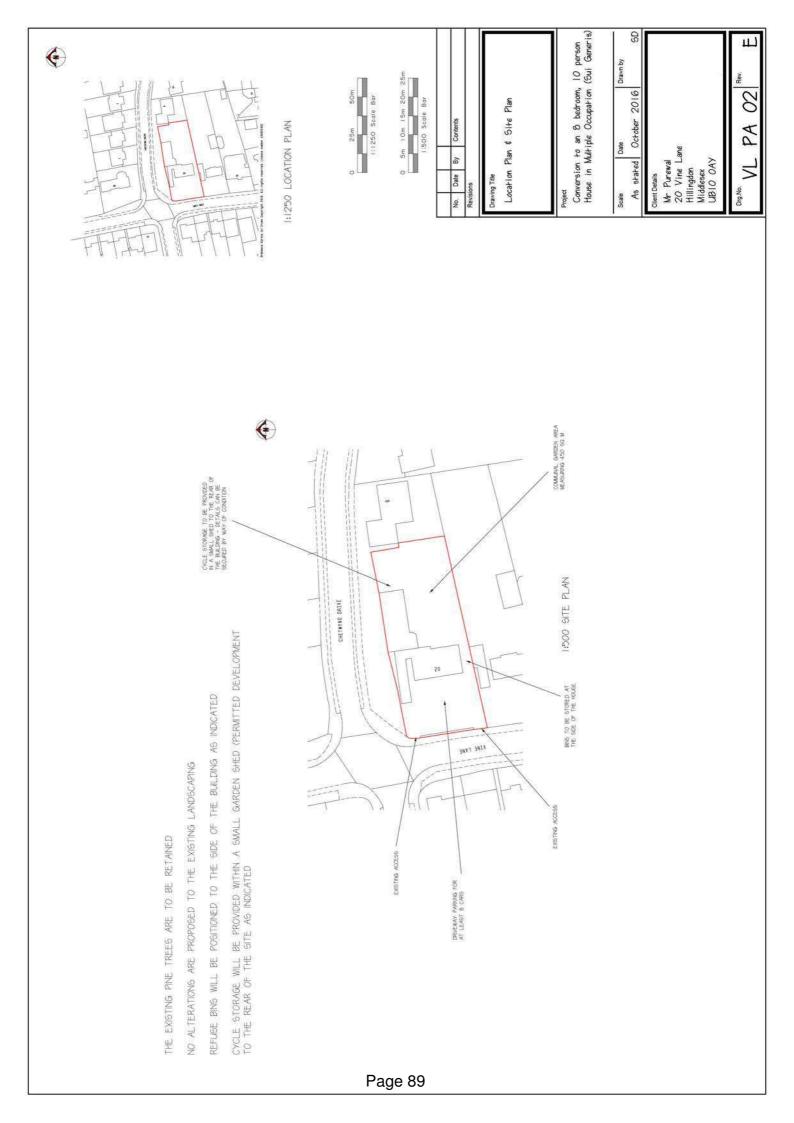
**Address** 20 VINE LANE HILLINGDON

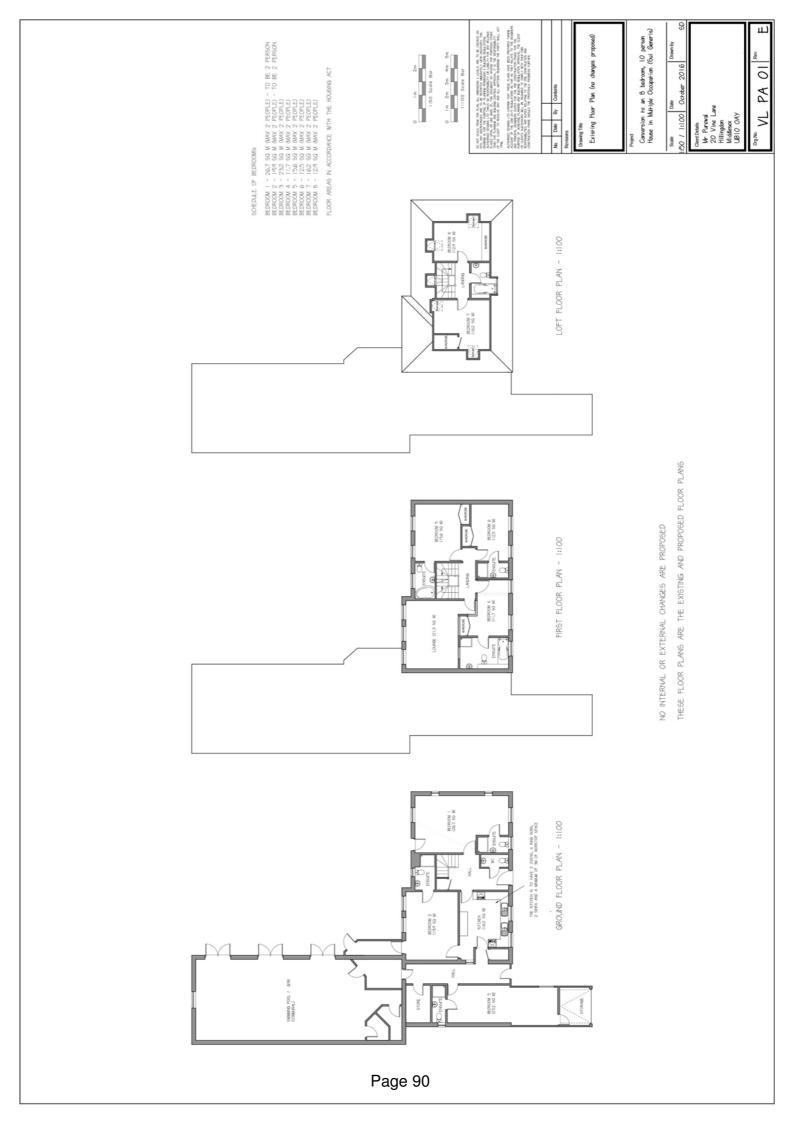
Conversion of single dwelling (Use Class C3) to form an 8 bed, 10 person House in Multiple Occupation (Sui Generis) **Development:** 

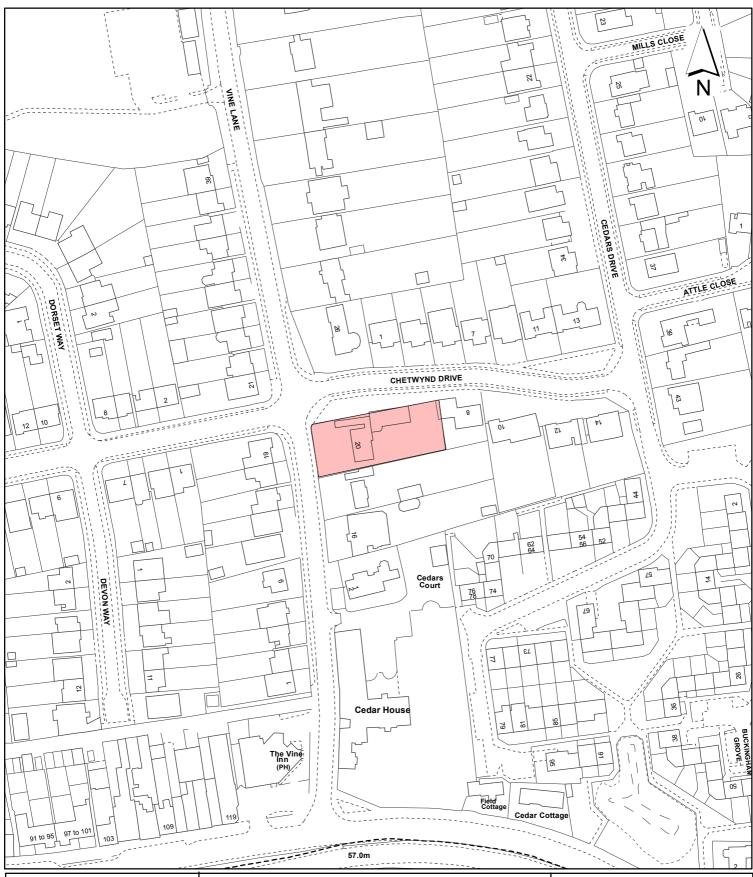
LBH Ref Nos: 21231/APP/2016/3708

**Date Plans Received:** Date(s) of Amendment(s): 06/10/2016

**Date Application Valid:** 06/10/2016











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Site Address:

## 20 Vine Lane Uxbridge

Planning Application Ref: 21231/APP/2016/3708

Scale:

1:1,500

Planning Committee:

Central and Sputh 91

Date:

December 2016

#### LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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