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# Central & South Planning Committee

Date:

**TUESDAY, 16 MAY 2017** 

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

**Councillor Janet Duncan** 

Councillor Manjit Khatra

Councillor Brian Stead

Published: Monday, 8 May 2017

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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

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# **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;

- 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 meeting 1 6
- 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	31 Morello Avenue, Hillingdon 72026/APP/2017/1064	Brunel	Conversion of single family dwelling into six-bedroom House in Multiple Occupation (HMO) (Retrospective).	7 - 16 78 - 81
			Recommendation: Refusal	
7	1 Normans Close, Hillingdon 62184/APP/2016/4117	Brunel	Two two-storey, four-bed dwellings with associated parking and amenity space, wall / fence to front, and installation of two vehicular crossovers, involving demolition of existing bungalow.	17 - 34 82 - 89
			Recommendation: Approval	

8	12 Grove Way, Uxbridge 71844/APP/2017/329	Uxbridge North	Two-storey side extension, single- storey rear extension, conversion of roof space to habitable use to include three rear rooflights and one side rooflight and porch to front.	35 - 44 90 - 108
			Recommendation: Approval	

# **Applications without a Petition**

	Address	Ward	Description & Recommendation	Page
9	10 Clayton Road, Hayes	Botwell	Change of use from retail (Use Class A1) to car hire / mini cab office (Sui Generis).	45 - 56 109 - 114
	72438/APP/2016/4505		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.

10 ENFORCEMENT REPORT11 ENFORCEMENT REPORT57 - 6869 - 76

# PART I - Plans for Central and South Planning Committee 77 - 114



# **Minutes**



# **CENTRAL** & South Planning Committee

# 12 April 2017

# 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, Alan Chapman, Jazz Dhillon, Janet Duncan, Manjit Khatra and Brian Stead
	LBH Officers Present:  James Rodger - Head of Planning and Enforcement  Meghji Hirani - Planning Contracts & Planning Information  Alan Tilly - Transport & Aviation Manager
	Nicole Cameron - Planning Lawyer Neil Fraser - Democratic Services Officer
238.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	None.
239.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	None.
240.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)
	RESOLVED: That the minutes of the meeting held on 21 March 2017 be agreed as a correct record.
241.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	The Chairman confirmed that items 12 & 13 had been added to the agenda as urgent items.
242.	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 agenda items 1-9 and 12-13 were marked as Part I and would be considered in public. Agenda items 10 & 11 were marked as Part II and so would be considered in private.

# 243. CHERRY YARD (SOUTH), HOLLOWAY FARM, HARMONDSWORTH ROAD - 2688/APP/2016/4029 (Agenda Item 6)

Temporary Change of use of land from a commercial plant growing area to car parking for staff for 5 years (Retrospective)

Officers introduced the report, confirming that the building and use were commercial in character and were in conflict with the fundamental aims of Green Belt Policy, and no special circumstances had been provided to overcome the presumption of inappropriate development in the Green Belt. It was therefore recommended that approval be refused.

The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

# 244. HOLLOWAY FARM, HARMONDSWORTH ROAD - 2688/APP/2016/3948 (Agenda Item 7)

Change of use of land from garden centre/nursery to a vehicle maintenance area involving erection of workshop and demolition of glass house and poly tunnels (Retrospective)

Officers introduced the report, confirming that the building and use were commercial in character and were in conflict with the fundamental aims of Green Belt Policy, and no special circumstances had been provided to overcome the presumption of inappropriate development in the Green Belt. It was therefore recommended that approval be refused.

The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

# 245. **5, GRANVILLE ROAD - 1404/APP/2017/271** (Agenda Item 8)

# Conversion of existing dwelling to 1 x 1 bedroom and 1 x 2 bedroom self contained flats

Officers introduced the report, confirming that there were two main issues for the Committee to consider. Firstly, that the proposed indoor living area was of insufficient size for the occupiers of the first and second floor flats. Secondly, the proposal had not provided sufficient parking provision to comply with the Council's approved car parking standard. For these reasons it was recommended that the application be refused.

The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be refused.

# 246. | **16 IVER LANE - 22813/APP/2016/4577** (Agenda Item 9)

Part two storey, part single storey side/rear extension and conversion of roof space to habitable use to include 1 rear dormer

Officers introduced the report, confirming that standards set out in the Supplementary Planning Document on residential extensions required that two storey side extensions be set at least one metre from the boundary of the property, for the full height of the building. In this instance, the ground floor was not set back from the boundary line at all.

In addition, whilst the proposal was for a first floor extension, it was confirmed that the structure at the side of the property was not sturdy enough to support the weight of the proposed extension, and so would need to be demolished, resulting in additional ground floor construction.

The addendum was highlighted, which set out comments made by the agent in relation to previous developments at No. 21 Iver Lane, which the agent felt to be a comparable scheme. In response, the officer confirmed that, as No. 21 was located at a junction, the issue of terracing and/or the infilling of a gap between properties was not a concern. In addition, previous two storey and side/front extensions at No. 21 had been carried out prior to the adoption of the Council's current standards, and the roof works were allowed as part of permitted development. As such, it was not felt that this was comparable to the proposal for 16 Iver Lane, and refusal of the application was recommended.

The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

**RESOLVED:** That the application be refused.

# 247. | ENFORCEMENT REPORT (Agenda Item 10)

# **RESOLVED:**

- 1. That the enforcement action as recommended in the officer's report was agreed.
- 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).

# 248. | ENFORCEMENT REPORT (Agenda Item 11)

# **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).

# 249. LESSER BARN, HUBBARDS CLOSE - 5971/APP/2016/3922 (Agenda Item 12)

Rebuilding of existing barn with internal and external alterations to create two three-bedroom dwellings with associated parking and landscaping

Officers introduced the report, confirming that the application had been considered at the Central & South Planning Committee meeting held on 21 March 2016, where it had been deferred so that the legal position relating to a Listed Building Consent (ref. 5971/APP/2013/1839), that was linked to an expired application, could be clarified.

The associated Listed Building Consent, ref. 5971/App/2013/1839, for the reconstruction of the Grade II Listed Lesser Barn was approved by the Committee in November 2014, subject to a Section 106 agreement, which had not yet been completed. As such, the Listed Building Consent had not been formally granted.

The description of the associated Listed Building Consent, ref. 5971/App/2013/1839, had since been amended to refer to this current application, removing reference to the expired 2012 approved application. The two linked applications were therefore now brought to the Committee for authorisation.

The proposal was to reinstate the original barn as it was prior to its collapse. To this end, much of the original timbers had been saved for re-use. The dwellings and parking provision complied with all required standards, and the impact on adjoining properties was considered acceptable. It was confirmed that the application had not materially changed in comparison to the scheme approved in 2014. The application was therefore recommended for approval.

The addendum was highlighted, which confirmed that a petition of 28 signatures had been received in support of the application.

The Head of Planning requested that delegated authority be granted to add a standard informative relating to the community infrastructure levy, should the Committee be minded to approve the application.

The petitioner, (also the agent acting on behalf of the applicant), addressed the

Committee, confirming that the site had been the subject of several approvals and approval recommendations over a number of years. It was regrettable that previous owners of the site had failed to perform, resulting in the barn subsequently collapsing. The new owner, having now acquired the site, had the funding in place to ensure the repair and restoration of the remaining timbers and to implement the development.

Following conversations with Hillingdon officers, the applicant had instructed specialist contractors to take steps to protect the timbers from further deterioration, and the draft Section 106 had now been agreed by both parties, awaiting final sign-off. However, due to the length of time the applications had been awaiting determination, the applicant was in danger of losing the funding required, and as such, the applications had been brought to the Committee as urgent items. The petitioner concluded by urging the Committee to approve the application, in line with previous determinations.

The Chairman confirmed that, as Ward Councillor for Yiewsley, he welcomed the proposal, and felt that it was an attractive development that would retain local heritage.

Members were supportive of the proposal, noting that it mirrored previously approved applications, and with this in mind the officer's recommendation was moved. This was seconded and, when put to a vote, unanimously agreed,

# **RESOLVED:**

- 1. That the application be approved; and
- 2. That the Head of Planning be delegated authority to agree an additional informative relating to the community infrastructure levy.

250. | LESSER BARN, HUBBARDS CLOSE - 5971/APP/2013/1839 (Agenda Item 13)

Dismantling of existing farm outbuilding and reconstruction to accord with planning application ref: 5971/APP/2016/3922 (Rebuilding of existing barn with internal and external alterations to create two three-bedroom dwellings with associated parking and landscaping) (Application for Listed Building Consent).

It was understood that the application was linked to ref. 5971/APP/2016/3922, which had been deliberated earlier in the meeting. The officer's recommendation was moved, seconded, and when put to a vote, unanimously agreed.

RESOLVED: That the application be approved.

# ADDENDUM

The meeting, which commenced at 7.00 pm, closed at 7.26 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. 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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# Agenda Item 6

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

Address 31 MORELLO AVENUE HILLINGDON

**Development:** Conversion of single family dwelling into 6 bedroom House in Multiple

Occupation (HMO) (Retrospective)

**LBH Ref Nos**: 72026/APP/2017/1064

**Drawing Nos:** MA PA 01 Rev. A

MA PA 03 Rev. A

Date Plans Received: 23/03/2017 Date(s) of Amendment(s):

**Date Application Valid:** 23/03/2017

# 1. SUMMARY

The application seeks retrospective planning permission for the conversion of the house into a 6 bedroom House in Multiple Occupation (HMO). Whilst the proposal would not constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document, the layout of the accommodation would fail to provide a satisfactory residential environment for the future occupants of the HMO given that the communal kitchen/diner would achieve very poor levels of outlook and light and would also result in an overintensive use of the site to the detriment of the amenities of adjoining occupiers. Furthermore the proposal would create unacceptable demand for parking, which cannot adequately be provided within the application site.

# 2. RECOMMENDATION

# **REFUSAL** for the following reasons:

# 1 NON2 Non Standard reason for refusal

The proposal would fail to provide a satisfactory residential environment for the future occupants of the HMO given that the communal kitchen/diner would achieve very poor levels of outlook and light. The proposal is therefore contrary to Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016), Policies BE19 and BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Guidance Houses in Multiple Occupation (2004).

# 2 NON2 Non Standard reason for refusal

The proposal would provide insufficient parking provision for the proposed use and would therefore result in an increase in on-street car parking in an area where such parking is at a premium thereby leading to conditions which would be detrimental to the free flow of traffic and to highway and pedestrian safety. The proposal is, therefore, contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012), the Council's Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing and the Interim Planning Policy - Houses In Multiple Occupation In The Uxbridge South And Brunel Wards (May 2013).

# 3 NON2 Non Standard reason for refusal

The proposal would result in an overintensive use of the site to the detriment of the

residential amenities of adjoining occupiers by reason of noise and disturbance. Therefore the proposal would be contrary to policies BE19, BE21 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted upplementary Planning Guidance Houses in Multiple Occupation (2004).

### **INFORMATIVES**

# 1 I52 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.

Consideration of traffic generated by proposed developments.
New development and car parking standards.
New development must harmonise with the existing street scene.
Alterations and extensions to existing buildings
New development must improve or complement the character of the area.
Daylight and sunlight considerations.
Siting, bulk and proximity of new buildings/extensions.
Requires the provision of adequate amenity space.
Requires new development to ensure adequate levels of privacy to neighbours.
(2016) Quality and design of housing developments
National Planning Policy Framework

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

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), 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.

We have however been unable to seek solutions to problems arising from the application

as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

# 3. CONSIDERATIONS

# 3.1 Site and Locality

The application property comprises of a two storey semi-detached house located on the North Western side of Morello Avenue which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has been recently extended by way of a flat roofed single storey rear extension projecting 4m to the rear. The property was unoccupied at the time of the site visit.

# 3.2 Proposed Scheme

The application seeks retrospective planning permission for the conversion of the house into a 6 bedroom House in Multiple Occupation (HMO).

# 3.3 Relevant Planning History

72026/APP/2016/2469 31 Morello Avenue Hillingdon

Erection of a single storey rear extension, which would extend beyond the rear wall of the origin house by 4 metres, for which the maximum height would be 3.5 metres, and for which the heigh of the eaves would be 3 metres

**Decision:** 25-07-2016 PRN

# **Comment on Relevant Planning History**

72026/APP/2016/2469 - Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.5 metres, and for which the height of the eaves would be 3 metres. Approved and implemented.

# 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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
LPP 3.5	(2016) Quality and design of housing developments
NPPF	National Planning Policy Framework

### 5. Advertisement and Site Notice

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

# 6. Consultations

### **External Consultees**

5 neighbouring properties were consulted by letter dated 28.3.17 and a site notice was displayed to the front of the site which expired on 27.4.17.

2 letters of objection and a petition with 67 signatories have been received raising concerns relating to the inadequate parking provision and the increased demand on the drainage system resulting from the increased number of bathrooms and residents.

# **Internal Consultees**

HMO Officer: No registered HMO's within vicinity but it is understood that there are a number of unregistered HMO's nearby.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The site is located within an area covered by an Article 4 Direction that removes permitted development rights for the conversion of residential properties to Houses in Multiple Occupation without planning permission. The Council's 'Houses in Multiple Occupation in the Uxbridge South and Brunel Wards' Planning Policy Document recognises that higher education institutions and the student population form an important element of the community and the presence of a large student population contributes greatly to the social vibrancy of Uxbridge and the local economy.

The Council are committed to ensuring student needs are met and will continue to work with Hillingdon's higher education institutions in addressing student housing needs. However, it is also recognised that concentrations of student households, often accommodated in HMOs, can cause imbalances in the local community which can have negative effects. These negative effects can include a rise in anti-social behaviour, increases in crime levels, parking pressures, general increase in demand for local shops such as takeaway establishments, off licenses etc. It can also put pressures on family and starter housing as owner occupiers and buy to let landlords compete for similar properties.

It also has implications for non-students seeking accommodation in the private rented sector. The introduction of the Article 4 Direction to remove permitted development rights for the conversion of properties enables future monitoring of the spatial distribution and impacts of student housing and other HMOs and will allow the Council to identify if it is necessary to prevent an increase in the number of student households and other HMOs in

certain areas to ensure communities retain a satisfactory mix of households.

Policy HM1 The Council's 'Houses in Multiple Occupation in the Uxbridge South and Brunel Wards' Planning Policy Document states that:

'Applications for the change of use from dwelling house (Use Class C3) to HMO (Use Class C4 and Sui Generis) will only be permitted where:

- · It is in a neighbourhood output area where less than 20% of properties are exempt from paying council tax because they are entirely occupied by full time students or recorded on the Council's database as an HMO or benefit from C4/Sui Generis HMO planning consent or are known to the Council to be HMO's (based on the Councils annual survey data) or
- · Less than 15% of properties outside Conservation Areas, or 5% in Conservation Areas, within 100 metres of a street length either side of an application property are exempt from paying council tax because they are entirely occupied by full time students or recorded on the Council's database as an HMO or benefit from C4/Sui Generis HMO planning consent or are known to the Council to be HMOs; and
- · The accommodation complies with all other planning standards relating to car parking, waste storage, retention of amenity space and garages and will not have a detrimental impact upon the residential amenity of adjoining properties.'

It is noted that there are no other Registered HMOs within a 100 metres distance of the current proposal. Policy HM1 of the Interim Planning Policy Document (May 2013) states planning permission will only be granted where less than 15% of properties outside Conservation Areas, within 100 metres of a street length either side of an application property are exempt from paying Council tax because they are entirely occupied by full time students or recorded on the Council's database as an HMO or benefit from C4/Sui Generis HMO planning consent or are known to the Council to be HMOs.

