



Central & South Planning Committee

Date:	TUESDAY, 12 DECEMBER 2017
Time:	7.00 PM
Venue:	COMMITTEE ROOM 5 - CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8

MeetingMembers of the Public andDetails:Press are welcome to attend
this meeting

1**UW**

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 Brian Stead Councillor Mo Khursheed Councillor Peter Money Councillor John Morse

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

Putting our residents first

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

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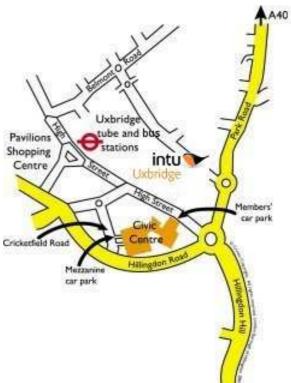
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Petitions and Councillors

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;
- 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;
- 6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

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

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

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

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

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting

1 - 4

- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

PART I - Members, Public and the Press

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

Applications without a Petition

	Address	Ward	Description & Recommendation	Page
6	86 Harlington Road - 25724/APP/2017/3067	Brunel	Change of use from Class C3 dwelling house to a 4-bed HMO (House of Multiple Occupation). Recommendation: Approval	5 - 18 104 - 107
7	29 Manor Lane, Harlington - 15434/APP/2017/2674		Single storey side extension involving demolition of existing garage.	19 - 30 108 - 115
8	26 Coldharbour Lane - 72611/APP/2017/3569	Townfield	Change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Financial and Professional Services) for use as an estate agents. (Retrospective). Recommendation: Approval	31 - 40 116 - 119

9	66 Fairway Avenue - 29143/APP/2017/3100	West Drayton	Installation of a side dormer and enlargement of roofspace to create habitable accommodation including the erection of a single storey front extension and installation of a porch	41 - 48 120 - 126
			Recommendation: Refusal	

PART II - MEMBERS ONLY

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

10	Enforcement Report	49 - 56
11	Enforcement Report	57 - 66
12	Enforcement Report	67 - 74
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15	Enforcement Report	93 - 102

PART I - Plans for Central and South Planning Committee	103 - 126
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CENTRAL & South Planning Committee

23 November 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, Roy Chamdal, Alan Chapman, Brian Stead, Mo Khursheed, Peter Money and John Morse
	LBH Officers Present : Zenab Haji-Ismail, Roisin Hogan (Planning Lawyer), James Rodger (Head of Planning and Enforcement), Luke Taylor (Democratic Services Officer) and Alan Tilly
131.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no apologies for absence.
132.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
	There were no declarations of interest.
133.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)
	RESOLVED: That the minutes of the meeting on 31 October 2017 were approved as a correct record.
134.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
135.	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 items marked Part I would be considered in public, and items marked Part II would be considered in private.
136.	LAND ADJACENT TO 1 BELGRAVE MEWS, COWLEY - 72586/APP/2017/482 (Agenda Item 6)
	Single-storey garage.
	Officers introduced the application, which sought the erection of a single-storey garage on land adjacent to 1 Belgrave Mews, and noted the addendum, which included an

	amendment to the recommendation. It was confirmed that an appeal had been submitted under against the non-determination of the application.
	A petitioner spoke in objection to the application, noting that it would result in the loss of two car parking spaces at the plot currently. Furthermore, the proposed garage would not fit the current building line on Belgrave Mews, damage the appearance of the road, and impact adversely on parking and access in the area.
	Responding to the Committee's questions, officers confirmed that the plot should be treated as a freestanding part of land, without connection to a particular dwellinghouse, although the applicant was also the landowner and owned another property on Belgrave Mews.
	Members noted that there was a consistent pattern of refusal for applications at the site and stated the proposed garage would impact negatively upon the street scene, and the reasons for refusal were clear. The officer's recommendation was proposed, seconded, and unanimously agreed when put to a vote.
	RESOLVED: That the Planning Inspectorate was advised that had an appeal for non-determination been lodged, the application would have been refused.
137.	BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2017/2886 (Agenda Item 7)
	Installation of petrol and diesel storage tanks, together with surrounding fencing, brickwork, pipework, vents and traffic barriers.
	Officers introduced the application for the installation of petrol and diesel storage tanks, together with surrounding fencing, brickwork, pipework, vents and traffic barriers.
	Responding to questioning from the Committee, officers confirmed the size of the proposed storage tanks, and stated that Informative 1 included actions to alleviate the risk of any spillages.
	Members requested that Informative 1 be turned into a condition to ensure protective safety measures were in place to mitigate against the loss of fuel, and agreed to delegate authority to the Head of Planning and Enforcement to enforce this change to conditions.
	The officer's recommendation, subject to delegated authority regarding the additional condition, was then proposed, seconded and unanimously agreed.
	RESOLVED: That the application was approved, subject to delegated authority to the Head of Planning and Enforcement regarding an additional condition.
138.	WILFRED BROWN BUILDING, BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2017/2731 (Agenda Item 8)
	Variation of condition 2 of planning permission ref: 532/APP/2017/3929 dated 19/05/2015 (re-cladding of the existing Wilfred Brown building, alterations to North elevation involving rebuilding of security annex, installation of canopy over existing courtyard to rear and associated works), to agree a revised energy strategy, in relation to proposals for re-cladding.

	Officers presented the application, which sought permission for the variation of condition 2 of planning permission reference 532/APP/2017/3929 to agree a revised energy strategy, in relation to proposals for recladding, and noted the addendum.
	Members noted that the Sustainability Officer believed the revised energy performance was acceptable, and that it would ensure energy efficiency.
	The application was proposed, seconded, and upon being put to a vote, was unanimously agreed.
	RESOLVED: That the application was approved.
139.	215 & 215A LONG LANE, HILLINGDON - 4204/APP/2017/2724 (Agenda Item 9)
	Conversion of two dwellings to form a single dwellinghouse, including the erection of a two-storey rear extension.
	Officers introduced the application, which sought planning permission for the conversion of two dwellings into one large dwelling, for use a single unit, and a two-storey rear extension.
	Members commented that the loss of one unit was against the local policy, and the application did not seek to replace any lost housing provision. It was agreed that the bulk and size of the building, as well as the loss of land between the proposed dwelling and neighbouring properties, would harm the character and appearance of the wider area, and result in an incongruous addition to the street scene.
	The officer's recommendation was moved, seconded, and unanimous agreed.
	RESOLVED: That the application was refused.
140.	66 FAIRWAY AVENUE, WEST DRAYTON - 29143/APP/2017/3100 (Agenda Item 10)
	Installation of a side-dormer and enlargement of roofspace to create habitable accommodation, including the erection of a single-storey front extension and installation of a porch.
	Officers presented the application, which sought to increase the height of the roof and install a side dormer to create habitable accommodation. The proposal also included the erection of a single-storey extension and the installation of a porch to the front of the dwelling.
	Members noted that the application site was situated in the 'West Drayton Garden City Area of Special Local Character'.
	The Committee sought clarification on the non-standard reason for refusal 2, regarding the detrimental impact on the amenities of the adjoining occupier at 64 Fairway Avenue, by reason of over-dominance, overshadowing, visual intrusion, loss of light and loss of outlook. Members commented that the overlooked room was not habitable, and questioned whether a similar impact on non-habitable rooms in neighbouring properties had been permitted in previous applications.
	Members sought to defer the item to allow for further investigation from the Head of Planning and Enforcement on the appropriateness of reason for refusal 2. A proposal

	to defer the application was moved, seconded, and upon being put to a vote, unanimously agreed.				
	RESOLVED: That the application was deferred.				
141.	QUARTERLY FINANCIAL MONITORING REPORT - S106 & S278 PLANNING AGREEMENTS (Agenda Item 11)				
	The report before Members provided financial information on s106 and s278 agreements in the Central and South Planning Committee area until 30 June 2017, where the Council has received and holds funds.				
	RESOLVED: That the S106/S278 Planning Agreements Quarterly Financial Monitoring Report was noted.				
142.	ENFORCEMENT REPORT (Agenda Item 12)				
	RESOLVED: That the item was deferred.				
143.	ENFORCEMENT REPORT (Agenda Item 13)				
	RESOLVED: That the item was deferred.				
144.	ENFORCEMENT REPORT (Agenda Item 14)				
	RESOLVED: That the item was deferred.				
	The meeting, which commenced at 7.00 pm, closed at 7.48 pm.				

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250693. 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.

Report of the Head of Planning, Sport and Green Spaces

Address 86 HARLINGTON ROAD HILLINGDON

Development: Change of use from Class C3 dwellinghouse to a 4-bed HMO. (House of Multiple Occupation).

LBH Ref Nos: 25724/APP/2017/3067

Drawing Nos: GSB/86/2017/PARK GSB/86/2017/HMO

Date Plans Received: 22/08/2017

Date(s) of Amendment(s):

Date Application Valid: 31/08/2017

1. SUMMARY

The application seeks planning permission for the change of use from a single dwelling house (Use Class C3) to a 4-bed HMO. There are no registered HMOs within a 100 metres distance of the application property, and this proposal would not therefore constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document. The proposal would provide an internal floor area and facilities and outdoor amenity space to comply with the Council's guidance.

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 plans, numbers:-

GSB/86/2017/PARK; GSB/86/2017/HMO;

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 (2016).

3 NONSC Non Standard Condition

Before the development hereby permitted commences a landscape scheme shall be 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 3 Bicycles

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts including 3 car spaces (each 4.8m long x 2.4m wide)

2.e Hard Surfacing Materials

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

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

4 NONSC Non Standard Condition

The property shall only be used on the basis of multiple occupation with shared facilities and no more than 4 bedrooms. Not more than 4 persons shall occupy the premises at any time.

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

5 NONSC Non Standard Condition

Before the development hereby permitted commences an HMO Site Management and Supervision Plan shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON :To safeguard the amenity of the occupants of surrounding properties, in accordance with policy OE1 Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and the Council's Supplementary Planning Guidance: Houses in Multiple Occupation 2004.

6 RES8 Tree Protection

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

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

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or

development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

2.b No materials or plant shall be stored;

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

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

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

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

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

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

1. Details of Soft Landscaping

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

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

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

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

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

2.e Hard Surfacing Materials

2.f External Lighting

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

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

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

4.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.

5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground 6.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

8 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work -Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

1

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.

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2 Compulsory Informative (1)

The decision to APPROVE 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).

3 I53 **Compulsory Informative (2)**

The decision to APPROVE 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.
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.
H7	Conversion of residential properties into a number of units
H10	Proposals for hostels or other accommodation for people in need of care
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 6.13	(2015) Parking

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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a resubmission of a previously refused scheme, where the Officers Report identified issues to be addressed, which were reflected in the reasons for refusal, allowing the opportunity to address those issues within this submission.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises a two storey semi-detached house located on the

Western side of Harlington Road which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). 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 property is one half of a pair of semi detached properties. in a short run of such properties, but these are also characterised by having a substantial tree belt at the front of the properties. There is a shared gated accessway running between 88 and 90 which is understood to give rear access to several of the properties.

3.2 **Proposed Scheme**

The application seeks planning permission for a change of use from dwellinghouse (Use Class C3) to a 4-bed House of Multiple Occupation (HMO) (Use Class C4).

3.3 Relevant Planning History

25724/78/1590 86 Harlington Road Hillingdon

Householder development - residential extension(P)

Decision: 08-11-1978 Approved

25724/APP/2016/4578 86 Harlington Road Hillingdon

Conversion of roofspace to habitable accommodation involving hip to gable end and rear dorme and change of use from dwellinghouse (Use Class C3) to house in multiple occupation

Decision: 03-03-2017 Refused

25724/APP/2017/910 86 Harlington Road Hillingdon

Conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for Proposed Development)

Decision: 19-04-2017 Approved

Comment on Relevant Planning History

25724/APP/2017/910 - Conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development). Approved

25724/APP/2016/4578 - Conversion of roofspace to habitable accommodation involving hip to gable end and rear dormer and change of use from dwellinghouse (Use Class C3) to house in multiple occupation was refused for the following reasons:

1. The roof alteration/extensions, by reason of the hip to gable end roof design and the size, scale, bulk, and design of the rear dormer window would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part

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

2. The applicant has not demonstrated that sufficient off street parking and cycle parking would be provided, which would be contrary to the Councils approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to Policy AM14 of the of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to Hillingdon's Adopted Parking Standards.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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.		
H7	Conversion of residential properties into a number of units		
H10	Proposals for hostels or other accommodation for people in need of care		
OE1	Protection of the character and amenities of surrounding properties and the local		
	area		
LPP 6.13	(2015) Parking		
5. Advert	5. Advertisement and Site Notice		

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

6. Consultations

External Consultees

4 neighbouring properties were consulted by letter dated 4.9.17 and a site notice was displayed to the front of the site which expired on 4.10.17

5 letters of objections including representation from the ward Councillor have been received raising the following issues:

- concerns about the failure of the applicant to address the shared ownership of the access driveway to serve the parking spaces;

- concerns in relation to the potential loss of trees;

- car parking space" at the rear of the property is NOT legally the applicant's property to lay claim to or to utilise for his own use;

- the proposal would prevent access into neighbouring properties/garages;

- concerns relating to construction impact;

- concerns relating to the property becoming a HMO and the overspill from the use;

- the loss of a family home is contrary to the Local Plan; and

- concerns relating to anti-social behaviour due to a transient population.

Officer note: The application red edged site area does not include the area of driveway referred to by the neighbours and as such the ownership certificate submitted with this application is considered to be correct. The access to the proposed parking spaces is addressed in the Parking section below.

Internal Consultees

Landscape Officer - This site is occupied by a two-storey mid-terrace house on the West side of Harlington Road. The houses on this side are set well back from the road and in this case, the house is well screened from the road by a group of trees - horse chestnut and sycamore - seen on the front boundary. The trees are protected by TPO 520 (G1 on the schedule). COMMENT No trees will be removed to facilitate the development. The car parking will remain close to the front of the building. If the application is recommended for approval, the trees should be protected from any indirect consequences of the change of use and external amenity should be provided and maintained for the residents. RECOMMENDATION No objection subject to conditions RES8, RES9 (parts 1, 2, 4 and 5) and RES10.

Highways (Summary) - The proposal involves changing the use of the existing 4b dwelling and using the building as an HMO with 4 bedrooms. On this basis the Council's policy is 1 car parking space per 2 habitable rooms which I presume in this case means 4 rooms and 2 car parking spaces. The proposal includes 3 on-site car parking spaces.

The proposal does not contain any secure covered cycle parking spaces but this can be conditioned.

Housing Surveyor - I have read and understand the plans for the property known as 86 Harlington Road, Hillingdon. I have no comments to make on the application.

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

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Principle of 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. It allows 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.'

The HMO Officer, has raised no concerns regarding the use of the property as a HMO and has confirmed that there are no other Registered HMO's within 100 m of the application site.

7.02 Density of the proposed development

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

7.04 Airport safeguarding

Not relevant to the consideration of this application.

7.05 Impact on the green belt

Not relevant to the consideration of this application.

7.07 Impact on the character & appearance of the area

The proposal does not involves any alterations to the external appearance of the property.

7.08 Impact on neighbours

A HMO allows between 3 and 6 unrelated individuals to live together sharing basic amenities such as a kitchen and a bathroom. The property would remain as a 4 bedroom

dwelling and therefore the numbers of residents is restricted. It is considered that the number of residents allowed within the modest sized dwelling would be no more than if a larger family were to occupy the dwelling and therefore there should be no more impact on neighbouring occupiers than what would reasonably be expected from a family of similar size. On balance it is considered that the change of use would not have an undue impact on existing residential amenity and that the proposal accords with Policy OE1 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012).

7.09 Living conditions for future occupiers

The issues are addressed in urban design section below.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Local Plan considers the traffic generated by proposals but states that permission will not be granted where the free flow of traffic or conditions of general highway or pedestrian safety are likely to be prejudiced. Section 4.7 within the SPG 'Houses in Multiple Occupation' offers the following advice in terms of parking for HMOs:

'The Council will require the provision of up to 1 off-street parking space for every 2 habitable rooms, excluding those used for communal living purposes."The site has a low PTAL rating of 2, therefore the occupants would likely rely on the use of vehicles as a mode of transport. The submitted plan indicates that two car parking spaces would be provided within the frontage and one space provided to the rear. it is however noted that access to these parking spaces is outside of the application red edged site area. The neighbour at Number 88 has highlighted that access to this very tight parking space would be over land which under shared ownership. Subsequent searches by the Council on the Land Registry show that this land is not registered to any owner and, as such, can be used for access.

The development includes three car parking spaces, which satisfy the above-mentioned standards. Provision of suitable cycle parking and bin storage facilities can be secured by way of a planning condition.

The proposed development would therefore satisfy Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and Hillingdon's Adopted Parking Standards.

7.11 Urban design, access and security

INTERNAL FLOOR AREA

The proposed development is seeking change of use to an HMO. 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 4 bedrooms. The bedrooms meet the specified standard. Furthermore a communal living/kitchen exceeding 10 square metres is provided and the rear garden exceeds the minimum garden area of 15 square metres/habitable room (60 square metres).

7.12 Disabled access

No accessibility issues raised.

7.13 Provision of affordable & special needs housing

Not relevant to the consideration of this application.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The house is well screened from the road by a group of trees - horse chestnut

and sycamore - seen on the front boundary. The trees are protected by TPO 520 (G1 on the schedule). The Council's landscape officer has indicated that the two parking spaces to the front of the site can be accommodated on the existing hardstanding to the front with appropriate landscaping conditions. The rear space would not affect the TPO trees.

7.15 Sustainable waste management

Not relevant to the consideration of this application.

7.16 Renewable energy / Sustainability

Not relevant to the consideration of this application.

7.17 Flooding or Drainage Issues

Not relevant to the consideration of this application.

7.18 Noise or Air Quality Issues

Not relevant to the consideration of this application.

7.19 Comments on Public Consultations

The comments are addressed in the sections above.

7.20 Planning obligations

Not relevant to the consideration of this application.

7.21 Expediency of enforcement action

Not relevant to the consideration of this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

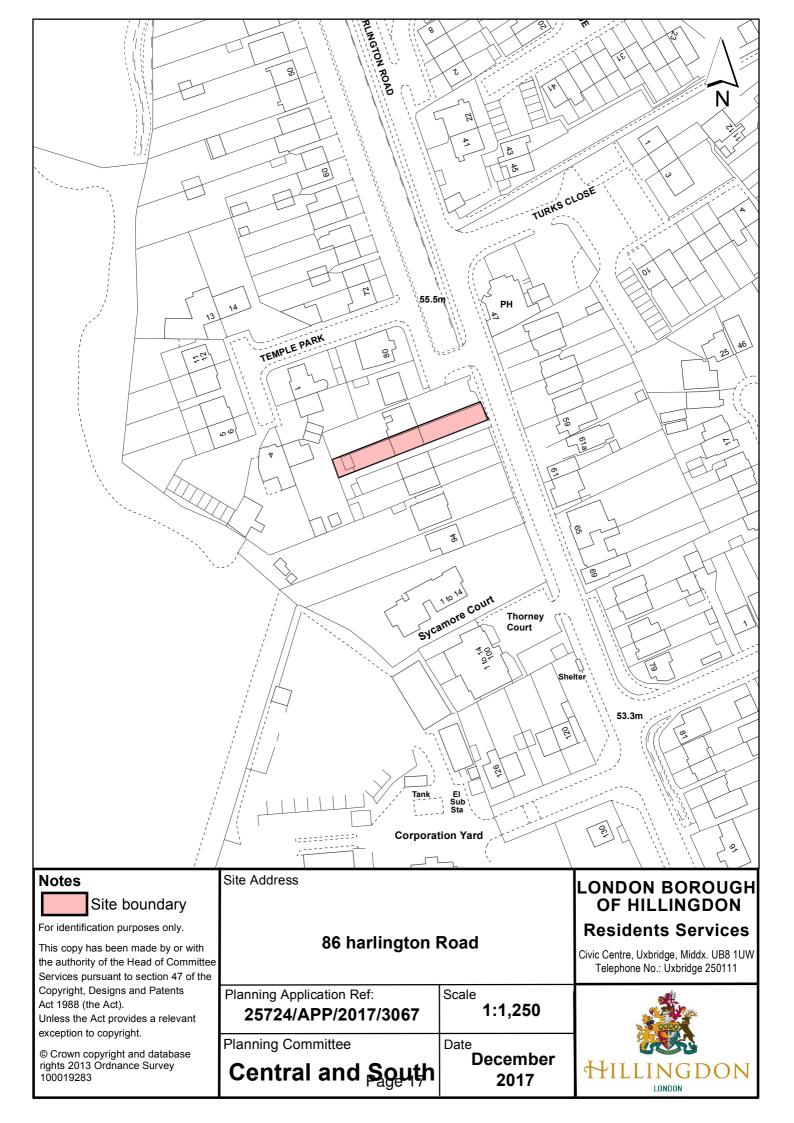
The application seeks planning permission for the change of use from single dwelling house (Use Class C3) to a 4-bed HMO. There are no registered HMOs within a 100 metres distance of the application property, and this proposal would not therefore constitute an over-concentration of HMO or sui generis uses in the area in accordance with the Interim Planning Policy Document. The proposal provides an internal floor area and facilities and outdoor amenity space to comply with the Council's guidance. The proposal includes an adequate quantum of off street car parking.

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



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Agenda Item 7

21/07/2017

Report of the Head of Planning, Sport and Green Spaces

Address 29 MANOR LANE HARLINGTON

Development: Single storey side extension involving demolition of existing garage.

LBH Ref Nos: 15434/APP/2017/2674

Drawing Nos: 1074-P-203 Rev A 1074-P-202 1074-P-201 1074-P-200 Proposed 1074-P-200 1074-P-204 RevA

Date Plans Received:21/07/2017Date(s) of Amendment(s):Date Application Valid:28/07/2017

CONSIDERATIONS

1.1 Site and Locality

1

The application site is located to the East side of Manor Lane. The frontage of the site along Manor Lane has a width of around 17 m, narrowing to around 10 m at the rear of the site.