The application property is located on the North Western side of Morello Avenue. There are 12 properties within a distance of 100m to the South West of the application site, of which none are recorded as HMO's. There are 12 properties to the North East which are not recorded as HMO's. As such the proposal would not result in an over-concentration of such uses as outlined in policy HM1.

# 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

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

The proposal does not propose any external alterations to the property and is considered

acceptable in this respect.

# 7.08 Impact on neighbours

The application proposes no extensions to the building and is solely for a change of use which seeks permission for an HMO use. Morello Avenue, in the main, comprises modestly sized semi-detached dwellings, where the impact of a large HMO would be exacerbated more than in other suburban streets where there is less dense development.

The proposal would provide 5 double and 1 single bedroom resulting in the potential for 11 unrelated individuals to live together sharing basic amenities such as a kitchen and a bathroom. It is considered that the number of residents proposed within the building would be substantially more than if a large family were to occupy the dwelling and therefore the impact on neighbouring occupiers, in terms of vehicle movements, movements of residents at all times of the day and night and consequently noise and disturbance would be greater than could reasonably be expected if the property were occupied by a family and thus the proposal is considered, on balance to have an unacceptable and undue impact on existing residential amenity and the proposal would therefore be contrary to Policies BE19, BE21 and OE3 of the Hillingdon Local Plan: Part Two - Saved Policies (November 2014).

# 7.09 Living conditions for future occupiers

# NTERNAL FLOOR AREA

Paragraph 3.5 of the Houses in Multiple Occupation SPD (2004) notes that the suitability of a property to be an HMO will vary depending on the type of house. For semi detached houses, the SPG States that Table 4 sets out the maximum recommended occupancy levels for the conversion of semi-detached dwellings into non self-contained housing. The Council will normally attach conditions to planning permissions, in order to maintain occupancy within these levels. HMOs and hostels will also be required to retain at least one ground floor habitable room over 10 sq.m, other than a kitchen, for communal living purposes. Regardless of the number and size of additional habitable rooms in an enlarged semi-detached house, the maximum number of occupants in such properties will be limited to 9 persons.

The proposed development is seeking change of use to a HMO of 6 bedrooms. The Houses in Multiple Occupation SPD (2004) sets minimum standards for bedrooms sizes and requires a minimum of 6.5-10 sq.m of internal space for a 1-person bedroom. The proposed development comprises bedrooms ranging in size as follows:

Bedroom 1 - 13.6 sq.m (en-suite) Bedroom 2 - 10.94 sq.m (en-suite) Bedroom 3 - 10.98 sq.m (en-suite) Room 4 - 12.5 sq.m (en-suite) Bedroom 5 - 13.14 sq.m (en-suite) Bedroom 6 - 6.5 sq.m

The submitted plans also include the provision of a kitchen/dining room measuring 19.5 square metres and a separate first floor bathroom.

Based on the submitted plans, the layout of the bedroom accommodation is compliant with the HMO SPG in terms of the size of the bedrooms and facilities provided. It is however noted that In terms of number of people, up to to 11 people could reside in this property under the Housing Act 2004 and they are listed as follows: Bedroom 1 - 2 people Bedroom 2 - 2 people; Bedroom 3 - 2 people Bedroom 4 - 2 people; Bedroom 5 - 2 people, Bedroom 6 - 1 person.

The Council's guidance places importance on communal lounges for HMO's. The submitted plans indicate that the communal living space would comprise of a kitchen/diner with a small window with an outlook of the neighbouring flank wall being located approximately 1.5 m away from the boundary fence and 4 m away from the flank brick wall at Number 31. The proposal would therefore fail to provide a satisfactory residential environment for the future occupants of the HMO given that the communal kitchen/diner would achieve very poor levels of outlook and light. The proposal is therefore contrary to Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016), Policies BE19 and BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document Houses in Multiple Occupation SPG (2004).

The Council's SPG on HMO's requires the provision of 15 square metres of external amenity space for each habitable room (excluding those used for communal living purposes). Therefore, the proposed development would be required to provide 90 square metres of external amenity space. The rear garden provides some 125 square metres and as such is considered to comply with Policy BE23 of the Hillingdon Local Plan (November 2012).

The HMO Officer has indicated that facilities provided for the future occupants of the HMO are acceptable.

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

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of 1 space per two bedrooms

The submitted plans show that there are three parking spaces provided within the frontage. However the position of the crossover and the parking layout indicates that the 3 spaces could not be independently accessed. The scheme therefore proposes inadequate provision of off-street car parking which would be detrimental to the free flow of traffic and give rise to conditions prejudicial to highway and pedestrian safety. Accordingly, the scheme is contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012), the Council's Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing (August 2004) and the Interim Planning Policy - Houses In Multiple Occupation In The Uxbridge South And Brunel Wards (May 2013).

# 7.11 Urban design, access and security

The issues are addressed in the sections above.

# 7.12 Disabled access

No issues are raised.

# 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 comments received as a result of the consultation process are addressed in the sections above.

# 7.20 Planning obligations

Not applicable to this application.

# 7.21 Expediency of enforcement action

Should the application be refused the expediency of enforcement action will need to be considered by members and would be the subject of a separate report.

# 7.22 Other Issues

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

# 8. Observations of the Borough Solicitor

# General

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

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

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

# **Planning Conditions**

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

# Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The

obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

# 9. Observations of the Director of Finance

Not applicable to this application.

# 10. CONCLUSION

The application seeks retrospective planning permission for the conversion of the house into a 6 bedroom House in Multiple Occupation (HMO). Whilst the proposal would not constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document, the layout of the accommodation would fail to provide a satisfactory residential environment for the future occupants of the HMO given that the communal kitchen/diner would achieve very poor levels of outlook and light and would also result in an overintensive use of the site to the detriment of the amenities of adjoining occupiers. Furthermore the proposal would create unacceptable demand for parking, which cannot adequately be provided within the application site.

# 11. Reference Documents

Hillingdon Local Plan (November 2012);

The London Plan (2016);

National Planning Policy Framework;

Hillingdon Supplementary Planning Guidance Houses in Multiple Occupation;

Houses in Multiple Occupation in the Uxbridge south and Brunel wards.

Contact Officer: Nicola Taplin Telephone No: 01895 250230







# Site boundary

For identification purposes only.

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Site Address:

# 31 Morello Avenue

Planning Application Ref: 72026/APP/2017/1064

Planning Committee:

Central & Soաthge 16

Scale:

1:1,250

Date:

May 2017

# **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 1 NORMANS CLOSE HILLINGDON MIDDLESEX

**Development:** Two x two storey, 4-bed dwellings with associated parking and amenity

space, wall/fence to front and installation of two vehicular crossovers,

involving demolition of existing bungalow

**LBH Ref Nos:** 62184/APP/2016/4117

**Drawing Nos:** Highway Statement

Location Plan (1:1250)

BPC001 BPC002 BPC003

LST001 (Proposed Side Elevations) LST001 (Proposed Site Layout)

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

**Date Application Valid:** 22/11/2016

# 1. SUMMARY

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

The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It is considered that the provision of off street parking spaces is acceptable in this location and the proposed crossovers are not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

# 2. RECOMMENDATION

# APPROVAL subject to the following:

# 1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### REASON

To comply with Section 91 of the Town and Country Planning Act 1990

# 2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers BPC001, BPC002, BPC003, LST001 (Proposed Site Layout) and LST001 (Proposed Side Elevations) and

shall thereafter be retained/maintained for as long as the development remains in existence.

### REASON

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

# 3 RES7 Materials (Submission)

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

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

### REASON

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

# 4 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

# **REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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

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

- 1. Details of Soft Landscaping
- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
- 2.a Refuse Storage
- 2.b Cycle Storage (for two cycle parking spaces per dwelling)
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts
- 2.e Hard Surfacing Materials
- 3. Details of Landscape Maintenance
- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes

seriously damaged or diseased.

# 4. Schedule for Implementation

# 5. Other

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

5.b Proposed finishing levels or contours

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

# **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016).

# 6 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2016) Policies 3.1, 3.8 and 7.2

# 7 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 3 Normans Close.

# **REASON**

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

# 8 RES13 Obscure Glazing

The side windows at ground and first floor level facing 3 Normans Close shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

### REASON

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

# 9 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garages, sheds or other outbuildings, nor extensions or roof alterations to any dwellinghouses hereby approved, shall be erected without the grant of

further specific planning permission from the Local Planning Authority.

# REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 10 RES15 Sustainable Water Management (changed from SUDS)

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

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

ii. include a timetable for its implementation; and

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

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

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

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

# **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.12.

# 11 RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

# **REASON**

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 12 NONSC Non Standard Condition

All residential units within the development hereby approved shall be built in accordance with Part M4(2) of the Building regulation standards as set out in the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

# **REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2015) Policies 3.1, 3.8 and 7.2.

# **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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	
	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional
OLO	surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,
IIDAO-LAI	Supplementary Planning Document, adopted July 2006
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
141 1 1 1	THE TREGULATING GOOD DESIGN

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

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015).

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

# 4 147 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 |2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

# 6 I5 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

# 7 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

# 8 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you

should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

### 3. CONSIDERATIONS

# 3.1 Site and Locality

The application site is a large sized corner plot, located on the Northern side of Normans Close at the junction between Normans Close and Peel Way. The plot is broadly rectangular in shape and has a detached bungalow with an integral garage on it. The property fronts onto Normans Close with the principal front elevation facing South. The front garden is mainly landscaped with a driveway leading to the garage which provides an additional parking space. The bungalow is sited more to the East of the large plot closer to the neighbouring property, no.3 Normans Close and has amenity space, mostly grass, to all sides with a good sized rear garden.

The street scene is residential in character with two storey properties to the Eastern and Southern sides as well as on the opposite corner of the junction. The application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

Parking restrictions apply between 9.00 am and 5.00 pm, Monday to Friday. The principal elevation of the existing bungalow and of the two proposed dwellings is almost due South.

# 3.2 Proposed Scheme

The application is for the demolition of the existing bungalow and replacement with  $2 \times 10^{10} \, \text{m}^{-2}$  x two storey, 4-bed dwellings with associated parking and amenity space. Each property will have off street parking to the front for two vehicles and the installation of  $2 \times 10^{10} \, \text{m}^{-2}$  vehicular crossovers.

The current scheme has been amended from the original scheme which initially proposed 3 dwellings on the plot.

# 3.3 Relevant Planning History

# **Comment on Relevant Planning History**

There is no planning history associated with this site.

# 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:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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.
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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

# 5. Advertisement and Site Notice

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

# 6. Consultations

### **External Consultees**

13 neighbours were consulted for a period of 21 days expiring on the 19 January 2016. A site notice was also erected.

Six individual responses and a petition of 95 signatures received raising the following points:

- 1. Over development of the plot.
- 2. Overcrowding of the site.
- 3. Loss of on street parking in an area of parking stress.
- 4. Lack of amenity space.
- 5. Unacceptable impact on neighbouring properties.
- 6. Layout and density not in keeping with the character of the local area.
- 7. Increasing traffic.
- 8. Detrimental to private life which currently enjoying.
- 9. The Bungalow is like a landmark in the Peel Way Area. It has a beautiful garden area to the side of its plot which adds character to the Road.
- 10. The proposal driven by a financial uplift with no thought towards decent living standards resulting in cramped lifestyle with no garden.
- 11. General disruption. The proposal will result in extensive building works, multiple lorries delivering large amounts of materials, in addition to this lots of noise and mess, that could be on every day of the week.
- 12. These properties need to be Westerly facing as the properties on the other corners do.
- 13. Negative impact to the current character of the Street.
- 14. The Plot does not warrant more than 1 dwelling and the current Bungalow as it stands sits perfectly on its plot and compliments the outlook of the street.
- 15. The other houses on Normans Close are much further away from houses on Pield Heath Road due to both the gardens being deeper.
- 16. Developer trying to optimise his returns and not giving any consideration to the residential community.
- 17. 2 large detached properties going to dominate and overwhelm the plot. Properties are too close and not in keeping with the existing street scene.
- 18. The gable of the property nearest to our property (no.3 Normans Close) will be much closer than the present bungalow. Kitchen window will be facing onto new development causing reduction in sunlight due to proximity and size of proposed houses.
- 19. Over dominating by hard-standing fronting the road.
- 20. Site should only be redeveloped as one dwelling and should only be a bungalow.
- 21. It is a gross over development and will maximise the negative impact on the physical environment, the character of the area, the traffic flow and the privacy of the local residents.
- 22. Will be an obvious direct line of sight and unacceptable intrusion into the private rear gardens of the following properties; Numbers 3, and 5 Normans Close, Numbers 1, 3 and 5 Peel Way, 205, 207, 209, 211 Pield Heath Road. Contrary to Policy BE24.
- 23. The addition of driveways shown on the proposal is not keeping with the character of Normans Close and reviewing the UDP, point H7 is not met by this proposal.
- Other existing corner plots have no access from the street but from the main road, such as Bradshawe Waye and Saxon Close.
- 24. Impact on environment and development will have impact on water run off.

- 25. The hard surfacing and density of this proposal (original scheme was for 3 dwellings), the removal of green garden space plus the contrast in design to the correlating corners of Bradshawe Waye, Saxon Close and Benson Close will clearly have a negative impact on the character of the area.
- 26. The proposed properties do not meet the needs of the aging population in the borough. Should be kept as a bungalow.
- 27. Corresponding corner plots on Peel Way and the corners of Bradshawe Waye, Benson Close and Saxon Close have semi-detached properties on them. These are designed facing along an East/West axis so that the invasion of privacy is significantly reduced.

### **Internal Consultees**

### TREES AND LANDSCAPE OFFICER:

This site is occupied by a bungalow, located on a relatively spacious plot at the junction of Peel Road and Norman's Close. The plot has a well kept garden. However, there are no trees or other landscape features which would constrain development.

COMMENT: This scheme has been amended since my previous comments of 5 December 2016. The same comments apply, albeit the amended proposal to build two detached houses provides more satisfactory private garden/external landscape spaces. If the application is recommended for approval, landscape conditions should be imposed to ensure that the development contributes to the character and appearance of the area.

RECOMMENDATION: No objection subject to conditions RES9 (parts 1, 2, 5 and 6).

# HIGHWAYS OFFICER:

Normans Close is a local road in the Borough road network. It is part of a CPZ that operates 0900-1700 Monday to Friday. There is an on-street residents parking bay directly outside the property. The road is subject to parking stress as not all properties have off-street car parking. The existing property has a vehicular crossover to access a driveway and garage. The site has a PTAL value of 2 (poor) so there will be a strong reliance on private cars for trip making.

The proposals involve demolishing the existing bungalow and erecting 2 x 4 bed houses on the site. The floor plans show each dwelling with 2 car parking spaces which meets policy requirements. The proposed access will mean the loss of the on-street residents car parking bay. There will be small increases in local traffic as a result of the proposed redevelopment of the site but this will not be significant. There is a shed shown in the rear gardens of each new property which could be used for two cycle parking spaces per dwelling but I would like the provision of secure covered cycle parking spaces conditioned. There will need to be conditions applied to any approval relating to visibility splays.

If approved the applicant will be responsible for all costs associated with changing the Traffic Management Order that covers the existing residents parking bay along with removing and making good the bay markings and post. In light of the above comments I have no significant highways concerns over the proposed application.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious corner plot, which is considered to be a brownfield site.

The site lies within an established residential area where there would be no objection in

principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with all other planning policies.

Given the residential character of the surrounding area, there is no in principle objection to the development of the site to provide additional residential accommodation, subject to appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

# 7.02 Density of the proposed development

Policy 3.4 of the London Plan seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted. Table 3.2 states that on sites in urban locations with a Public Transport Accessibility Level of 2 and average unit sizes of 3.8 - 4.6 habitable rooms, densities of up to 45-120u/ha or 200-450hr/ha would be appropriate.