The site is occupied by a single storey detached 'bungalow' type dwelling. The original part of the dwelling has a generally square footprint. The property has been extended in the past on the Southern side which has single storey additions comprising a protruding garage at the front and a kitchen at the rear; there is presently an open yard between these two extensions. The extension to the Southern side of the dwelling is wider at the front than it is to the rear due to the irregular shape of the site. This side extension abuts the Southern boundary. There also exists a porch to the frontage. The side extensions and porch have flat roofs. The original dwelling has a gable ended tiled pitch roof over.

To the South of the application site is a similarly sized plot, No. 31 Manor Lane. The site also contains a single storey bungalow. The property is located close to the respective boundary shared between the two sites. To the North of the application site is located a recently constructed bungalow on the site known as Land to the rear of 268 High Street. There exists around 2 m space between the flank fall of No.29 Manor Lane and the boundary with the site to the North. The rear (East) boundary of the site adjoins the rear of 270 High Street. It is to be noted that No. 268 - 272 are three Listed Buildings.

The site is located just outside the Harlington Village Conservation Area. The edge of the Harlington Village Conservation Area adjoins the Northern and Eastern boundaries of the site. The wider character of the surrounding area is of two storey dwellings.

1.2 **Proposed Scheme**

Planning permission is sought for a single storey side extension involving demolition of an existing flat roofed garage at the front of the property; amendments to the existing porch, and replacement of the flat roof with pitched.

The proposed single storey side extension would replace an existing garage and would fill the open space between what was the rear of the garage and an existing kitchen to the rear. The proposed extension would be set back so that it is flush with the front wall of original house, would be 4.9 m wide to the front and 2.95 m to the rear abutting the Southern boundary. This removes the flat roofed protrusion of the existing arrangement. The new roof above the proposed single storey side extension would generally match the current main pitch roof; it would be gable ended with the ridge lowered by 0.9 m from the main roof with the eaves of the same height as that of original house (2.55 m). The proposed extension would provide a playroom and a utility to the rear. One roof-light would be inserted to the front of proposed roof plane and one to the rear, one large window would be inserted on the front elevation matching with existing. The layout of the ground floor was amended to allow an acceptable outlook for the internal habitable rooms.

The existing porch would have its current flat roof removed and replaced with a shallow pitched roof with a gable end. The new roof to the porch would have a maximum height of 3.2 m; an existing single door and side window would be replaced with a double doors.

1.3 Relevant Planning History

15434/APP/2011/2420 29 Manor Lane Harlington

Raising of roof to allow for creation of new floor, conversion of garage to habitable space, alterations to porch roof and alterations to ground floor rear elevation.

Decision Date:	06-12-2011	Refused	Appeal:
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15434/APP/2017/1197 29 Manor Lane Harlington

Replace flat roof to front porch with pitch roof

Conversion of existing garage to a habitable room

Conversion of roof space to habitable room with installation of rear facing dormer and front facing dormer

Decision Date: 02-06-2017 NFA Appeal:

15434/APP/2017/2652 29 Manor Lane Harlington

Conversion of roofspace to habitable use to include a rear dormer and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date:	26-09-2017	Approved	Appeal:
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15434/APP/2017/2673 29 Manor Lane Harlington

Conversion of roofspace to habitable use to include a front dormer.

Decision Date:

Appeal:

Comment on Planning History

The application property was already extended to the rear side and front.

Planning Application 15434/APP/2011/2420 for the raising of roof to allow for creation of new floor, conversion of garage to habitable space, alterations to porch roof and alterations to ground floor rear elevation was refused on 6 December 2011.

The reasons of refusal:

1. The proposal to add an additional floor to the dwelling would, by reason of its excessive size, height and bulk, not enhance the character and appearance of the street scene and area, detrimentally affect the setting of Listed Buildings and would likely set an unwanted precedent of similar developments, contrary to policies BE4, BE10, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies, September 2007.

2. The development, by reason of its design, height and siting would result in direct overlooking to habitable rooms and amenity areas of neighbouring properties, causing an unacceptable loss of privacy to the occupiers of these properties. The proposal is therefore considered contrary to policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3. The proposal having regard to the size of the enlarged accommodation would fail to maintain an adequate amount of amenity space for the occupiers of the enlarged property, and as such would result in an over-intensive use of the remainder of the garden to the detriment of the amenity of the neighbouring occupiers and character of the area. The proposal is therefore contrary to policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

The application for the Conversion of roof-space to habitable use to include a rear dormer and 2 front roof-lights (Application for a Certificate of Lawful Development for a Proposed Development) was approved on 26 September 2017.

The application 15434/APP/2017/2673 for a conversion of roof-space to habitable use to include a front dormer is not decided yet and will be determined by the committee.

2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- 6th September 2017
- **2.2** Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

Three neighbouring occupiers alongside with the Harlington Village Residents Association were consulted on 02/08/2017. By the close of the consultation period on 23/08/2017, one objection was received.

Occupier of No 272 High Street comments:

Although not within the Conservation Area, this property adjoins it so development could have an adverse effect on

the Conservation Area and the listed properties next door. The proposed side extension will dominate the neighbouring property with a large brick wall on the boundary, replacing the existing shorter sections of wall. As a result the plans show two internal rooms likely to loose their outlook. The proposed extension has a different roof pitch to that of the main house which will look out of place on the street scene, along with the porch roof and doors which are not typical of the area.

Two other planning applications are proposed, and if all three were to be approved it would result in an over intensive use of the site and the potential of a six bedroom house without the supporting recreational facilities to the detriment of the residential amenities of adjoining

occupiers by reason of noise and disturbance. This proposal would also be detrimental to the architectural composition of the existing dwelling and fails to either preserve or enhance the character and appearance of the wider Harlington Village Conservation Area. I hope permission will not be granted.

Harlington Conservation Area Advisory Panel - Objected to the scheme with the following comments:

I am writing on behalf of Harlington Conservation Area Advisory Panel. Although not within the Conservation Area, the property adjoins it so development could have an adverse effect on the Conservation Area. The proposed side extension will create an oppressively large brick wall on the boundary with the adjoining property, replacing two shorter and lower sections of brick wall on the boundary, flanking a wall with windows inset from the boundary. The pitch of the roof of the proposed extension is different to that of the main house - a discordant feature. The proposed porch has double doors which are not a normal feature of the area. It does not make a positive contribution to the street scene. This proposal should be considered alongside the two other current planning applications for changes to this property. If all three proposals were carried out the significant increase in size would result in an over development of the site and a design with discordant

Officer comment:

The proposed side extension would not increase the size of property, on the contrary the proposal is to infill the side yard and removing the existing front garage, a discordant feature, together with the proposed pitched roof above would improve the street scene, resulting in a more compact structure.

The shapes and styles of porches within Manor Lane vary as such it is rather difficult to find out which one is typical for this street scene.

4. UDP / LDF Designation and London Plan

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

features.We therefore hope permission will not be granted.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
BE1	Development within archaeological priority areas
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the existing dwelling, the impact on the visual amenities of the surrounding area, including the setting of the Harlington Conservation Area and the setting(s) of listed buildings, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the occupants of the dwelling and the availability of parking.

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of extensions.

Section 4.0 Single Storey Side Extensions states the design of a side extension should not dominate the existing character of the original property. The extension is more than two thirds the height of the original dwelling. This is acceptable given that the dwelling is a bungalow and subservience is demonstrated. Generally roof design must not obstruct any adjoining properties right to sun/day light. To help prevent this it is recommended that the roof pitch is set to an angle as shallow as possible, however it should also match the existing.

The proposed side extension would abut the Southern boundary, would have a pitched gabled roof of a similar design as that of the original. The height of the proposed roof would not comply with the maximum height for single storey side extensions, as specified in paragraph 3.6 of the HDAS SPD. However in this particular case it would be acceptable due to proposed design and given the position of the proposed single storey side extension, and the improved relationship to the adjoining property No 31 Manor Lane, which has a flank wall facing the proposed demolition of the existing front garage would improve the appearance of the host property as well as street scene, opening the view of bungalow at No 31 to the South, that has recently been rather hidden behind the existing garage at No 29 Manor Lane.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of Conservation Areas and those features which contribute to the special architectural qualities. Policy BE4 reflects the relevant legal duties. Policy BE10 resists proposals which would be detrimental to the setting of Listed Buildings. Policy BE10 reflects the relevant

legal duties.

This site adjoins the Conservation Area rather than being within it; however, apart from the provision of the pitched roof, the position of the proposed development is largely screened from the Conservation Area by the existing building and kitchen extension, and therefore the impact upon the setting of the Conservation Area is considered to be neutral. The same is true of the impact upon the setting of the Listed buildings which lie to the rear (east) of the site.

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity would not result in a significant loss of residential amenity and Policy BE24 should protect the privacy of the occupiers and their neighbours. With regards to the impact on neighbouring residential amenity, it is considered that the proposed development would not have an adverse impact on the residential amenities of the occupiers of the adjacent dwellings at No 27A Manor Lane and No 270 High Street from increased overshadowing, loss of sunlight, visual intrusion and over-dominance due to the proposal.

The adjoining neighbour at No. 31 Manor Lane does not benefit from any kind of extension. Given its orientation, the proposed extension would not have an adverse impact upon the adjoining neighbours at No.31 Manor Lane. As such, the proposal would not result in a loss of their residential amenities and light levels, by way of appearing overbearing, being visually intrusive, causing overshadowing, or loss of outlook and light.

The proposed development will include one new window on the front elevation which will have a general outlook onto the street scene and not directly into any neighbouring properties. The proposal involves the provision of a utility and playroom within the property. The layout of the ground floor was amended to ensure the outlook of an internal habitable room was acceptable.

It is considered that all the proposed and existing rooms 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).

The proposal thus complies with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), Policy 3.5 of the London Plan (2015) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

Paragraph 3.13 of the HDAS SPD requires sufficient garden space to be retained as a consequence of an extension, and that a minimum usable rear garden area of 100 sq.m should be provided for a 4+-bedroom dwelling (which is what the application dwelling would comprise after development). The proposal would result in the retention of a usable rear garden area of approximately 100 sq.m, which would provide the requirements of the HDAS SPD and provide adequate external amenity space for the occupiers of the existing dwelling in line with the requirements of Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The existing hardsurfaced front garden is capable of accommodating at least 2 parking spaces. As such, the proposal would not have any conflict with the objectives of Policy

AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Having taken everything into consideration, it is recommended that this application be approved.

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 1074-P-200 - Location Plan Existing, 1074-P-200 - Location Plan Proposed, 1074-P-201 - Existing Floor and Roof Plan, 1074-P-202 - Existing Elevations, received on 21/07/2017; 1074-P-203 Rev A - Proposed Floor and Roof Plan, received on 31/10/2017 and 1074-P-204 Rev A - Proposed Elevations, received on 08/11/2017

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 HH-MRD4 Single Dwellings Occupation

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 Unitary Development Plan Saved Policies (November 2012).

INFORMATIVES

- 1 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.
- 2 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).

3 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.

Standard Informatives

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 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:

AM14	New development and car parking standards.
BE1	Development within archaeological priority areas
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

- 3 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.
- 4 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.
- 5 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.

- 8 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.

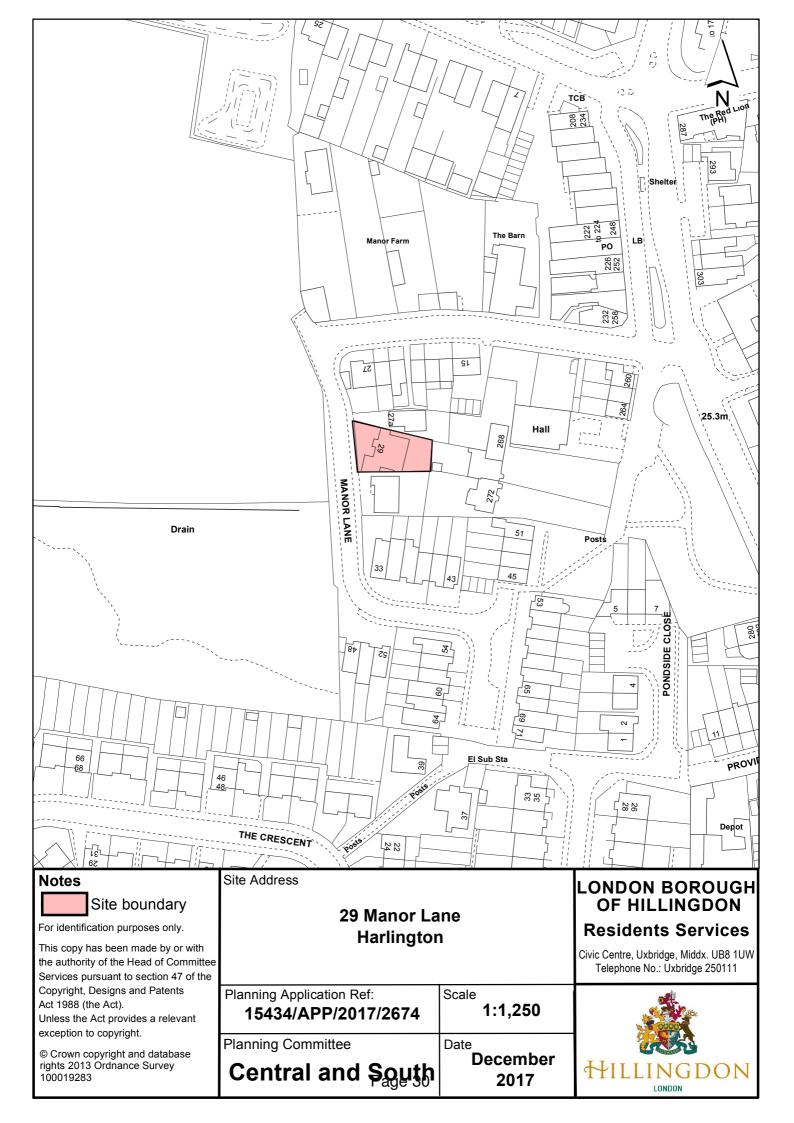
D) No bonfires that create dark smoke or nuisance to local residents.

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.

- 10 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.
- 11 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.
- 12 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: Maria Tomalova

Telephone No: 01895250320



Report of the Head of Planning, Sport and Green Spaces

Address 26 COLDHARBOUR LANE HAYES

Development: Change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Financial and Professional Services) for use as an estate agents. (Retrospective).

- LBH Ref Nos: 72611/APP/2017/3569
- Drawing Nos: Location Plan Site Photos 0228-01-00

Date Plans Received: 03/10/2017 Date(s) of Amendment(s):

Date Application Valid: 05/10/2017

1. SUMMARY

The application seeks retrospective planning permission for the change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Financial and Professional Services) for use as an estate agents. The proposal is not considered to undermine the vitality of the shopping area and would constitute permitted development under the provisions of Schedule 2 Part 3 Class D of the GPDO. The application is recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 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 0228-01-00 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 (2016).

INFORMATIVES

1 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.

2 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).

3 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
NPPF	National Planning Policy Framework
S11	Service uses in Primary Shopping Areas

3. CONSIDERATIONS

3.1 Site and Locality

The application site relates to a unit on the corner of Coldharbour Lane with Mount Road. The application site is located within Hayes Town Centre and a Primary Shopping Frontage as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

3.2 **Proposed Scheme**

The application seeks retrospective planning permission for the Change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Finanicial and Professional Services) for use as an estate agents.

3.3 Relevant Planning History

72611/ADV/2017/60 26 Coldharbour Lane Hayes

Installation of 2 internally illuminated fascia signs, 1 externally illuminated hoarding sign and 1 internally illuminated hanging sign

Decision: 17-07-2017 Refused

72611/APP/2017/2331 26 Coldharbour Lane Hayes

Use of the ground floor as a shop (Class A1) (Application for a Certificate of Lawful Developmer for an Existing Use)

Decision: 24-08-2017 Refused

72611/APP/2017/632 26 Coldharbour Lane Hayes

Use of the ground floor as a shop (Use Class A1) (Application for a Certificate of Lawful Development for an Existing Use)

Decision: 19-04-2017 Refused

Comment on Relevant Planning History

72611/ADV/2017/60 - Installation of 2 internally illuminated fascia signs, 1 externally illuminated hoarding sign and 1 internally illuminated hanging sign - Refused for the following reasons:

1. The projecting sign, by reason of its position, above the fascia signage and out of line with the remaining signage in the street scene, results in visually intrusive and discordant feature out of keeping with the prevailing pattern of shop signage in this locality. This sign therefore fails to ensure the character and appearance of the street scene is protected, as such, it would be contrary to policies BE27 and BE29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Shopfronts.

2. The proposed hoarding sign, by reason of its illuminated nature would appear as an unduly prominent feature in the street scene and to surrounding residential properties. As such, the sign would be detrimental to the visual amenities of the street scene and the wider area contrary to policies BE27 and BE29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Shopfronts.

72611/APP/2017/2331 - Use of the ground floor as a shop (Class A1) (Application for a Certificate of Lawful Development for an Existing Use) was refused for the following reason:

The existing development does not constitute Lawful Development under Section 191 of Town and Country Planning Act 1990, as amended by Section 10 of the Planning and Compensation Act 1991 as the Applicant has not demonstrated that, on the balance of probability, the use has existed and been continuous for at least a period of ten years, prior to the date of this application.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
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- AM7 Consideration of traffic generated by proposed developments.
- NPPF National Planning Policy Framework
- S11 Service uses in Primary Shopping Areas

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

10 neighbouring properties were consulted by letter dated 13.10.17 and a site notice was displayed to the front of the site which expired on 14.11.17

Internal Consultees

Access Officer - No Comments.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 23 of the National Planning Policy framework (NPPF) states the requirement to promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. The application is located within Hayes Town Centre within primary shopping frontage where adopted policy S11 aims to prevent the loss of retail facilities when their loss would undermine the vitality of the retail shopping area.

Policy S6 of the Local Plan states that:

To safeguard the amenities of shopping areas, the local Planning authority will grant permission for changes of use of Class A1 shops if:

(i) the proposal will not be detrimental to visual amenity where the premises form part of a statutory or locally listed building or are located within a conservation area;

(ii) a frontage of a design appropriate to the surrounding area is maintained or provided (the local planning authority may impose conditions to ensure retention or installation of an appropriate frontage); and

(iii) the proposed use is compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties by reason of disturbance, noise, smell, fumes, parking or traffic related problems;

(iv) has no harmful effect on road safety and does not worsen traffic congestion or disrupt bus operations.

The local authority may impose conditions covering restrictions on uses, opening hours, sound proofing, ducting, car parking, or other matters necessary to make the development acceptable.

Policy S 11 states:

In primary shopping areas, the local planning authority will grant permission for the service uses set out below where it is satisfied that:

(a) the remaining retail facilities are adequate to accord with the character and function of

the shopping centre and to provide for the needs of modern retailing including consumer interests; and

(b) the proposed use will not result in a separation of class A1 uses or a concentration of non-retail uses which might harm the viability or vitality of the centre. It will regard the following uses as acceptable at ground floor level within the shopping frontages of primary shopping areas, subject to the considerations set out in policy S6:-

- (i) class a1 shops;
- (ii) banks and building societies (but not other class A2 uses);
- (iii) class A3 food and drink uses.

The local planning authority may impose conditions on permissions for changes to class A3 uses and to banks and building societies, restricting future changes of use to the uses listed at (i), (ii) and (iii) above.

The proposed use is an estate agents (A2). The unit has an active frontage and is on the corner of Mount Road. The unit adjoins a chemists (A1 use) and the entrance to Mount Road. The A2 use is not therefore contributing towards a cluster of non A1 units or creating a dead frontage. The proposal is therefore considered to be policy compliant.

The proposal involves a retrospective change of use of this retail unit to A2 use which is not considered to undermine the vitality of the shopping area. The principle of the change of use is therefore considered acceptable.

7.02 Density of the proposed development

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

7.04 Airport safeguarding

Not relevant to the consideration of this application.

7.05 Impact on the green belt

Not relevant to the consideration of this application.

7.07 Impact on the character & appearance of the area

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

The application does not propose any external alterations to the unit and is therefore considered acceptable in this respect.

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

The application site is located within Hayes Town centre and its use as an A2 Estate

Agents is not considered to have any impact upon residential amenity.

7.09 Living conditions for future occupiers

Not relevant to the consideration of this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Parking Standards (Annex 1, Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires 1 space per 25 sq.m for non-shop uses. This requirement is the same for shop uses.

Also, this part of the Hayes Town Centre has good public transport links. The application site is within walking distance of Hayes & Harlington Station and there are good bus links on Coldharbour Lane. As such, no additional parking would be required.

The proposal would not result in a significant increase in on-street parking and would comply with Policies AM7(ii) and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Parking Standards (Annex 1, Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)).

7.11 Urban design, access and security

No issues raised.

7.12 Disabled access

No accessibility issues have been raised.

7.13 Provision of affordable & special needs housing

Not relevant to the consideration of this application.

7.14 Trees, landscaping and Ecology

Not relevant to the consideration of this application.

7.15 Sustainable waste management

Not relevant to the consideration of this application.

7.16 Renewable energy / Sustainability

Not relevant to the consideration of this application.

7.17 Flooding or Drainage Issues

Not relevant to the consideration of this application.

7.18 Noise or Air Quality Issues

Not relevant to the consideration of this application.

7.19 Comments on Public Consultations

No comments have been received from external consultees.

7.20 Planning obligations

Not relevant to the consideration of this application.