The application site has an area of approximately 0.053 ha and would contain 2 dwellings providing a total of 14 habitable rooms. This results in a density of 38 u/ha or 264 hr/ha. This proposal therefore broadly falls below the density range envisaged under the London Plan, however the density ranges set out in the London Plan are not used in the assessment of schemes of less than 10 units.

Minimum gross internal floor and storage is a further measure of the suitability of the size of a proposed dwelling. DCLG guidance identifies that 2 storey, 4 bedroom properties for 5 persons should provide a minimum 97 sq m and 3 sq m of inbuilt storage. The proposed properties comply with this guideline as each dwelling has a total internal floor area of 129 sq m.

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

Not applicable to this application.

# 7.04 Airport safeguarding

Not applicable to this application.

# 7.05 Impact on the green belt

Not applicable to this application.

# 7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area."

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The area is residential in character and is fairly uniformly laid out, mostly featuring pairs of dwellings of similar size and design, arranged with similar spacing and plot size characteristics. Generally most of the dwellings are two storey semi and detached dwellings under hipped roofs in good size plots. The existing bungalow and application site

is the only single storey property in the immediate vicinity with the remainder all two storey dwellings under hipped roofs.

The proposed dwellings are relatively simple in design and uncomplicated, with a footprint of approximately 76sq m, slightly larger than surrounding properties. The proposed dwellings measure 10.2m deep by 8m wide, with a hipped roof detail and of a similar height to the adjacent property. Given the hipped nature of the design and the angle of pitch, it is considered that the roofs would not appear unduly bulky within the street scene.

To the front is an extending canopy over the front door under a small pitched roof, a feature not uncharacteristic of the area. To the rear there is a small double storey projection 2m in depth and 4.5m wide with a hipped roof which sits 1m below the main roof ridge height. Both plots maintain the existing front building line and are set back from the front boundary by 6m. Plot two is set back from the side boundary with no.3 Normans Close by 1m. Plot one is set back 6m from the side boundary adjacent to Peel Way. The site will be enclosed to the rear and to the corner of Peel Way with a 1.8m timber fence behind which is a private access alleyway for properties fronting onto Pield Heath Road.

The scheme originally proposed 2 x 3 bedroom semi-detached dwellings and a 1 x 3 bedroom detached dwelling however this was considered unacceptable and over development of the site, which also raised concerns from residents on the potential adverse impacts. The existing plot benefits from a well maintained landscaped garden which is visible from Peel Way, with the existing bungalow set further into the plot towards the East. The original proposal would have reduced this green open amenity space with the new detached dwelling sitting much closer to the boundary adjacent to Peel Way. The proposed scheme has now been amended and, in terms of its siting, design and appearance the proposal is considered to be in keeping with the character and appearance of the surrounding area. Therefore the proposal reflects the architectural character and appearance of the wider area and complies with the requirements of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

# 7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD HDAS: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

Whilst plot one has moved closer to the boundary with Peel Way it is still 6m from the boundary and as such given that the low wall to the front has been maintained, the general openness of the corner plot will be maintained. The proposed dwelling will also sit 7m from the rear boundary. There will be a 1.1m separation gap between both the proposed plots and both will sit on the same building lines front and rear. Plot two is set back 1m from the boundary line to the neighbouring property no.3 Normans Close with a separation gap of approximately 4m between the two properties. To the rear, the proposed dwelling on plot two will sit roughly in line with the neighbouring property with the modest rear projection furthest away on the opposite side so as not to have any adverse impact on the neighbouring property. There will be no impingement of any 45 degree sight lines. Given the siting and distance from adjoining properties, it is considered that the proposed dwellings

would not result in over dominance, loss of outlook or loss of light to the neighbouring property. It is noted that there are two windows proposed on the side elevation facing no.3 Normans Close. At ground floor one window serves the cloakroom and on the first floor the main bathroom. It is recommended that these are conditioned to be obscure glazed and fixed shut below 1.8m.

The proposed plots are also over 30m from the rear elevations of the properties fronting onto Pield Heath Road separated by their long gardens, rear outbuildings/garages and the private access road. To the front of the proposed dwellings the existing corner dwelling at no.1 Peel Way sits 21m away and whilst concerns have been raised over overlooking and loss of privacy, it is considered there is sufficient distance, which complies with the Council's standard, between the proposed dwellings and the surrounding properties so as not to cause any significant or unacceptable harm. It is considered that the proposed dwellings would not increase overlooking over and above that already experienced from adjacent two storey buildings. The impact on the amenities of the neighbouring properties is therefore considered to be satisfactory.

As such it is considered that the proposal would not result in an un-neighbourly form of development and complies with the requirements of Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

# 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. The Mayor of London adopted the new national technical standards through The Housing Standards (Minor Alterations to the London Plan) in March 2016 and this sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

The standards require that a two storey, 4 bedroom, 6 person dwelling should provide a gross internal floor area (GIA) of 106sq.m, a 7 person dwelling should provide a gross internal floor area (GIA) of 115sq.m and an 8 person dwelling should provide a gross internal floor area (GIA) of 124sq.m.

The proposal is considered to provide three double bedrooms and a single per dwelling and would thus be 7 person dwellings. The proposed has floor areas of some 130 sq.m which is in excess of the minimum requirements and therefore is considered acceptable.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. The adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts at Paragraph 4.15 recommends that a 4 bedroom house should provide a minimum of 100sq.m of usable amenity space.

The proposal provides some 110sq.m and 120sq.m of usable private amenity space for

plots one and two respectively which is in excess of the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

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

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 2 spaces per dwelling.

The proposed dwellings will be served by two parking spaces to the front and retain adequate landscaping to the front, side and rear. The proposal will creates separate identical crossovers 5 metre wide to the West to serve the proposed dwellings. Whilst there have been concerns raised about the installation of these new crossovers, there is sufficient visibility to ensure that the provision of this crossover would not impact on highway safety and the Council's Highway Officer has not raised objection to their size or siting.

The proposed dwellings maintain the existing front building line and maintain a similar level of set back from the boundary. It is therefore considered there will be no material change in visibility into or out of the road to that currently existing. Thus in terms of both the number of parking spaces proposed and highway and pedestrian safety 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 adopted Supplementary Planning Document HDAS: Residential Layouts.

# 7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations which the development will be required to accord with.

# 7.12 Disabled access

If the scheme is found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

# 7.13 Provision of affordable & special needs housing

Not applicable to this application.

# 7.14 Trees, landscaping and Ecology

Hillingdon Local Plan Part Two Policy BE38 seeks the protection and retention of existing trees and landscape features of merit and considers where appropriate the provision of additional landscaping as part of a proposed development. There are no trees or other landscape features existing on the site and a landscape condition is recommended to ensure that the development contributes to the character and appearance of the area.

# 7.15 Sustainable waste management

Policy 5.17 of the London Plan requires that all new development provide adequate facilities for the storage of waste and recycling. This matter is the subject of a condition.

# 7.16 Renewable energy / Sustainability

Not applicable to this application.

# 7.17 Flooding or Drainage Issues

The site is not within a flood zone. However a sustainable water management condition is recommended.

# 7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

Issues of property value and return on investments are not material planning considerations in the assessment of the proposal. If this proposal were deemed acceptable, it would not set a precedent for other development as all applications are assessed on their own merit with regard to compliance with planning policy. Also it is not considered that the increase of one residential unit would significantly impact upon local services. It is acknowledged that the redevelopment of the site would result in some disruption from construction works, however this would be for a limited time and hours of construction works are restricted and controlled by other legislation. Rights of Light are a civil matter and not a material planning consideration. The other planning issues raised from the responses are addressed in the main report.

#### 7.20 Planning obligations

The Council's Community Infrastructure Levy Charging Schedule was adopted on 1st August 2014. The additional habitable floor space created will be chargeable at £95 per square metre.

The scheme would also be liable for payments under the Community Infrastructure Levy. On the 1st April 2012 the Mayoral Community Structure Levy came into force. The London Borough of Hillingdon falls within Charging Zone 2, therefore, a flat rate fee of £35 per square metre would be required for each net additional square metre added to the site as part of the development.

The proposal would necessitate the provision of legal agreement to secure a scheme of works to remove the resident permit bay located on Normans Close. The applicant will therefore be responsible for all costs associated with changing the Traffic Management Order that covers the existing residents parking bay along with removing and making good the bay markings and post.

# 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

The application seeks planning permission for the demolition of the existing dwelling and the erection of 2 x two storey, 4-bed, detached dwellings which include a habitable roofspace and basement with associated parking to the front and the installation of 1 x vehicular crossover.

The proposal is not considered have a negative impact upon the visual amenity of the site or the surrounding area, would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers.

It is considered that the provision of 2 off street parking spaces per dwelling is acceptable in this location and the proposed crossovers are not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

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

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

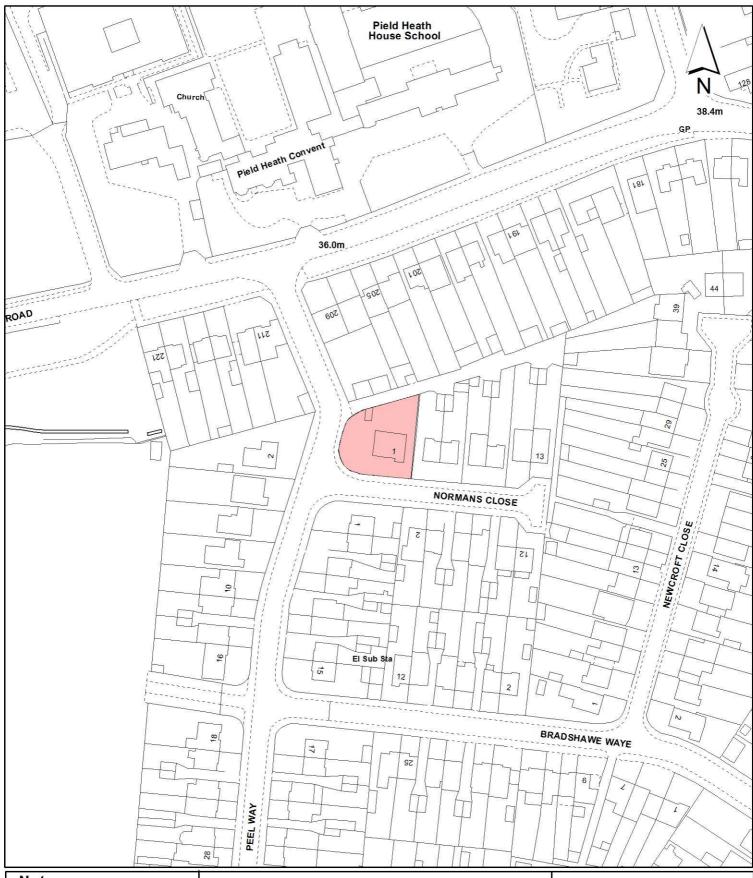
Technical Housing Standards - Nationally Described Space Standard

Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Hardeep Ryatt Telephone No: 01895 250230



# Notes:



# Site boundary

For identification purposes only.

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Site Address:

# 1 Normans Close

Planning Application Ref: 62184/APP/2016/4117 Scale:

1:1,250

Planning Committee:

Central & Soաthge 34

Date:

April 2017

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

**Planning Section** 

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



# Agenda Item 8

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

Address 12 GROVE WAY UXBRIDGE

**Development:** Two storey side extension, single storey rear extension, conversion of roof

space to habitable use to include 3 rear rooflsights and 1 side rooflight and

porch to front

LBH Ref Nos: 71844/APP/2017/329

**Drawing Nos:** A109 Rev. 3

A108 Rev. 3 A116 Rev. 3 A115 Rev. 3 A114 Rev. 3 A113 Rev. 3 A112 Rev. 3 A111 Rev. 3 A110 Rev. 3

A118 A107 A106 A105 A104 A103 A102 A101

Date Plans Received: 27/01/2017 Date(s) of Amendment(s):

**Date Application Valid:** 14/02/2017

#### 1. CONSIDERATIONS

# 1.1 Site and Locality

The application property comprises of a two storey detached dwelling located in the North Western corner of Grove Way, a residential cul-de-sac, located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

Grove Way comprises of predominantly two storey semi-detached houses of a similar age/design as the application property. It is understood that the existing non-protected trees within the site have been recently felled. The site to the West has recently been cleared in readiness for the residential development approved under application reference 67544/APP/2011/736 (19-22 Chippendale Waye and car park area to rear of 23-28 Chippendale Waye).

# 1.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear

rooflsights and 1 side rooflight and porch to front.

The application differs from that recently approved in that a single storey rear extension is proposed and the loft space is shown to be converted into habitable accommodation to include the insertion of 4 rooflights.

# 1.3 Relevant Planning History

71844/APP/2016/1589 12 Grove Way Uxbridge

Two storey side/rear extension, single storey rear infill extension and single storey front infill extension

**Decision Date:** 01-11-2016 Approved **Appeal:** 

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

71844/APP/2016/1589 - Two storey side/rear extension, single storey rear infill extension and single storey front infill extension.

#### 2. Advertisement and Site Notice

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

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

#### 3. Comments on Public Consultations

The North Uxbridge Residents Association and 10 neighbouring properties were consulted by letter dated 24.2.17 and a site notice was displayed to the front of the site on 3 March 2017 which expired on 28.3.17.

A petition and 3 letters of objection have been received raising the following concerns:

- 1. The recent loss of the trees within the site.
- 2. The scale, bulk and design of the proposed extension being out of keeping with the street scene
- 3. Concerns raised about the potential use of this property as an HMO.
- 4. Concerns raised in relation to the impact of the proposal (during construction) on highway safety given the width of Grove Way.

Officer note: The issues raised by the consultees are addressed in the main report below.

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

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

#### 5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing dwelling and the visual amenities of the street scene and surrounding area, the impact upon the amenities of adjoining occupiers, the provision of adequate amenity for the host occupiers and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Furthermore, policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

Paragraph 5.10 of the Council's adopted HDAS SPD: Residential Extensions (December 2008) specifies that the width and height of a two storey side extension in relation to an original house should be considerably less than that of the original house and be between half and two-thirds of the main house width depending on the plot size and character of the area. The width and height of the proposed two storey side extension would comply with the HDAS SPD guidance.

Paragraph 5.9 of the HDAS SPD specifies that the design of the roof should follow that of the existing roof. The existing dwelling is detached, and as such, there is no requirement for the roof of the side extension to be set lower than the main roof. There is also no requirement for a set back of a side extension from the front wall of a detached dwelling in line with guidance in the HDAS SPD.

With regard to single storey rear extensions, Paragraph 3.3 of the HDAS states that they should be no more than 3.6m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3.4m in height. This is to ensure that the extension appears subordinate to the main house.

The proposed side extension and porch is similar to that recently approved in terms of design and bulk. The rear extension exceeds the maximum height recommended within

the HDAS guidance, by some 320mm. However the extension is considered to relate satisfactorily to the host dwelling and would not appear as an incongruous addition to the street scene. Given the extension to the rear of number 10 Grove Way, the extension to the rear would not result in an unacceptable loss of light or outlook to the occupants of this property.

It is therefore concluded that the proposed two storey side and rear extensions, single storey side and rear extensions and front porch, by reason of their design and scale, would constitute sympathetic and proportionate additions to the existing dwelling, and would ensure the preservation of its character, appearance and architectural composition and it is considered that the proposed extensions would not detract from the visual amenities of the street scene and surrounding area. The proposal would therefore accord with the objectives of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the guidance contained in the adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions.