7.21 Expediency of enforcement action

There is advertisement signage on site which is the subject of ongoing enforcement investigations, these are not considered relevant to the retrospective change of use.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so

far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

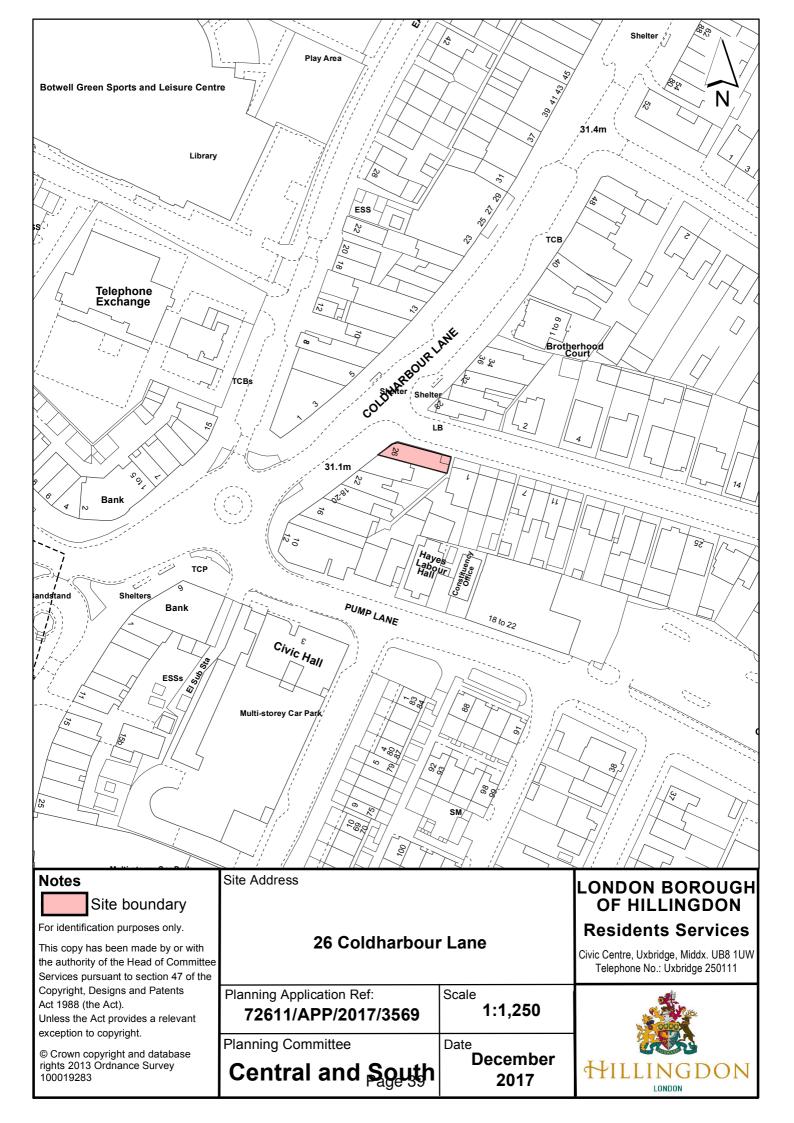
The application seeks retrospective planning permission for the change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Financial and Professional Services) for use as an estate agents. The proposal is not considered to undermine the vitality of the shopping area and would constitute permitted development under the provisions of Schedule 2 Part 3 Class D of the GPDO. 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) Hillingdon Design and Accessibility Statement: Accessible Hillingdon National Planning Policy Framework

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Report of the Head of Planning, Sport and Green Spaces

Address 66 FAIRWAY AVENUE WEST DRAYTON

Development: Installation of a side dormer and enlargement of roofspace to create habitable accommodation including the erection of a single storey front extension and installation of a porch

LBH Ref Nos: 29143/APP/2017/3100

Drawing Nos: Z/549/03 Rev. A Z/549/02 Rev. A Z/549/01 Rev. A LP-66.

 Date Plans Received:
 24/08/2017

 Date Application Valid:
 31/08/2017

Date(s) of Amendment(s): 24/08/0017

CONSIDERATIONS

1.1 Site and Locality

1.

This application was deferred from the committee on 23 November 2017 to enable clarification of the neighbouring impacts of the proposal. In particular clarification was sought on a side kitchen window. The side window is in fact a secondary window to the kitchen. Furthermore a previous appeal decision resulted in an inspector placing less weight than officers on the impact on the neighbours property. Taking these two factors into account it is not considered that a neighbour impact reason could be sustained at appeal. There remain concerns regarding the impact of the proposal on the streetscene though.

The application relates to a detached extended bungalow situated on a generous plot which backs onto a railway line located to the North of Fairway Avenue. Its principal elevation faces South. The existing property at No 66 Fairway Avenue comprises a single storey flat roof rear extension. The site backs onto a railway line. The adjacent dwelling to the East (no 64) is a bungalow and to the West is a two-storey semi-detached property.

The application site is situated in 'West Drayton Garden City Area of Special Local Character' (ASLC). Fairway Avenue comprises varying architectural styles with a mixture of detached, semi-detached and terraced properties. The area is characterised by dwellings with generous front gardens. Fairway Avenue features grass verges and mature and semi-mature trees.

1.2 **Proposed Scheme**

The proposal involves increasing the height of the roof and the installation of a side dormer to create habitable accommodation. The proposal also includes the erection of a single storey front extension and the installation of a porch to front.

The overall height of the existing dwelling would increase from approximately 5 metres to 7 metres. The side dormer window include set-ins from the sides and eaves of at least 1

metre but a 0.5 metre set-in from the apex. It is indicated as having an obscure glazed window and it will serve a bathroom/wc.

The front extension would be 1m deep and 5m wide. The porch would be 1.5 metres deep by 2.7 metres wide and 2.7 metres high.

1.3 Relevant Planning History

29143/A/91/1362 66 Fairway Avenue West Drayton

Erection of a pair of semi-detached houses (involving demolition of existing bungalow) (outline application)

Decision Date: 07-02-1992 Refused Appeal:

29143/APP/2010/1425 66 Fairway Avenue West Drayton

Single storey rear extension to include alterations to existing side and demolition of existing conservatory to rear.

Decision Date: 27-08-2010 Approved Appeal:

29143/APP/2014/2863 66 Fairway Avenue West Drayton

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 2.5 metres, and for which the height of the eaves would be 2.5 metres

Decision Date:	30-09-2014	Refused	Appeal:
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29143/APP/2014/3827 66 Fairway Avenue West Drayton

Single storey rear extension

Decision Date: 08-01-2015 Refused Appeal:14-JUL-15 Allowed

Comment on Planning History

Prior Approval application (ref: 29143/APP/2014/2863) was refused for a 6 m extension to which a neighbour objected. The officer's report acknowledged a large existing rear extension at No 64 of a comparable depth, however concern was raised regarding the loss of light and the overbearing impact to side windows.

29143/APP/2014/3827 (14-07-15) for a single-storey rear extension was refused but allowed on appeal. One reason for refusal related to impact on No. 64 Fairway Avenue. The Inspector concluded the proposed single storey rear extension would not harm the amenity of the occupiers of No 64 Fairway Avenue.

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

Neighbouring residents were consulted upon the application on 04/09/2017. Two objections were received to the application raising following issues -

1. Previous proposal for a smaller extension was refused;

2. Serious loss of light;

3. The volume of the house would significantly increased and its bulk and length may appear excessive compared to that of its neighbours;

4. The initial decision on the previous application (29143/APP/2014/3827) described the modest single storey rear extension as "- detrimental to the amenities of the adjoining occupier at 64 Fairway Avenue by reason of over-dominance, overshadowing, visual intrusion, loss of light and loss of outlook" and also "- detrimental to the character and appearance of the existing property and to the visual amenities of the wider Garden City, West Drayton Area of Special Local Character". The refusal was overturned on appeal, but it is considered that the same comments are applicable to the present application; the bungalow to the East will certainly notice a loss of afternoon light in the back garden and the bulk of the proposed new roof will be ever-present; and

5. Though many dwellings in this Area of Special Local Character have been substantially extended, the current proposals would have a very obvious negative impact on the streetscape, closing gaps and reducing sightlines.

Officer comments - The issues raised are considered within the main body of the report.

INTERNAL CONSULTEES

Flood and Water management - The property is shown in Flood Zone 2, which can be found on the Environment Agency website and so a Flood Risk Assessment (FRA) must be submitted. The FRA must establish the level of risk to the property and also identify exactly how that risk will be managed. The application should be refused as an FRA has not been provided to assess the risk to the property and show how it is managed to ensure the future occupants will be safe.

Officer comment: The objection was discussed with the flood and water management officer who agreed that the very small scale of the additions at ground floor level (6sq.m) is such that a condition might be possible to address how the extensions can be designed to ensure the future occupants will be safe. That with the very limited footprint increase it might also be hard to argue an in principle objection based on failure to provide a flood risk assessment (typically, although not in this case, very small additions to dwellings will also be permitted development). Nonetheless it was also advised that it would be a matter of officers to argue that such an approach in this case did not set an undesirable precedent.

Conservation and Urban Design - The proposal would dramatically alter the original built form of the property.

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:

AM14	New development and car parking standards.
BE5	New development within areas of special local character

- BE13 New development must harmonise with the existing street scene.
- 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.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2011) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main planning issues being considered is the impact that the proposed extension on the adjacent neighbouring properties, the character and appearance of the host dwelling and the character and appearance on the street scene.

DESIGN

The property is situated within the Garden City West Drayton Area of Special Character. It has the outward appearance of a modest bungalow with mock Tudor features. The adjacent bungalow to the East has similar features whilst the properties to the West are more traditional 1930's semi-detached two-storey dwellings.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all development to achieve a high quality of design in extensions, making a positive contribution to the area in terms of layout, form, scale and materials and protecting the amenity of surrounding land and buildings particularly residential properties.

Similarly, the policies contained in the Hillingdon Local Plan: Part Two-Saved UDP Policies (November 2012) require new development to harmonise with the street scene (Policy BE13) and the form, scale and proportions of the original building (Policy BE15) whilst complementing the surrounding residential area in which it is situated (Policy BE19).

The existing dwelling and its neighbour No. 64 Fairway Avenue are of similar design and form a distinct pair. Together they provide an important visual gap between two-storey semi-detached dwellings with views to trees beyond. Together they, therefore, make an important contribution to the street scene in this part of the ASLC.

The Council's adopted SPD, the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) (HDAS), sets out the design criteria for the scale and form of loft conversions and roof alterations which will generally be considered acceptable. Roof extensions will be accepted on bungalows, however these should appear subordinate to the size of the roof face within which it will be set. The guidance notes adequate set-ins (of at least 1.0 metre on detached dwellings) should be achieved from the ridge, sides and eaves and dormer windows that are too wide will be refused.

The dormer proposed is disproportionate and does not relate well to the roof form of the

existing house. The proposed increase in height and the pronounced pitched roof coupled with inclusion of a large side dormer would result in a significant change to the scale of the original dwelling. The proposed side dormer together with the increase in height would result in an incongruous and excessively bulky box like addition to the existing dwelling. The symmetry and original proportions of this dwelling would be lost. The major change to the roof, both in terms of height and general form, including a side dormer with insufficient set-in from the apex of the roof are not considered to be in keeping with the ASLC and surrounding area generally.

The proposal includes a front extension at ground floor level with a depth of 1m and a width of 5m, this element of the proposal is considered acceptable.

With regard to porches paragraph 8.2 of the HDAS states that they should be individually designed to follow the character of the existing building. Porches should be subordinate in scale and should not be detrimental to the street scene. They should generally be confined to the front entrance area. It is considered that the proposed porch will be subordinate to the existing dwelling and is unlikely to detrimentally harm the wider character of the area.

The proposal is not considered to be appropriate in terms of the Hillingdon Local Plan Part Two Policies BE5, BE13, BE15, BE19 and HDAS.