It is considered that the proposed extensions would not result in undue harm to the residential amenities of the adjacent dwelling at 10 Grove Way or any other neighbouring properties through overdominance, overshadowing, overlooking, loss of privacy, light and/or outlook. The 45 degree angle would not be breached from the first floor windows of number 10 and sufficient separation would be retained between the front facing windows at number 11. As such, the proposal would not be contrary to Policies BE20, BE22, and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

A number of concerns have been raised by occupants of the neighbouring dwelling that the extended house has the potential to be used as an HMO rather than a single private dwelling. The resulting extended dwelling would be a large 6-bedroom property, however this does not in itself mean that the property would be used as an HMO. The applicant has confirmed that the extended dwelling would be used as a single private dwellinghouse. The use of the extended property as an HMO could give rise to additional parking demand that cannot be accommodated on site or on the local road network. It is therefore considered expedient to impose a condition to restrict the extended property to use as a single family dwellinghouse within the C3 Use Class.

Concerns have also been raised about the demand for parking within Grove Way and the potential for an enlarged property creating an increased demand for car parking within this cul-de-sac. The Council's adopted Parking Standards require that the extended dwelling provide 2 off street parking spaces. There is sufficient space within the frontage to provide two off street parking spaces and retain 25% of the frontage as soft landscaping in accordance with Policy AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Policy BE38 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) seeks the protection and retention of existing trees and landscape features of merit and considers where appropriate the provision of additional landscaping as part of a proposed development. It is noted that a number of trees have recently been removed from the

application site, which is regrettable. A number of objections have been received from neighbouring properties raising concerns about the loss of these trees. However, the trees within the application site were not protected by a Tree Preservation Order and therefore the owner is not required to seek any form of consent from the Council before undertaking works on, or removing trees.

In terms of the garden area at least 100 m2 of rear private garden should be retained to provide adequate amenity space for a five bedroom dwelling. The amenity space remaining would be approximately 96 sq.m. A refusal based on this small shortfall is unlikely to be sustained at appeal and thus the provision of amenity space is considered, on balance, to be acceptable.

The application is recommended for approval.

#### 6. RECOMMENDATION

#### APPROVAL subject to the following:

#### 1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

# 2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers, A107 Rev. 3, A108 Rev. 3, A109 Rev. 3, A110 Rev. 3, A111 Rev. 3, A112 Rev. 3, A113 Rev. 3, A114 Rev. 3 and A115 Rev. 3.

#### **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).

#### 3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### **REASON**

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed

in the walls or roof slopes of the development hereby approved.

#### **REASON**

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

#### **5** HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

#### REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2016).

#### 6 NONSC Non Standard Condition

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

#### REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **INFORMATIVES**

# Standard Informatives

- 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).
- 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 (July 2011) and national guidance.

# Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

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

- You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact Planning, Enviroment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension.

When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

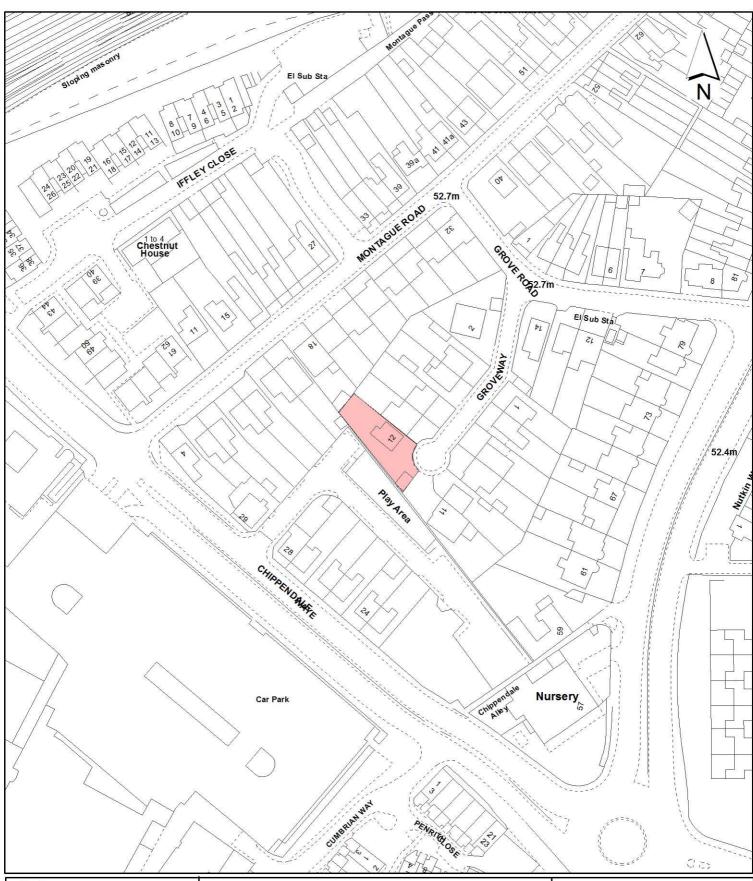
- Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
  - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.
  - B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
  - C) The elimination of the release of dust or odours that could create a public health nuisance.
  - D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02,

Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact Highways Maintenance Operations, Central Depot Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Nicola Taplin Telephone No: 01895 250230



# Notes:



# Site boundary

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Site Address:

# 12 Grove Way

Planning Application Ref: 71844/APP/2017/329 Scale:

1:1,250

Planning Committee:

Central & Soptge 44

Date:

April 2017

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

**Planning Section** 

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



# Agenda Item 9

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

Address 10 CLAYTON ROAD HAYES

**Development:** Change of use from retail (Use Class A1) to car hire/mini cab office (Sui

Generis)

**LBH Ref Nos:** 72438/APP/2016/4505

**Drawing Nos:** Block Plan (1:500)

Design and Access Statement

Location Plan (1:1250) 8/clayton road/109/B/full

Date Plans Received: 16/12/2016 Date(s) of Amendment(s):

**Date Application Valid:** 09/01/2017

#### 1. SUMMARY

This application seeks planning permission for the change of use of the subject property from retail (Use Class A1) to car hire/mini cab office (Sui Generis).

The proposal would not compromise the viability or vitality of the town centre and would have an acceptable impact on the amenity of adjoining occupiers.

This application does not seek consent for the display of any related advertisements or signage, which would have to be considered under any separate future application.

Accordingly, the application is recommended for approval.

#### 2. RECOMMENDATION

#### APPROVAL subject to the following:

#### 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990.

# 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan, number 8/clayton road/109/B/full and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

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

#### 3 COM21 Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission to

the adjoining dwellings has been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the use hereby approved commencing, the scheme shall be implemented and maintained in full compliance with the approved measures.

#### 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 NONSC Non Standard Condition

No waiting area for customers shall be provided at the premises. The use hereby permitted shall be limited to the provision of an administrative base for a car hire operation, where neither customers or drivers attend the premises.

#### REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

# 5 NONSC Non Standard Condition

Within 2 months of the date of this consent, the applicant shall submit a Management Plan for the operation of the approved mini-cab business for approval to the Council. The Management Plan shall include details of physical and

administrative measures to control the following:

Parking measures to reduce on-street parking related to the business;

Arrangements for pick up and drop off of passengers from the vicinity of the minicab office in Station Road:

Servicing, refuse storage and disposal;

Approach to equity of access and mobility;

Noise prevention and mitigation within the site; and

Measures to ensure best endeavours are used to control anti-social behaviour within the site.

Thereafter the development shall be carried out in accordance with the approved Management Plan.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 201) and the London Plan (2016).

#### **INFORMATIVES**

# 1 I52 Compulsory Informative (1)

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

#### 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
S6	Change of use of shops - safeguarding the amenities of shopping areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
NPPF2	NPPF - Ensuring the vitality of town centres

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

# 4 147 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

The applicant is hereby advised that this permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992 [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

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

# 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the Southern side of Clayton Road and comprises a ground floor property in a mid-terraced building.

The application property is presently vacant, and its last known established use was a retail unit (Jessys's Aquarium), which incorporated the sale of fish and sea creatures. Clayton Road has ground floor commercial uses and office/residential uses on the upper floors and lies within Hayes Town Centre, although it does not have any designated frontages nor is it located within a shopping area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

# 3.2 Proposed Scheme

The application seeks planning permission for a change of use from from retail (Use Class A1) to a taxi control office (Sui Generis).

The proposed mini-cab office would be operated by 1 employee at a time (in total 3 employees working 8 hour shifts), 24 hours a day and 7 days a week. The applicant has confirmed that no minicabs or cars would be stationed at the premises and that no waiting area will be provided for customers. Customers would be collected from Blyth Road Car Park, in the nearby vicinity. The proposal does not involve external alterations and the internal accommodation is proposed to be rearranged to provide an office, kitchenette and WC.

# 3.3 Relevant Planning History

#### Comment on Relevant Planning History

None.

#### 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:

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
S6	Change of use of shops - safeguarding the amenities of shopping areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

# 5. Advertisement and Site Notice

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

NPPF - Ensuring the vitality of town centres

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

#### 6. Consultations

NPPF2

#### **External Consultees**

22 neighbouring properties were consulted by letter on 11.01.17

1 response was received as follows:

- limited parking.
- problems with Taxi's using nearby car park.
- drivers will cause anti-social behaviour.

#### Ward Councillor:

The applicant has been in to see me, he knows all about the parking problems in the area, he only has 2 drivers at present both who live nearby and park on their own property waiting for work to come in. He also assures me that should he extend his workforce in the future they will of course be parking either at their own properties nearby or in one of the local car parks. He is also TFL licensed and has public insurance.

#### **Internal Consultees**

Highways Officer:

The proposal includes the change of use of the premises on 10 Clayton Road from Use Class A1 (Shops) to Sui Generis to be used as a taxi business. The supplied proposed drawing does not show a waiting area for customers and the supplied Design and Access Statement specifies that the business would be conducted over the phone and taxi drivers tracked through a GPS system.

On-street parking around the premises is restricted through single and double yellow lines, together with pay & display parking bays operating Mon-Sat 8 am-5 pm. There is no space within the premises or outside the premises for a taxi parking or pick up/drop off area. In light of the nature of the business, these facilities should not be necessary as taxis would be tracked by GPS and communication with customer and taxi drivers would occur by telephone. As a result, there are no objections to the proposals on highway grounds, subject to the following conditions being imposed to the planning consent:

No waiting area for customers shall be provided at the premises.

No vehicles associated with the premises and its business operations shall be allowed to park in the adjoining streets.

Planning officer comment; planning conditions have to meet certain tests, and cannot be used to restrict parking on nearby streets that is the purview of other legislation. The restriction on the waiting area can be controlled by planning condition.

EPU: No objections.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

Policy S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that changes of use applications will be granted where i) a frontage of a design appropriate to the surrounding area is maintained or provided; ii) the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and iii) would have no harmful effect on road safety or worsen traffic congestion.

As the site is not within a designated frontage, or shopping parade, there is no presumption against the loss of retail.

There are no external alterations proposed to the shop front as part of this application, and therefore the proposal would not affect the visual amenity. The applicant has shown signage on the fascia, however this will need to be the subject of a separate application.

The site is located on the periphery of the main town centre and would serve adjoining and neighbouring uses. The neighbouring uses comprise commercial uses and it is considered that the use would be compatible with these town centre uses.

The neighbouring residential uses would not be unduly harmed, despite the 24 hours operation, as the unit would be manned by a single member of staff. Furthermore, the drivers would not park or pick up customers outside of the premises. It is considered that the use of conditions would prevent any undue loss of amenity.

No objections have been raised with regards to highways, subject to the imposition of a condition to prevent drivers parking or picking up from adjacent to the premises.

The proposed conversion of the retail unit to a Sui Generis use will not conflict with the objectives of Policies S6. The site is located within the boundaries of the designated Hayes Town Centre, however it is not located within either the primary or secondary shopping areas and thus the loss of a retail unit is considered acceptable in this location.

Given the above considerations, the proposal would comply with the criteria listed in Policy

S6 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

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

The proposed development does not involve any alterations to the existing shop front.

An informative is recommended to inform the applicant that any approval does not confer consent for the advertisement/signage shown on the proposed plan, and that consent for the display of any related advertisements or signage would have to be considered under a separate application.

Subject to the above, it considered that the proposal is in compliance with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

# 7.08 Impact on neighbours

The proposed change of use would not result in any overall increase of the internal floor space/footprint area of the property, therefore the built form would not cause any loss of amenity to adjoining occupiers.

In order to protect the residential occupants above from noise generation, a condition to secure such details is recommended to protect residential amenity of the occupiers at first floor level by way of providing adequate noise insulation.

The applicant has indicated that the proposal is for a 24 hour operation. However, it has also been stated that only one person would be on the premises at any one time and that there would not be any drivers/customers coming to the site. Given the scale and nature of the use proposed, it is considered that the proposal would not result in any adverse noise nuisance to neighbouring properties. It should be noted that the Environmental Protection Unit have not raised any objections to the proposed change of use nor have they suggested that there should be a condition restricting hours of use.

The proposal is therefore considered to be acceptable in terms of its impact on the residential amenity of the adjoining occupiers, in compliance with Policies OE1 and OE3 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

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The proposed use of the site would result in there being only one person being on site at any one time.

The proposal does not make provision for car parking for either staff or visitors. However, given the low level of occupancy and the fact that the existing use of the site as retail would have similar parking requirements, it is considered that the proposal would not result in an increase in parking demand over and above the existing use.

The immediate locality of the site has a relatively high Public Transport Accessibility Level (PTAL) score of 4 and is close to public transport facilities.

As noted above, taxi's will not collect passengers from the application site, nor would they park at the site. The applicant has submitted information that the taxi's would be reliant on GPS applications. No issues have been raised by the Highways Officer to this mode of operation.

Given the above considerations, the proposed use would not have a detrimental impact along the adjacent highway network.

# 7.11 Urban design, access and security

The applicant is proposing CCTV in front of the unit to discourage anti-social behaviour and as part of security measures.

#### 7.12 Disabled access

The existing doorway and shopfront would be retained.

# 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

In terms of waste generation and storage, the scale and nature of the proposed use are such that any waste generated would not be significantly more than that related to a retail use, which is the existing lawful use on the site.

#### 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

There are no adverse air quality issues to address as part of this application proposal. The issue of noise has been covered in Section 7.08 of this report.

# 7.19 Comments on Public Consultations

No responses were received.

# 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

The proposal would not compromise the viability or vitality of the town centre and would have an acceptable impact on the amenity of adjoining occupiers in compliance with the objectives of the Council's Local Plan: Part One - Strategic Policies (November 2012) and the Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 11. Reference Documents

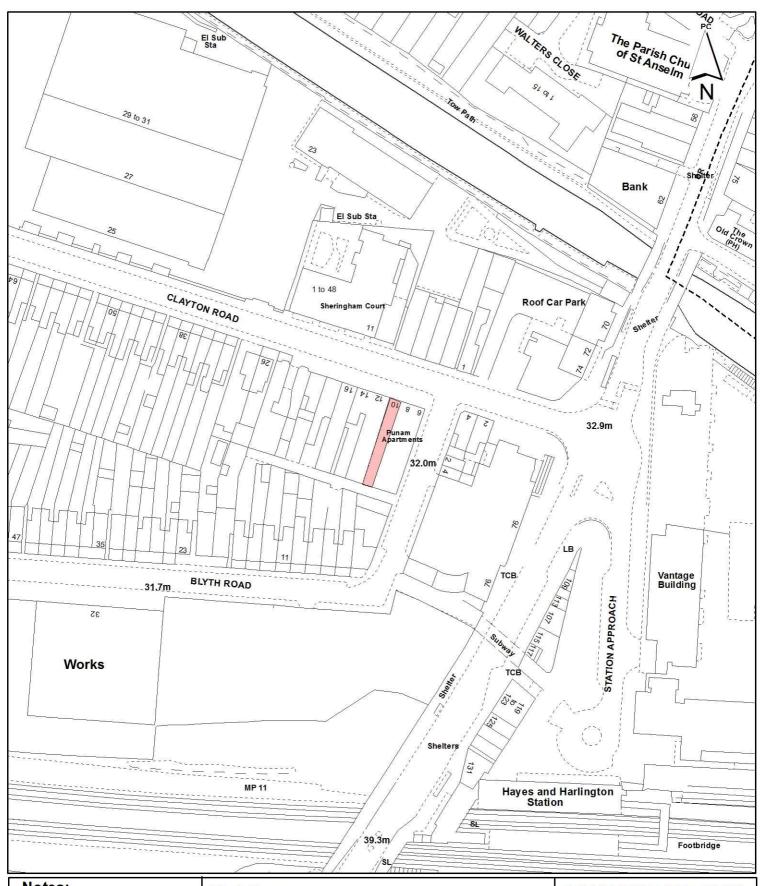
Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

National Planning Policy Framework

Hillingdon Design and Accessibility Statement (HDAS) Shopfronts

Contact Officer: Henrietta Ashun Telephone No: 01895 250230







# Site boundary

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# 10 Clayton Road

Planning Application Ref: **72438/APP/2016/4505** 

Scale:

1:1,250

Planning Committee:

Central & South 55

Date:

April 2017



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



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# Agenda Item 10

PART II by virtue of paragraph(s) 2, 6, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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# Agenda Item 11

PART II by virtue of paragraph(s) 2, 6, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

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# Plans for Central & South Applications Planning Committee

Tuesday 16th May 2017





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

Address 31 MORELLO AVENUE HILLINGDON

**Development:** Conversion of single family dwelling into 6 bedroom House in Multiple

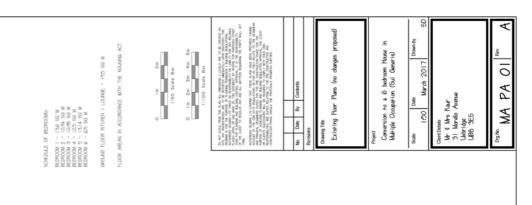
Occupation (HMO) (Retrospective)

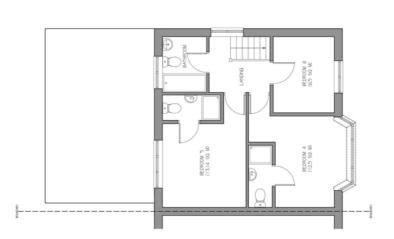
**LBH Ref Nos**: 72026/APP/2017/1064

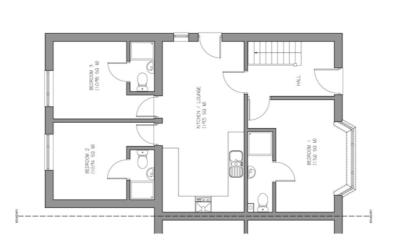
Date Plans Received: 23/03/2017 Date(s) of Amendment(s):

Date Application Valid: 23/03/2017









FIRST FLOOR PLAN - 1:50

GROUND FLOOR PLAN - 1:50

NO INTERNAL OR EXTERNAL CHANGES ARE PROPOSED
THESE FLOOR PLANG ARE THE EXISTING AND PROPOSED FLOOR PLANS







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Site Address:

# 31 Morello Avenue

Planning Application Ref: 72026/APP/2017/1064

Scale:

1:1,250

Planning Committee:

Central & Soputhe 81

Date:

May 2017

# LONDON BOROUGH OF HILLINGDON

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 1 NORMANS CLOSE HILLINGDON MIDDLESEX

**Development:** Two x two storey, 4-bed dwellings with associated parking and amenity

space, wall/fence to front and installation of two vehicular crossovers,

involving demolition of existing bungalow

**LBH Ref Nos**: 62184/APP/2016/4117

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

Date Application Valid: 22/11/2016

### H. M. LAND REGISTRY GENERAL MAP

GREATER LONDON MIDDLESEX

SHEET XIV. 8.

SECTION G

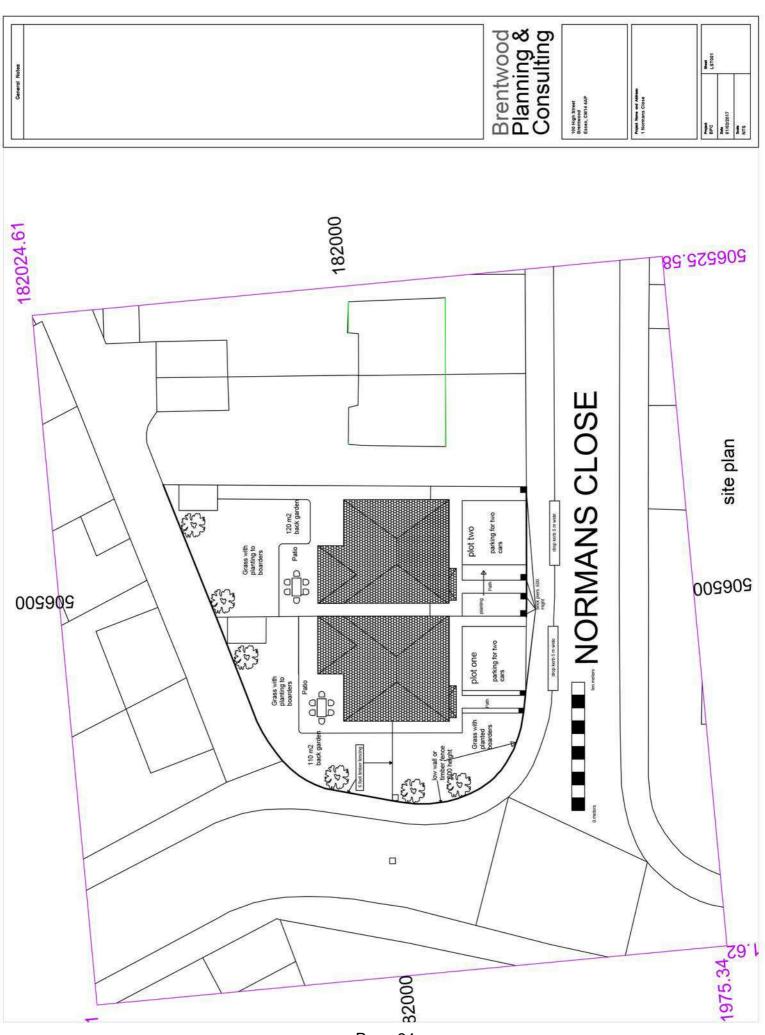
Scale 1/1250 Enlarged from 1/2500 BOROUGH OF HILLINGDON UXBRIDGE PARISH NEWCROF! ROAD ź 0 Crown Copyright Reserved Filed Plan of Title No. MX 419873

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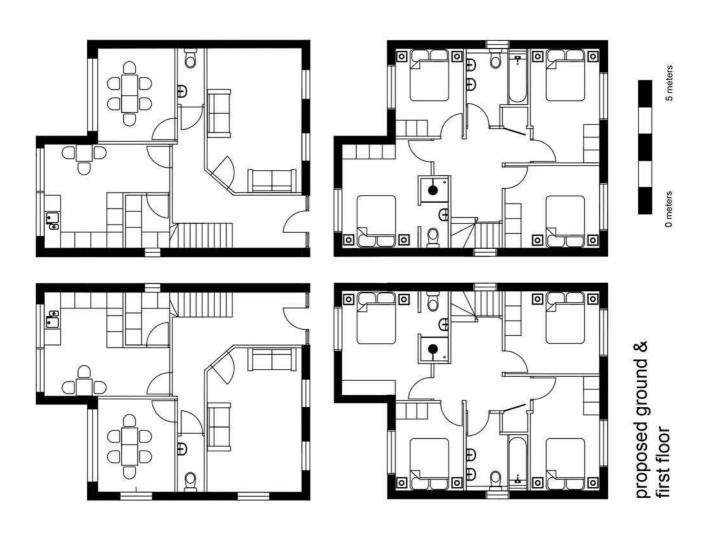
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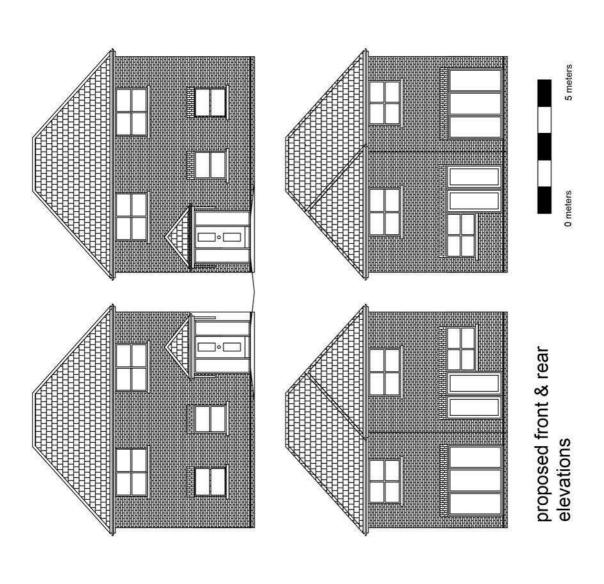
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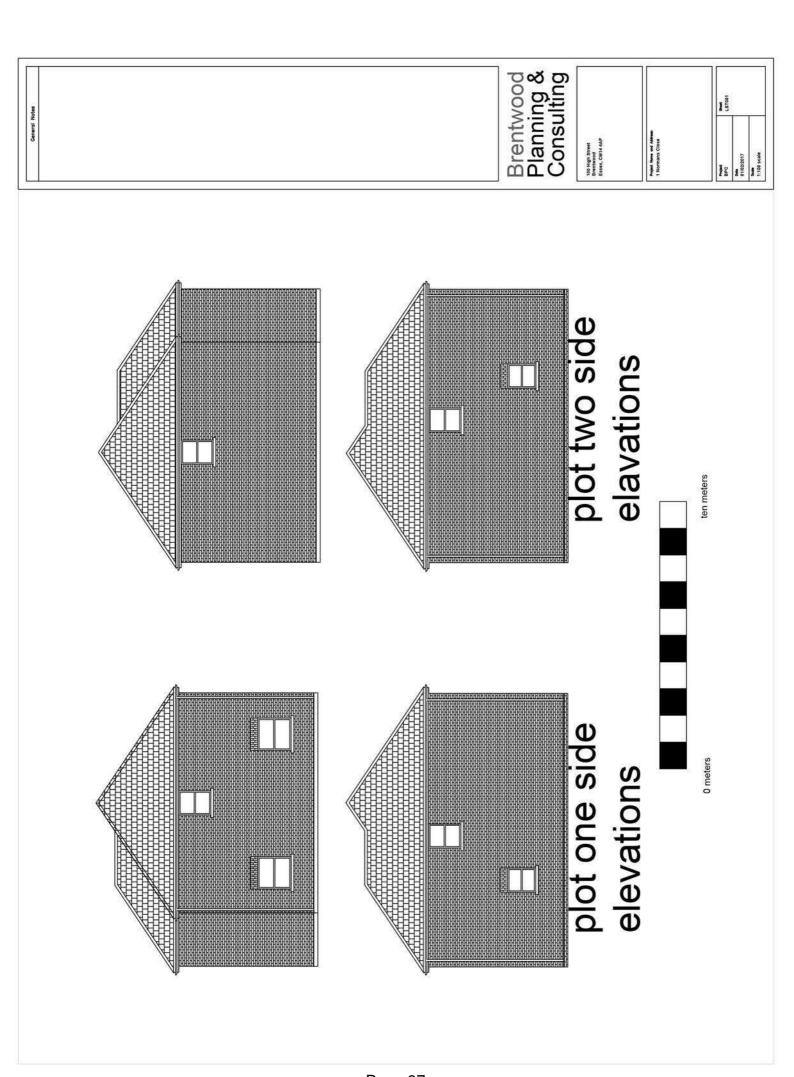


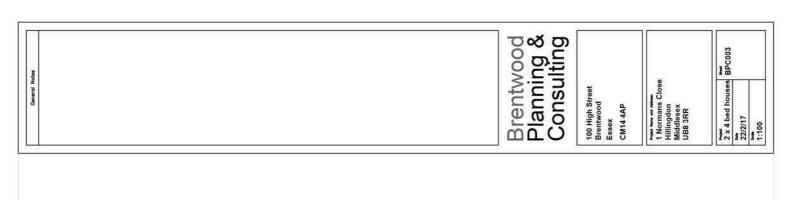
Page 84

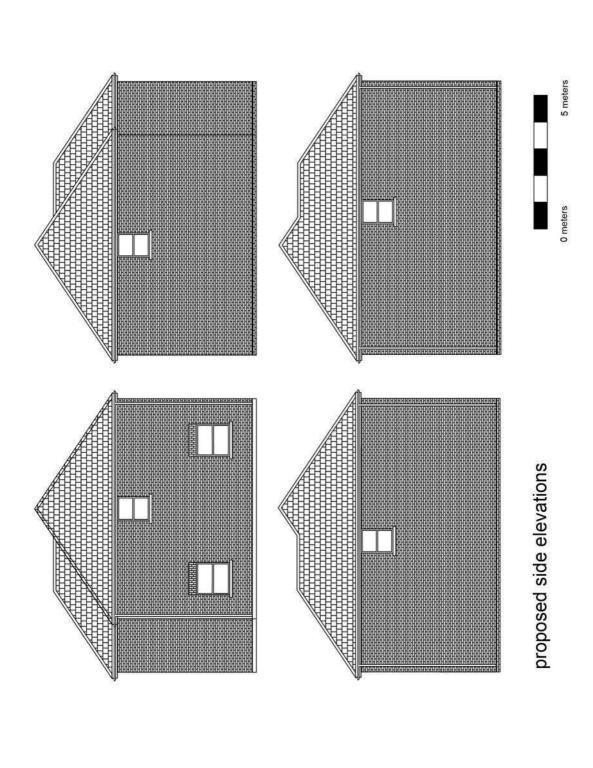


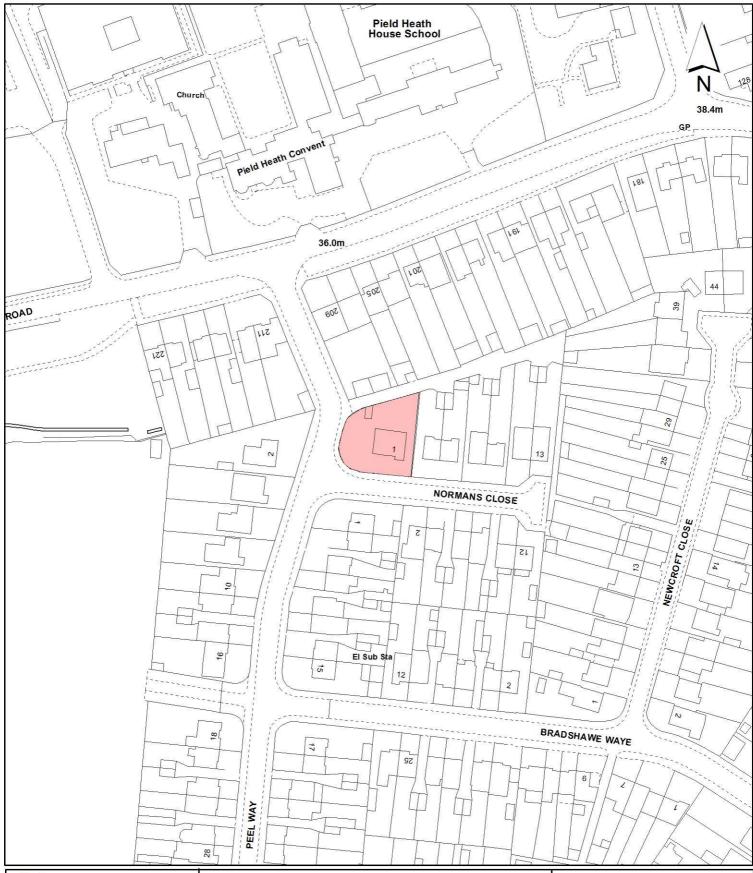












## Notes:



### Site boundary

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### 1 Normans Close

Planning Application Ref: 62184/APP/2016/4117

Scale:

1:1,250

Planning Committee:

Central & Soputhe 89

Date:

April 2017

## 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 12 GROVE WAY UXBRIDGE

**Development:** Two storey side extension, single storey rear extension, conversion of roof

space to habitable use to include 3 rear rooflsights and 1 side rooflight and

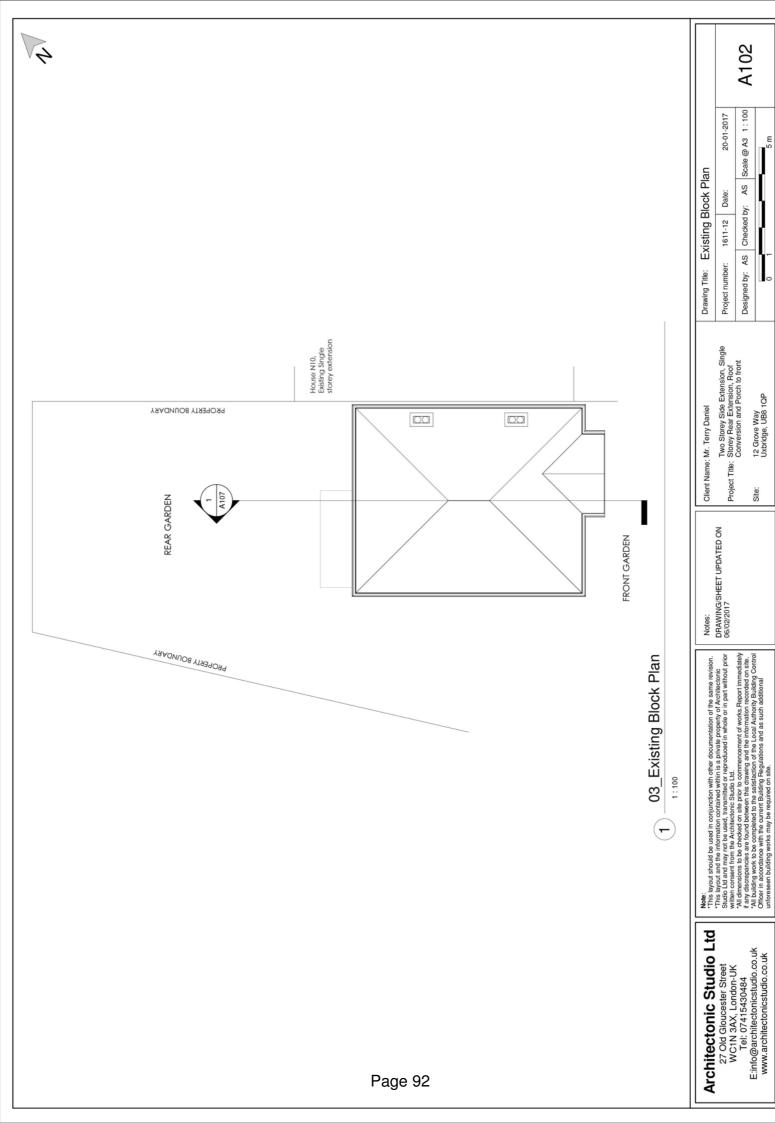
porch to front

**LBH Ref Nos:** 71844/APP/2017/329

Date Plans Received: 27/01/2017 Date(s) of Amendment(s): 14/02/2017

**Date Application Valid:** 14/02/2017

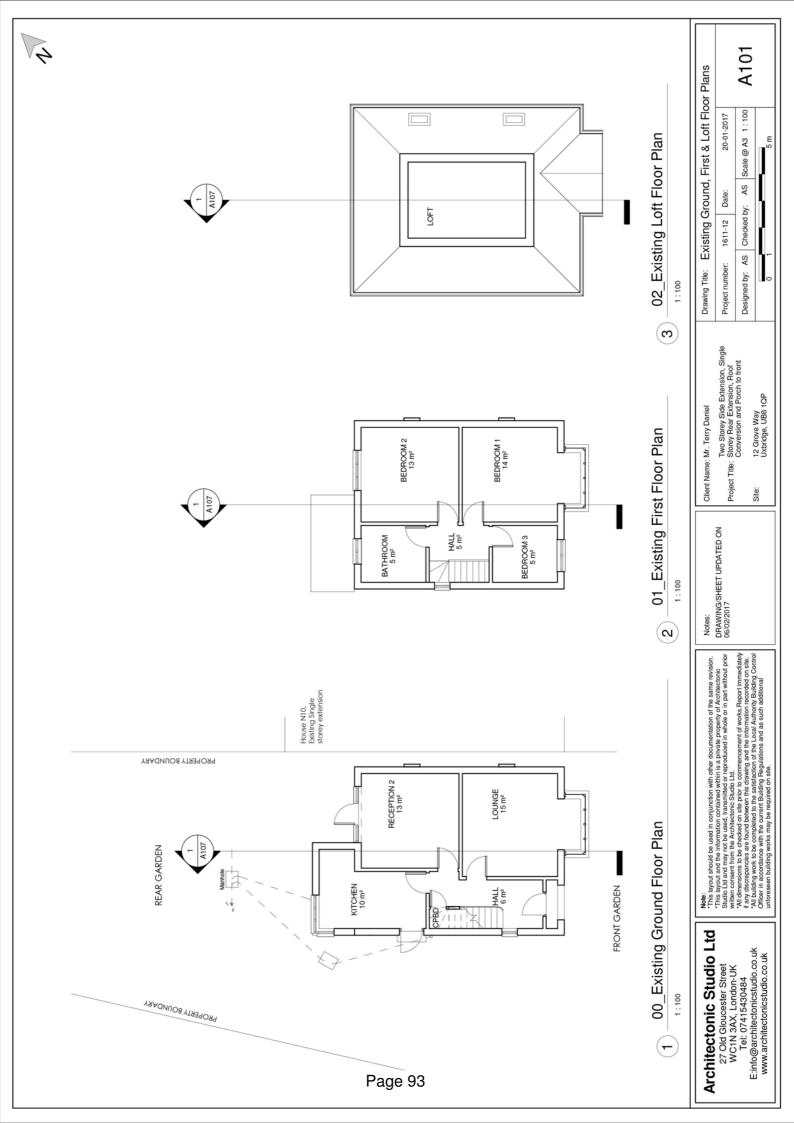


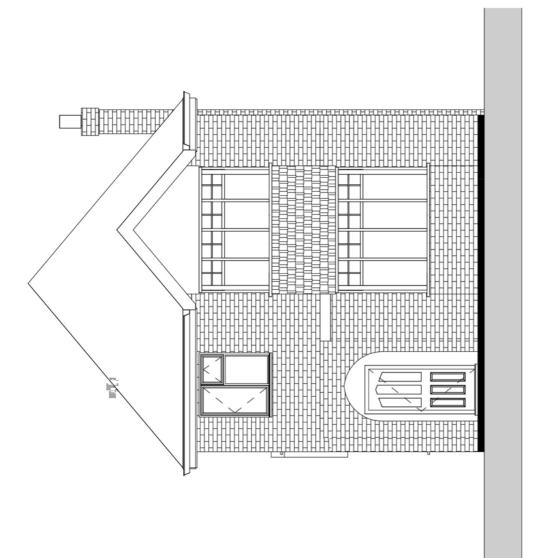


Designed by: AS | Checked by: AS | Scale @ A3 1:100

12 Grove Way Uxbridge, UB8 1QP

Site:





**Existing Front Elevation** 

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All building work to be completed to the astistication of the Local Authority Building Control Officer in accordance with the current Building Regulations and as such additional unloressen building works may be required on site.

Client Name: Mr. Terry Daniel Site:

Two Storey Side Extension, Single Project Title: Storey Rear Extension, Roof Conversion and Porch to front 12 Grove Way Uxbridge, UB8 1QP

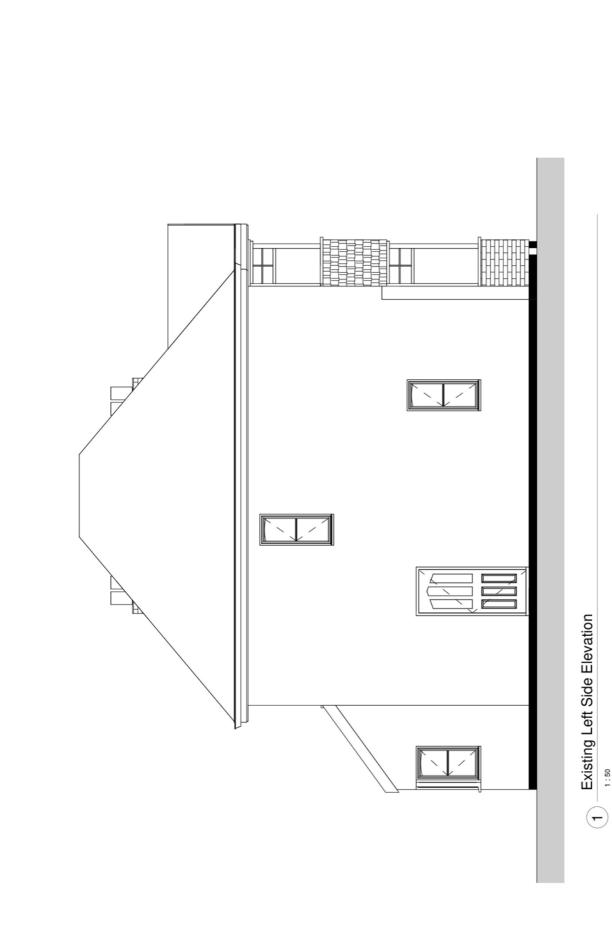
Date: 1611-12 Project number:

Designed by: AS | Checked by: AS | Scale @ A3 1:50

Drawing Title: Existing Front Elevation

A103

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DRAWING/SHEET UPDATED ON 06/02/2017

Client Name: Mr. Terry Daniel Site:

Two Storey Side Extension, Single Project Title: Storey Rear Extension, Roof Conversion and Porch to front

12 Grove Way Uxbridge, UB8 1QP

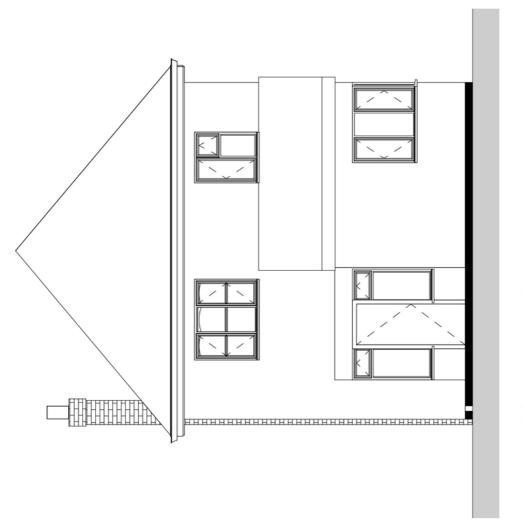
AS Scale @ A3 1:50 Drawing Title: Existing Left Side Elevation Designed by: AS | Checked by: 1611-12 Project number:

A104

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Page 95



Existing Rear Elevation

DRAWING/SHEET UPDATED ON 06/02/2017

Client Name: Mr. Terry Daniel

Two Storey Side Extension, Single Project Title: Storey Rear Extension, Roof Conversion and Porch to front Site:

AS Scale @ A3 1:50 Designed by: AS | Checked by: 1611-12 Project number:

Drawing Title: Existing Rear Elevation

A105

12 Grove Way Uxbridge, UB8 1QP

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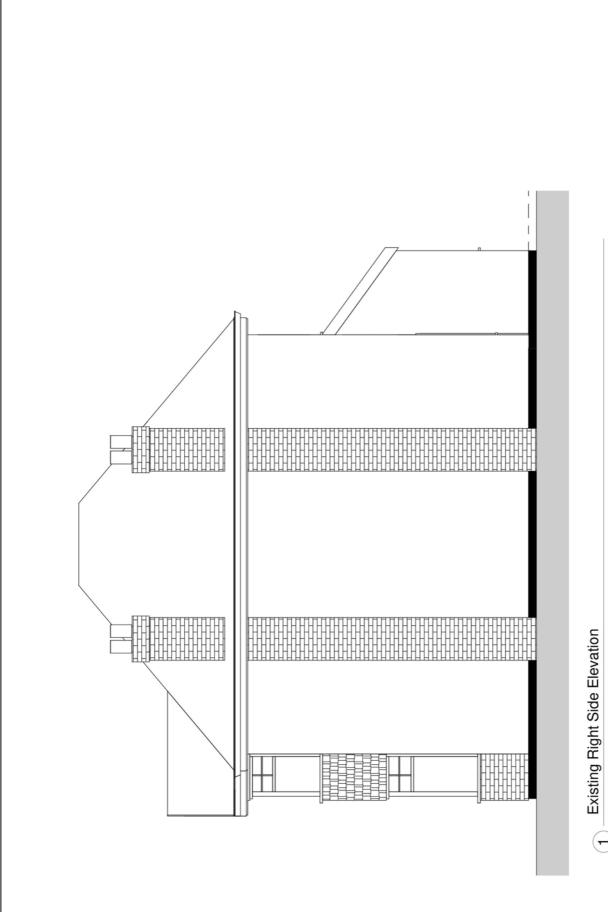
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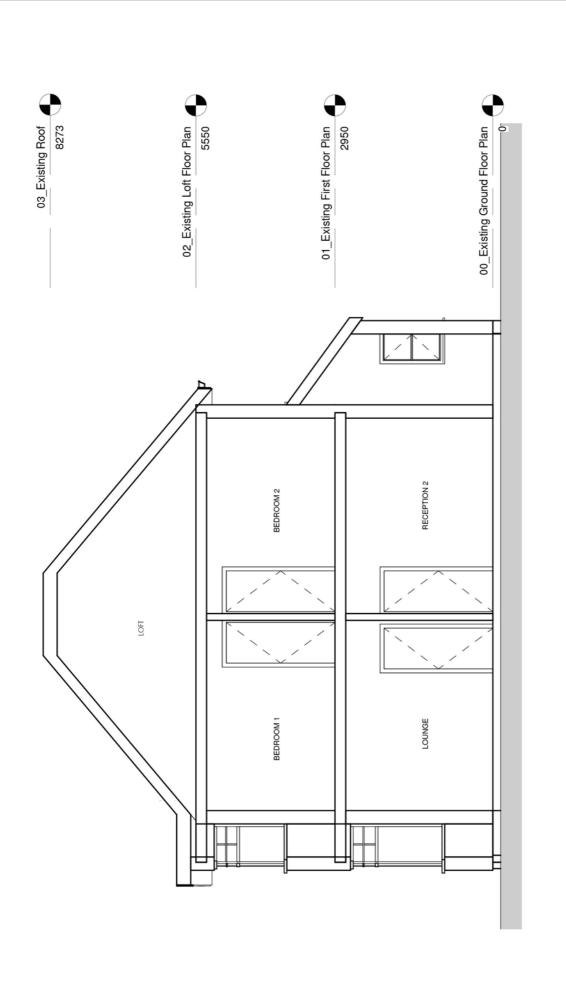
Two Storey Side Extension, Single Project Title: Storey Rear Extension, Roof Conversion and Porch to front Client Name: Mr. Terry Daniel Site: DRAWING/SHEET UPDATED ON 06/02/2017