AMENITY

Hillingdon Local Plan: Part Two-Saved UDP Policies seek to safeguard the amenities of adjoining occupiers by reason of their daylight and sunlight (Policy BE20), outlook due to bulk and proximity (Policy BE21) and privacy (Policy BE24). HDAS sets out the criteria by which these potential impacts are measured or assessed with regard to angles of light and the position of habitable room or kitchen windows.

The appeal Inspector under planning ref: 29143/APP/2014/3827 (14-07-15) considered the impact of a rear single storey extension on both neighbouring properties. It was concluded that the addition of a further two metres of flat roofed extension in a Northerly direction to the West of this neighbouring property would make very little difference to the benefits currently gained by the neighbouring resident's side window. A gap will be maintained to the side's of the property.

The neighbour to the east (64 Fairway Avenue) does have a ground floor side facing kitchen window. Officers have checked on site and it is a secondary window though. In this regard there is not an argument that could be sustained at appeal regarding loss of light to this window. The property as enlarged will be perceived as having a neighbour impact due to the greater bulk and greater perception of overlooking of the rear garden, but neither of these is directly contrary to the Council's HDAS residential extensions guidance, in particular as a 45 degree line is not breached to the rear. Taking into account the appeal inspector's decision and the nature of windows affected in the neighbouring property there is not considered to be an unacceptable impact on neighbours amenity.

FLOOD RISK

Whilst the Flood Risk Management Officer has recommended refusal, officers consider that the proposed extensions and porch on the front elevation are of such modest scale that a reason for refusal on this basis could not be sustained at appeal; that some form of condition requiring measures to ensure that the porch/front extension is designed appropriately to mitigate risk from flooding will suffice in this case.

CONCLUSION

It is considered that the increase of the roof height combined with the large dormer window would be bulky and incongruous in the main roof. The proposal would adversely affect the character and appearance of the main property and would be visually intrusive in the ASLC area. The application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Reason for Refusal: Character and Appearance

The increase in height of the roof form and the addition of a bulky side dormer window would fail to harmonise with the architectural composition of the original dwelling, and would be detrimental to the character, appearance and symmetry of the pair of single-storey dwellings and to the visual amenities of the street scene and the surrounding area which is within the Garden City West Drayton Area of Special Character. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1 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.
- 2 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 however we have 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.

Standard Informatives

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

- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.
 - Part 1 Policies:

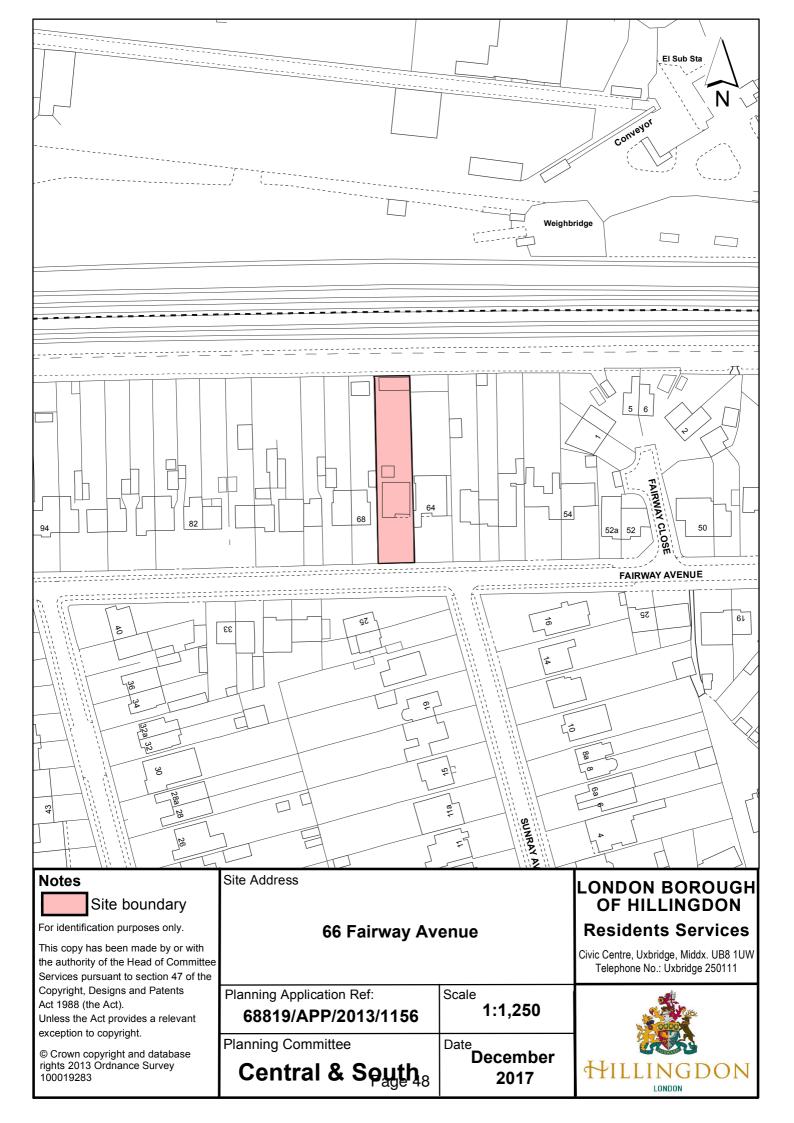
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Part 2 Policies:

AM14	New development and car parking standards.
BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2011) Quality and design of housing developments

Contact Officer: Zenab Haji-Ismail

Telephone No: 01895 250230



Document is Restricted

Agenda Annex

Plans for Central & South Applications Planning Committee

Tuesday 12th December 2017





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Report of the Head of Planning, Sport and Green Spaces

Address 86 HARLINGTON ROAD HILLINGDON

Development: Change of use from Class C3 dwellinghouse to a 4-bed HMO (House of Multiple Occupation).

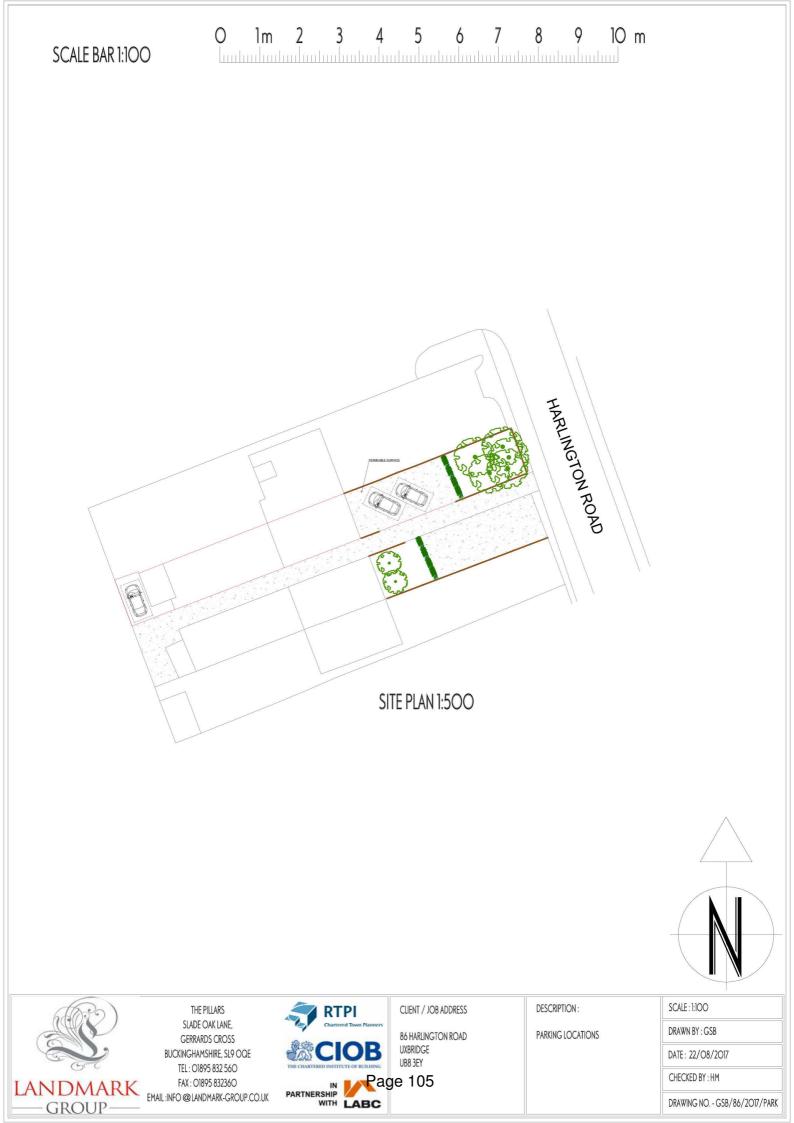
LBH Ref Nos: 25724/APP/2017/3067

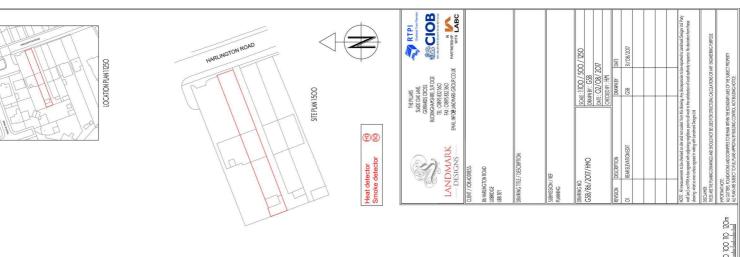
Date Plans Received: 22/08/2017

Date(s) of Amendment(s):

Date Application Valid: 31/08/2017

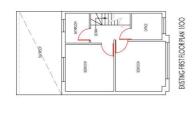
Central & South Planning Committee -12th நக்குளிக்கு 2017 PART 1 - MEMBERS, PUBLIC & PRESS