12 Grove Way Uxbridge, UB8 1QP

Designed by: AS | Checked by: AS | Scale @ A3 1:50 Drawing Title: Existing Right Side Elevation Date: 1611-12 Project number:

A106

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**Existing Section** 

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Designed by: AS | Checked by: AS | Scale @ A3 1:50 20-01-2017 Drawing Title: Existing Section 1611-12 Date: Project number: Two Storey Side Extension, Single Project Title: Storey Rear Extension, Roof Conversion and Porch to front

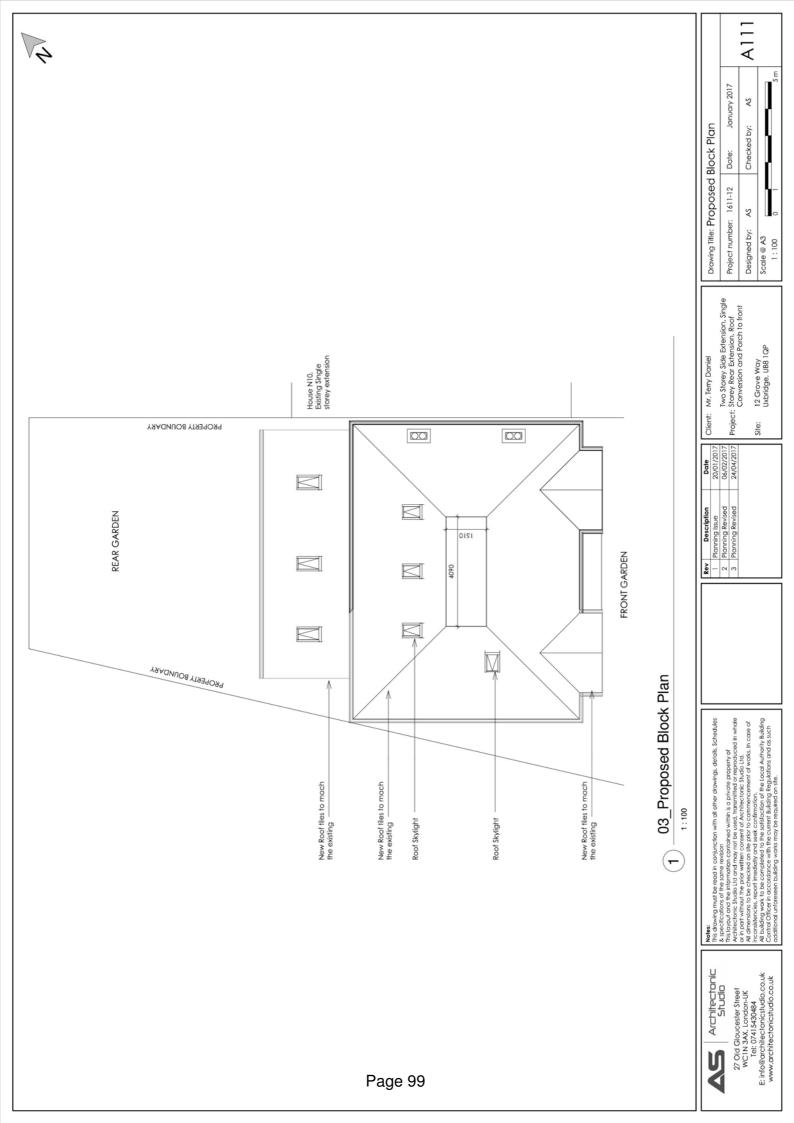
A107

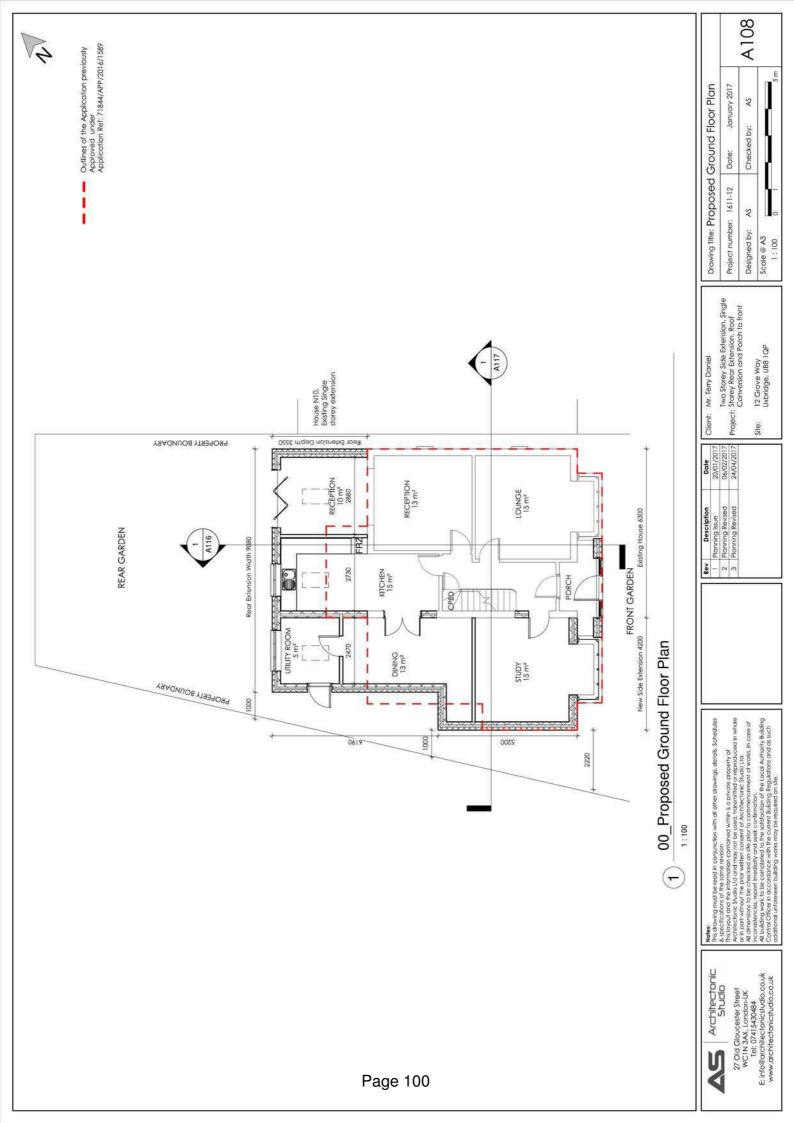
12 Grove Way Uxbridge, UB8 1QP

Site:

Client Name: Mr. Terry Daniel

DRAWING/SHEET UPDATED ON 06/02/2017







Outlines of the Application previously Approved under Application Ref: 71844/APP/2016/1389

1

BEDROOM 2 BEDROOM 1 14 m<sup>2</sup> Atite BATHROOM 5 m² PLAY ROOM 5 m² BEDROOM 3 9 m² BEDROOM 4 First Floor Side
Extension, Rear wall to be
flash with the original house

(1) 01\_Proposed First Floor Plan

20/01/2017 20/01/2017 24/04/2017 Rev Description
1 Planning Issue
2 Planning Revised
3 Planning Revised

Client: Mr. Terry Daniel Site:

Two Storey Side Extension, Single Project: Storey Rear Extension, Roof Conversion and Porch to front

A109

Checked by: Date:

> Designed by: Scale @ A3 1:100

January 2017 AS

Project number: 1611-12 AS

Drawing Title: Proposed First Floor Plan

12 Grove Way Uxbridge, UB8 1QP

Notes:

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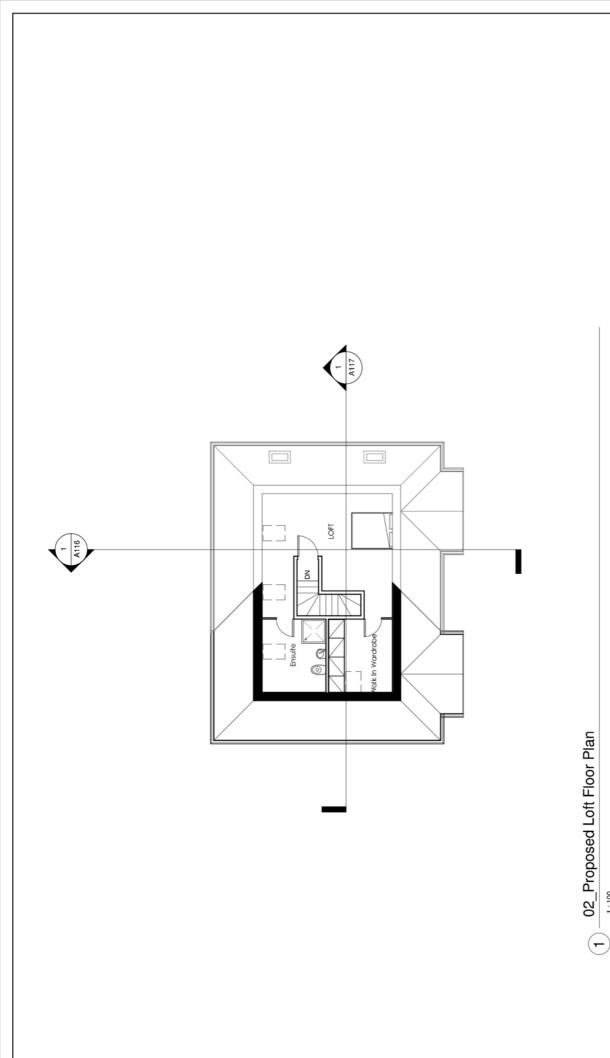
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acceptances in inforession building works may be required on take. Architectonic Studio

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Two Storey Side Extension, Single Project: Storey Rear Extension, Roof Conversion and Porch to front Client: Mr. Terry Daniel 20/01/2017 20/02/2017 3 06/02/2017 1 24/04/2017 Rev Description
1 Planning Issue
2 Planning Revised
3 Planning Revised

January 2017 AS

Date:

Project number: 1611-12 AS

Designed by: Scale @ A3 1:100

12 Grove Way Uxbridge, UB8 1QP

Drawing Title: Proposed Loft Plan

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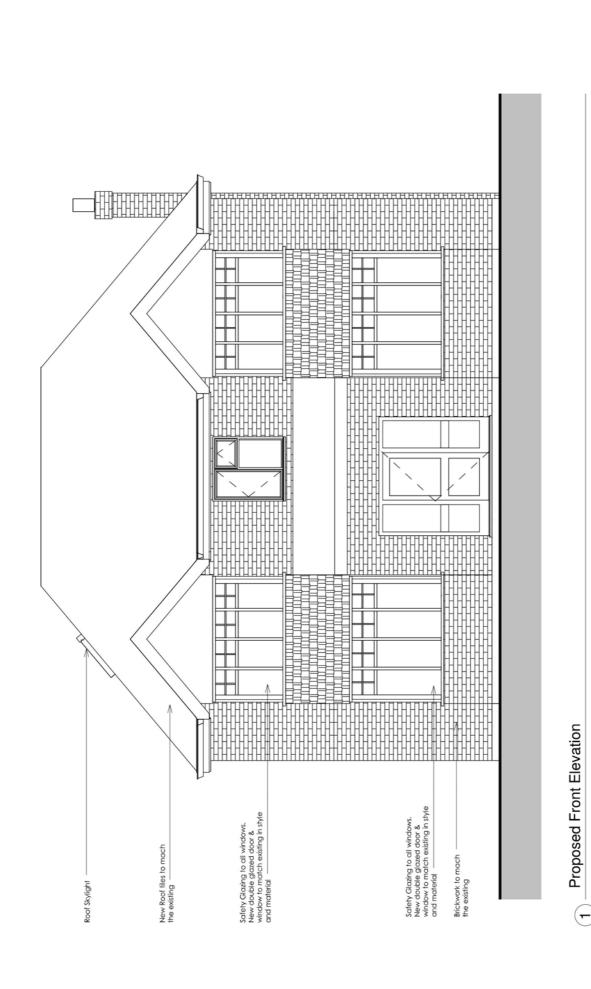
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	Rev	Description	Date	Clien
	-	Planning Issue	20/01/2017	5
	2	Planning Revised	06/02/2017	
_	т	Planning Revised	24/04/2017	Proje
				;
				Site:

Two Storey Side Extension, Single ect; Storey Rear Extension, Roof Conversion and Porch to front nt: Mr. Terry Daniel

January 2017 AS

Project number: 1611-12 AS

Checked by: Date:

> Scale @ A3 1:50 0 Designed by:

> > 12 Grove Way Uxbridge, UB8 1QP

Drawing Title: Proposed Front Elevation

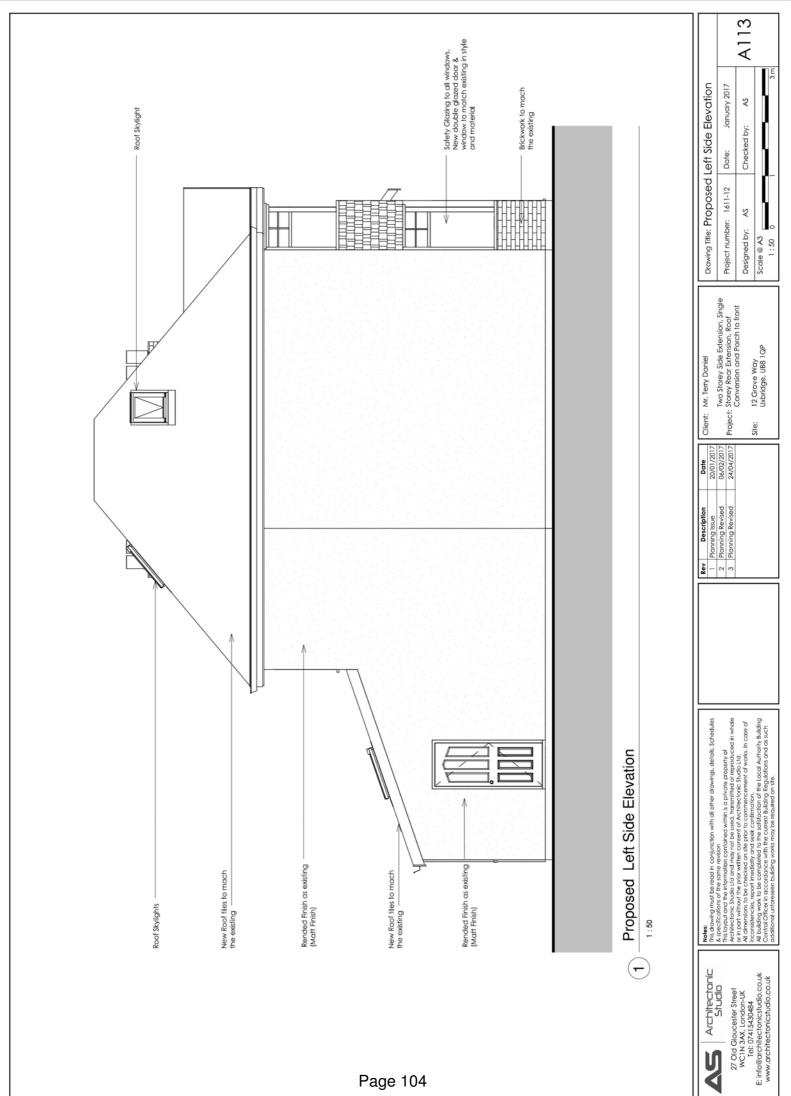
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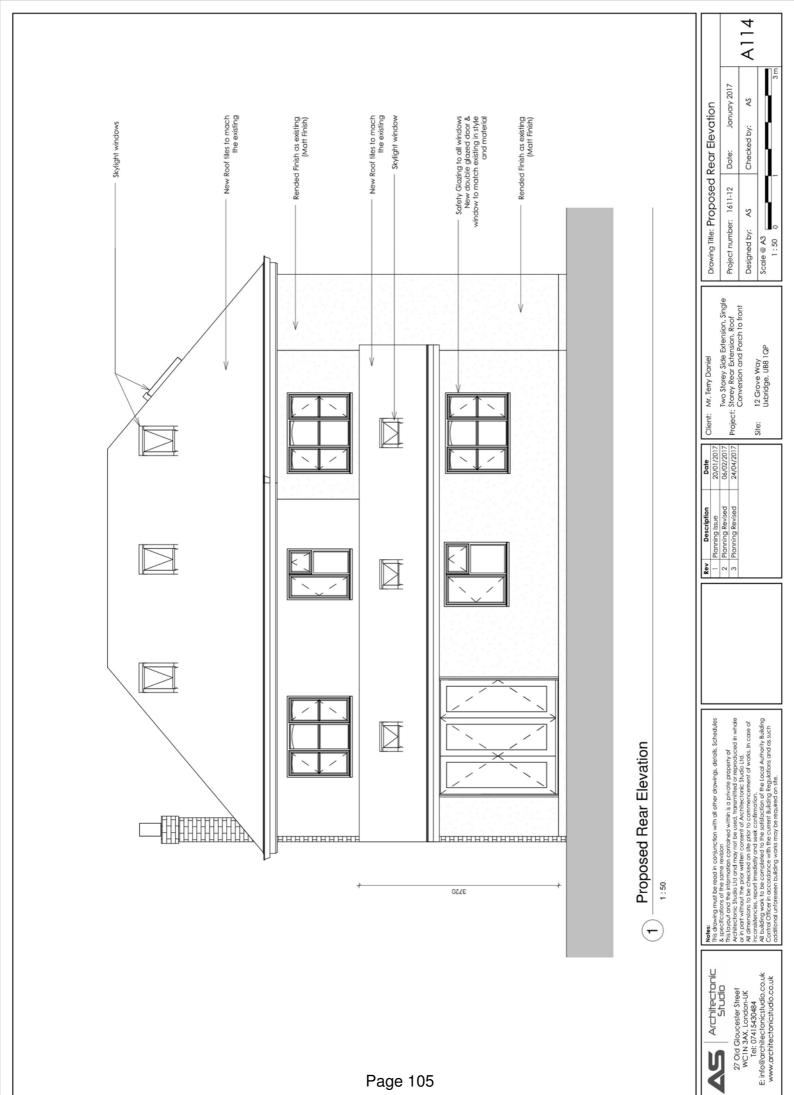
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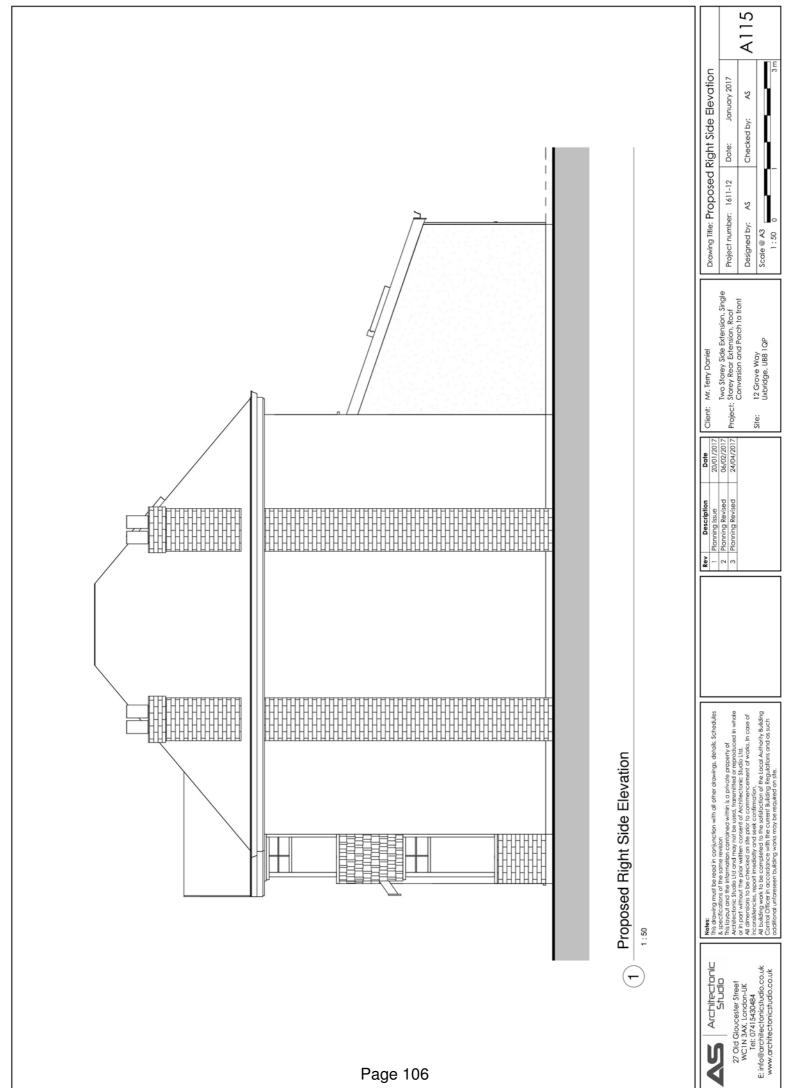
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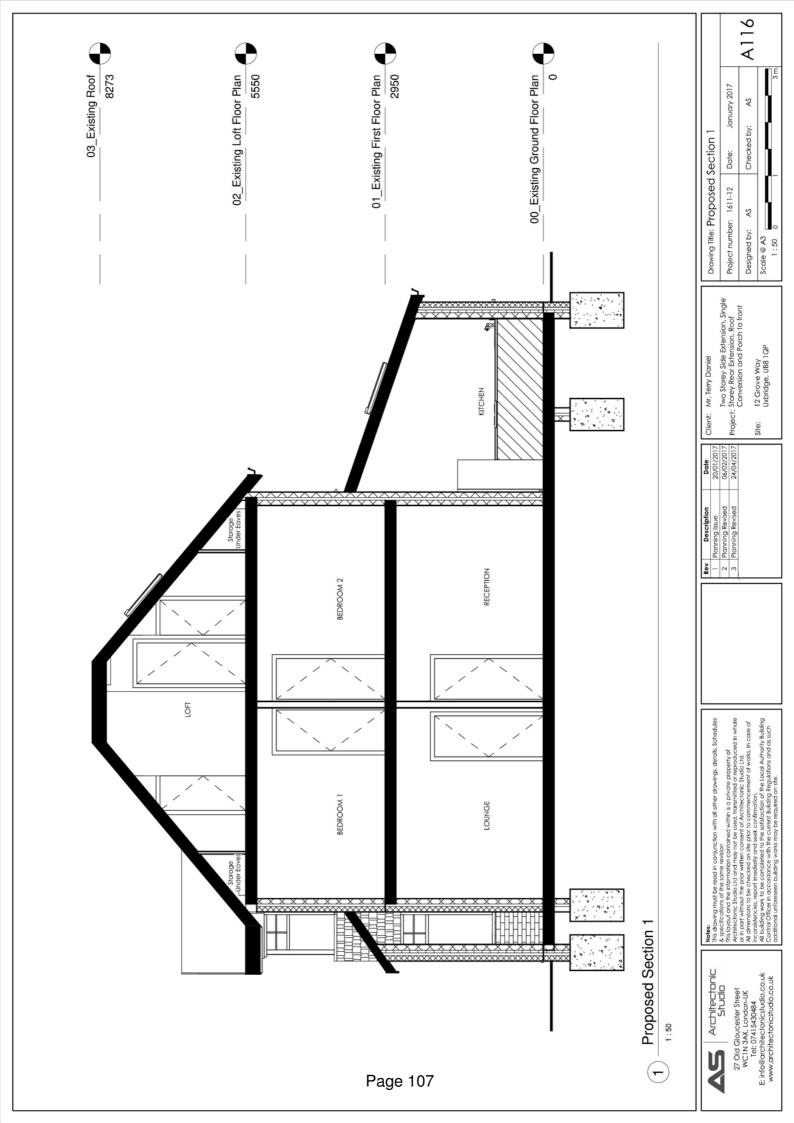
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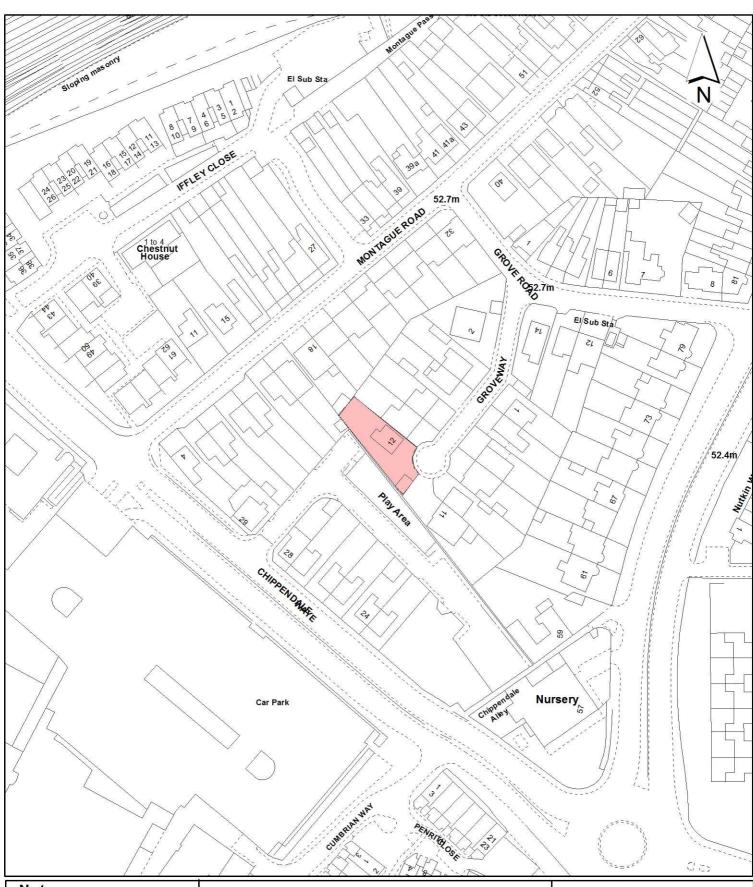






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Site Address:

# 12 Grove Way

Planning Application Ref: 71844/APP/2017/329

Planning Committee:

Central & South 108

Scale:

1:1,250

Date:

April 2017

# **LONDON BOROUGH** OF HILLINGDON **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 10 CLAYTON ROAD HAYES

**Development:** Change of use from retail (Use Class A1) to car hire/mini cab office (Sui

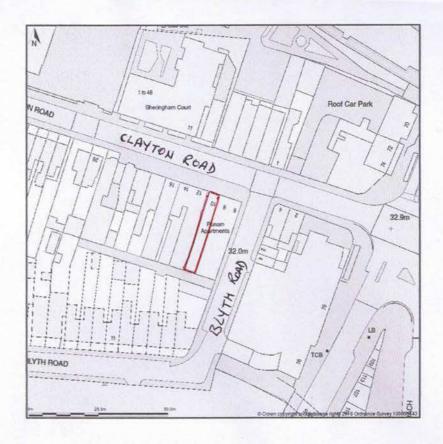
Generis)

**LBH Ref Nos:** 72438/APP/2016/4505

Date Plans Received: 16/12/2016 Date(s) of Amendment(s): 16/12/0016

**Date Application Valid:** 09/01/2017

# 10 Clayton Road, Hayes, UB3 1AZ



Site Plan shows area bounded by: 509628.76, 179473.44 509770.18, 179614.86 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.





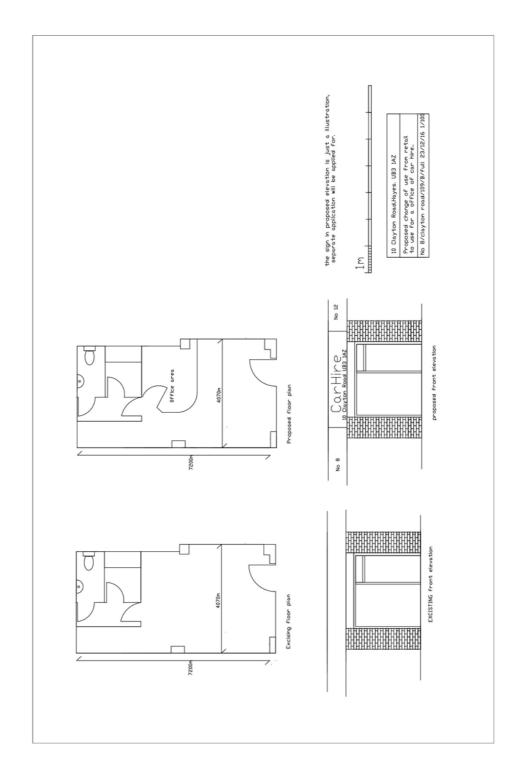
## 10 Clayton Road, Hayes, UB3 1AZ

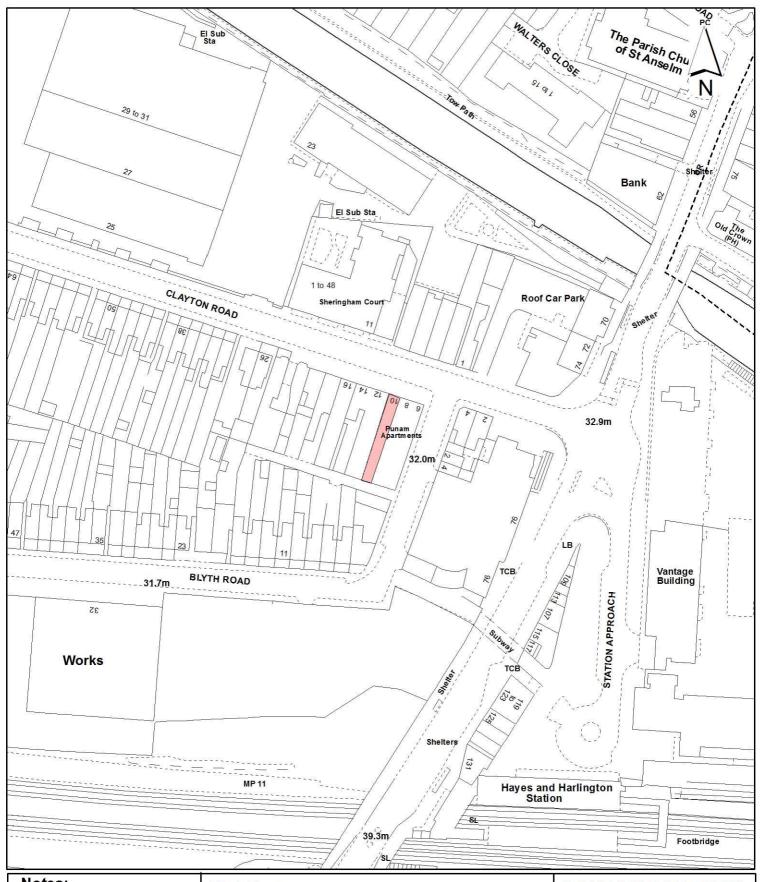


Block Plan shows area bounded by: 509648.9, 179503.1 509738.9, 179593.1 (at a scale of 1:500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Site Address:

# 10 Clayton Road

Planning Application Ref: 72438/APP/2016/4505 Scale:

1:1,250

Planning Committee:

Central & Sowith 113

Date:

April 2017

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

**Planning Section** Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

HILLINGDON

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