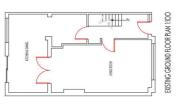




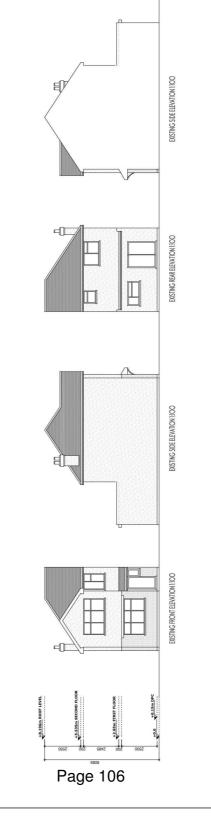


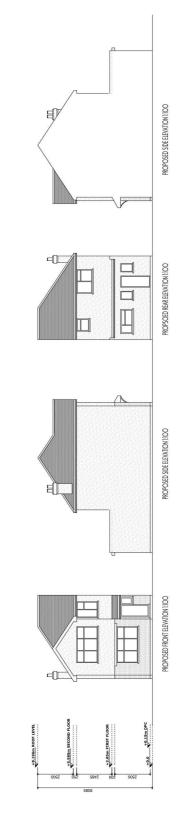


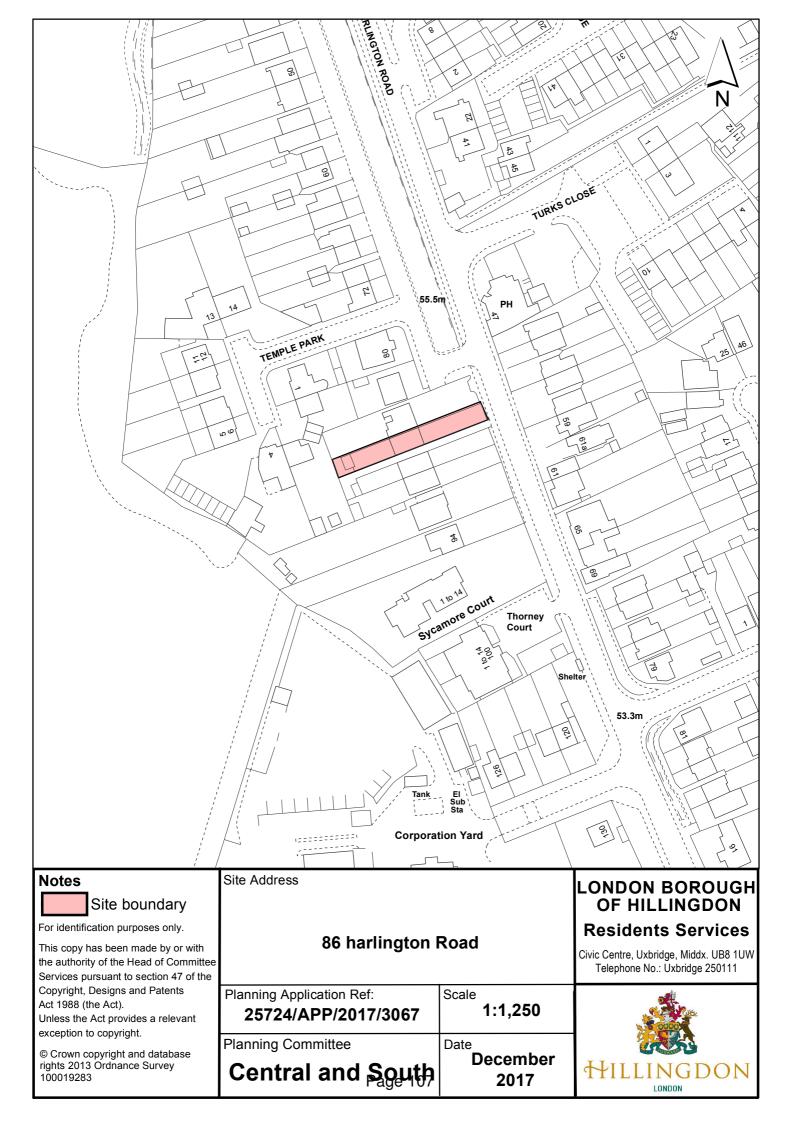




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Report of the Head of Planning, Sport and Green Spaces

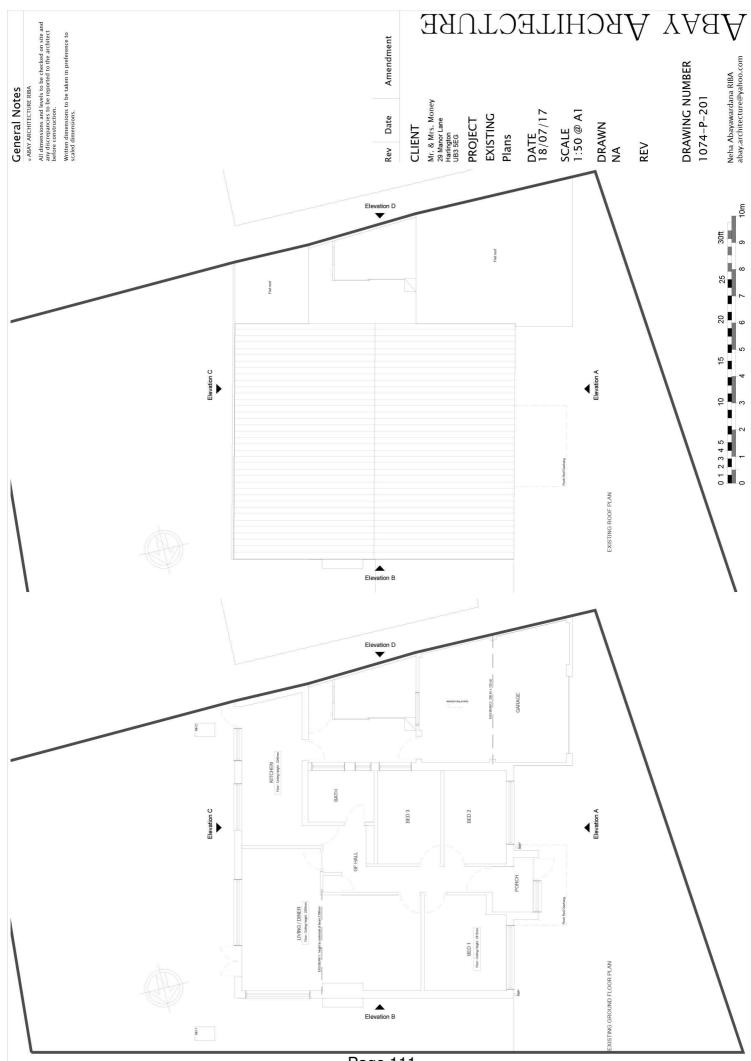
Address29 MANOR LANE HARLINGTONDevelopment:Single storey side extension involving demolition of existing garage.LBH Ref Nos:15434/APP/2017/2674Date Plans Received:21/07/2017Date Application Valid:28/07/2017

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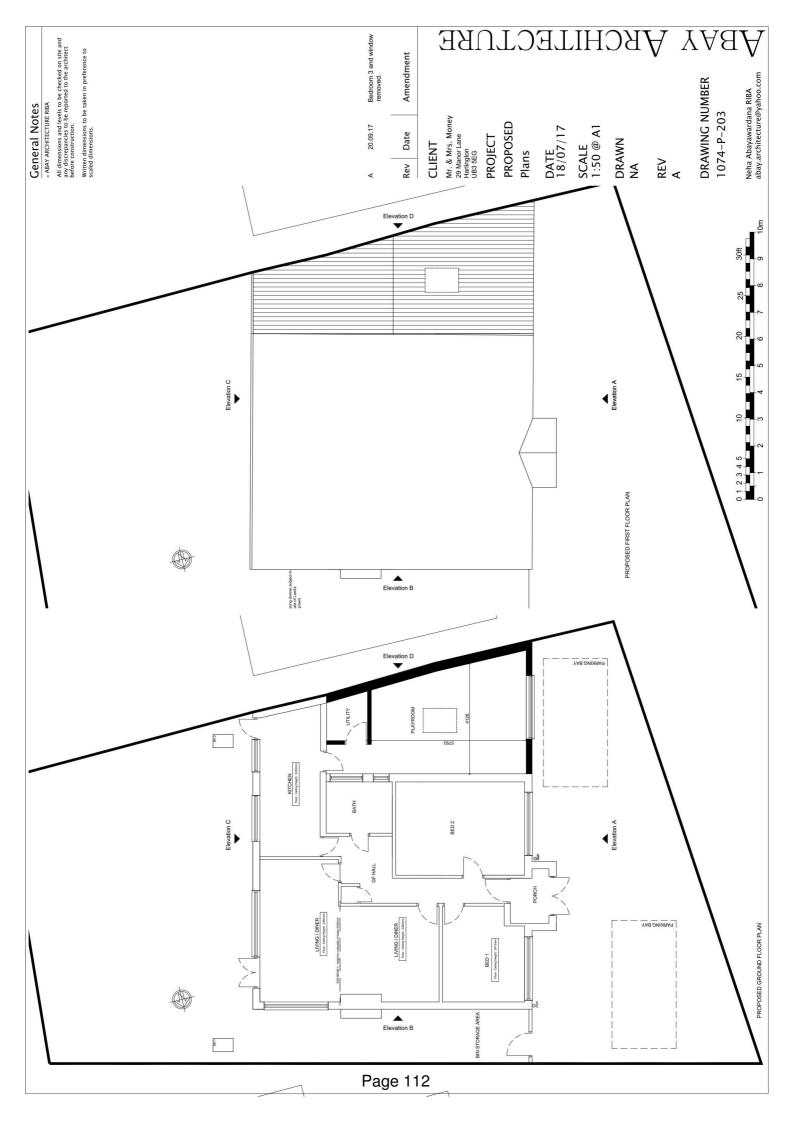
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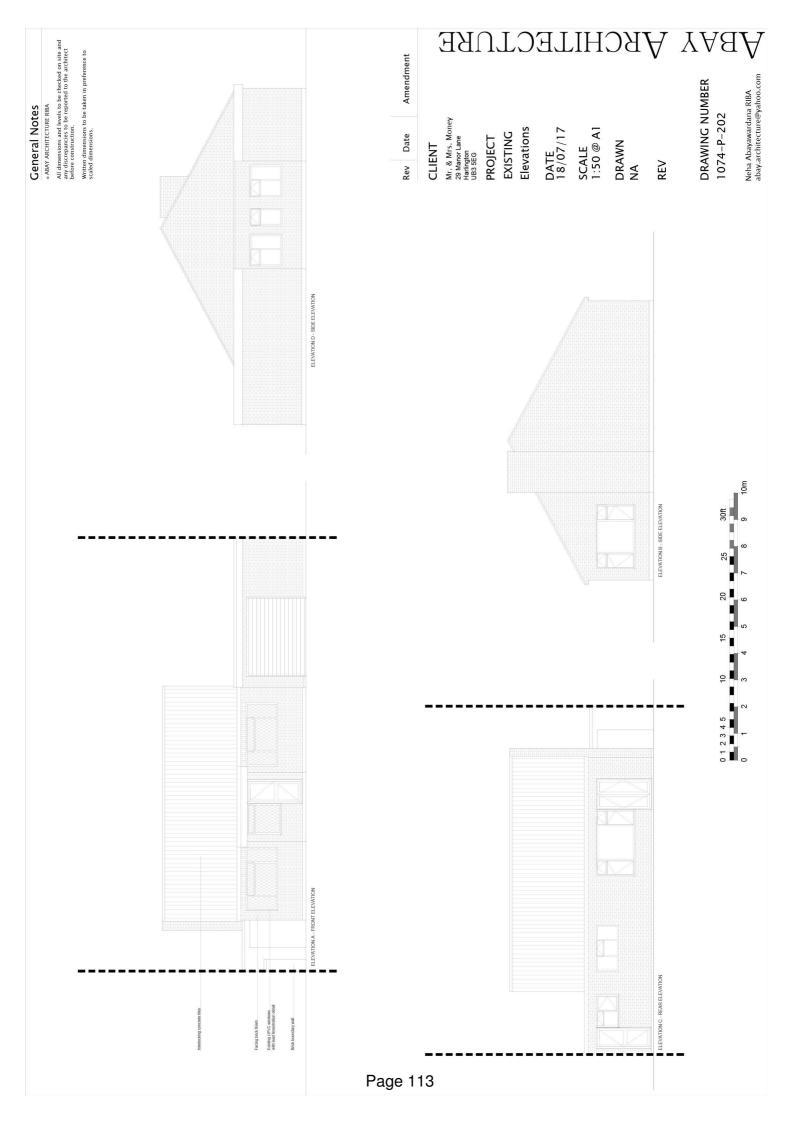


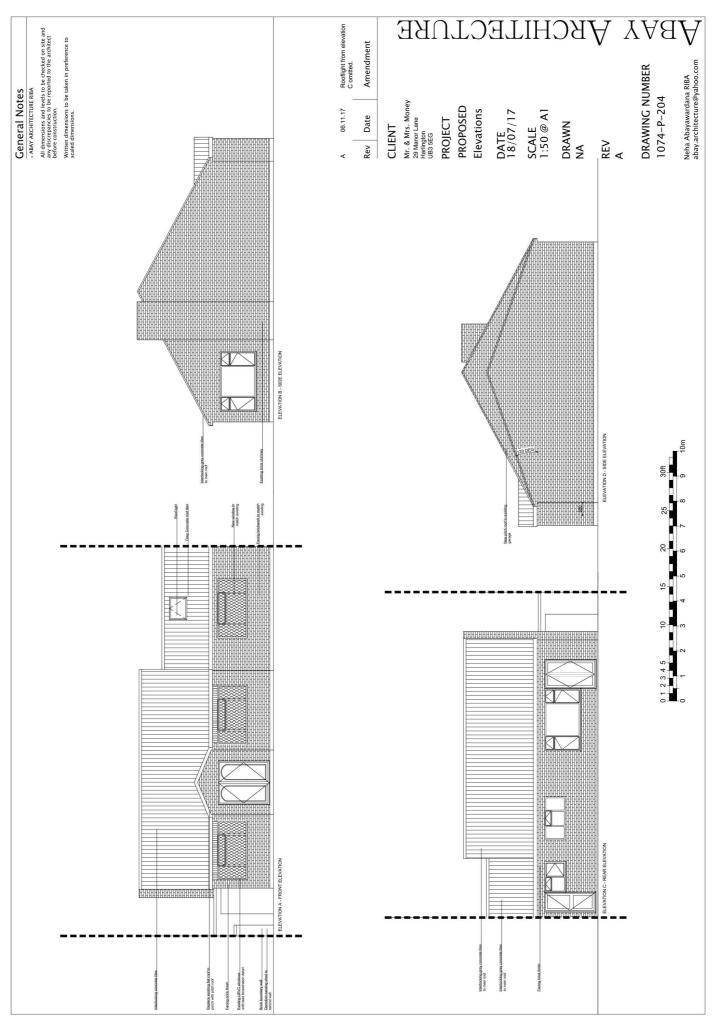


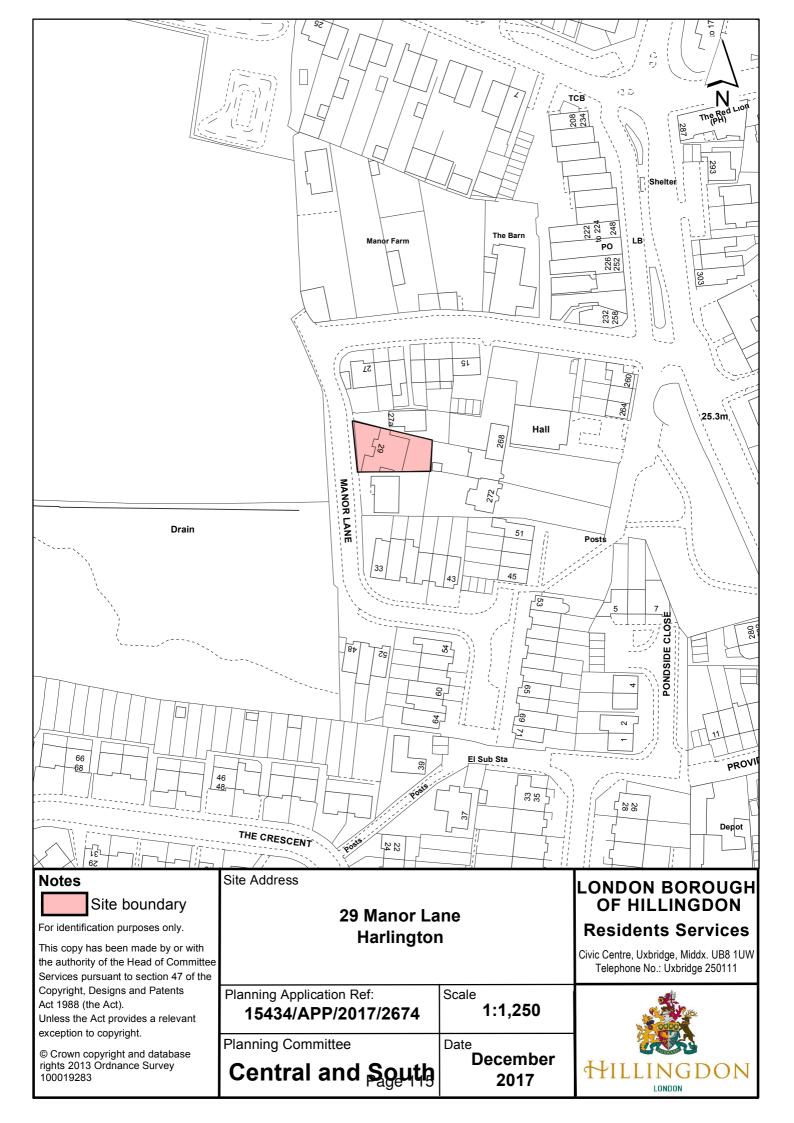


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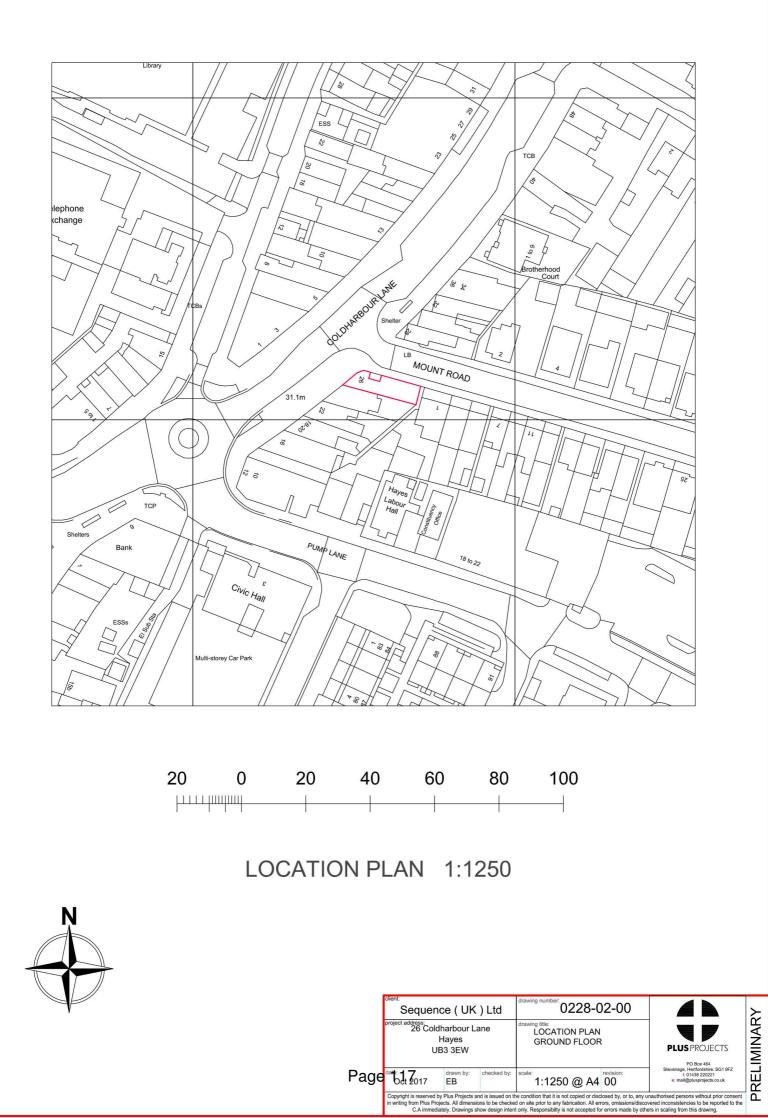


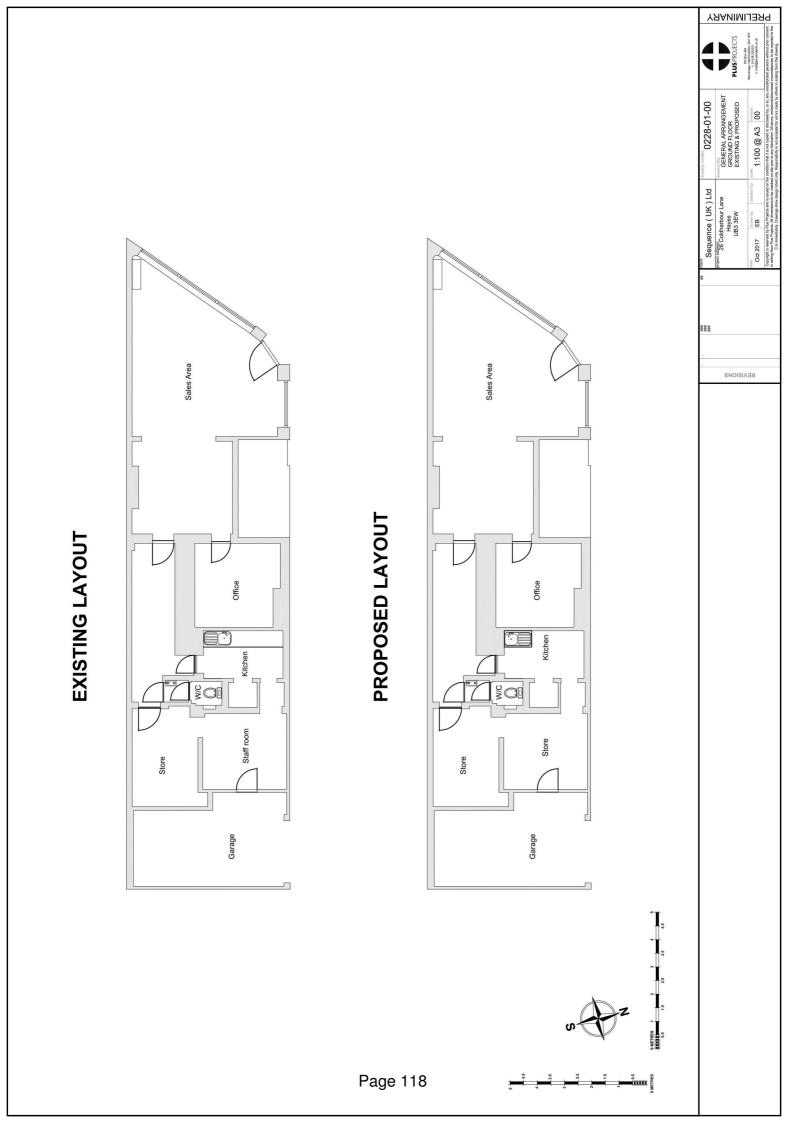
Report of the Head of Planning, Sport and Green Spaces

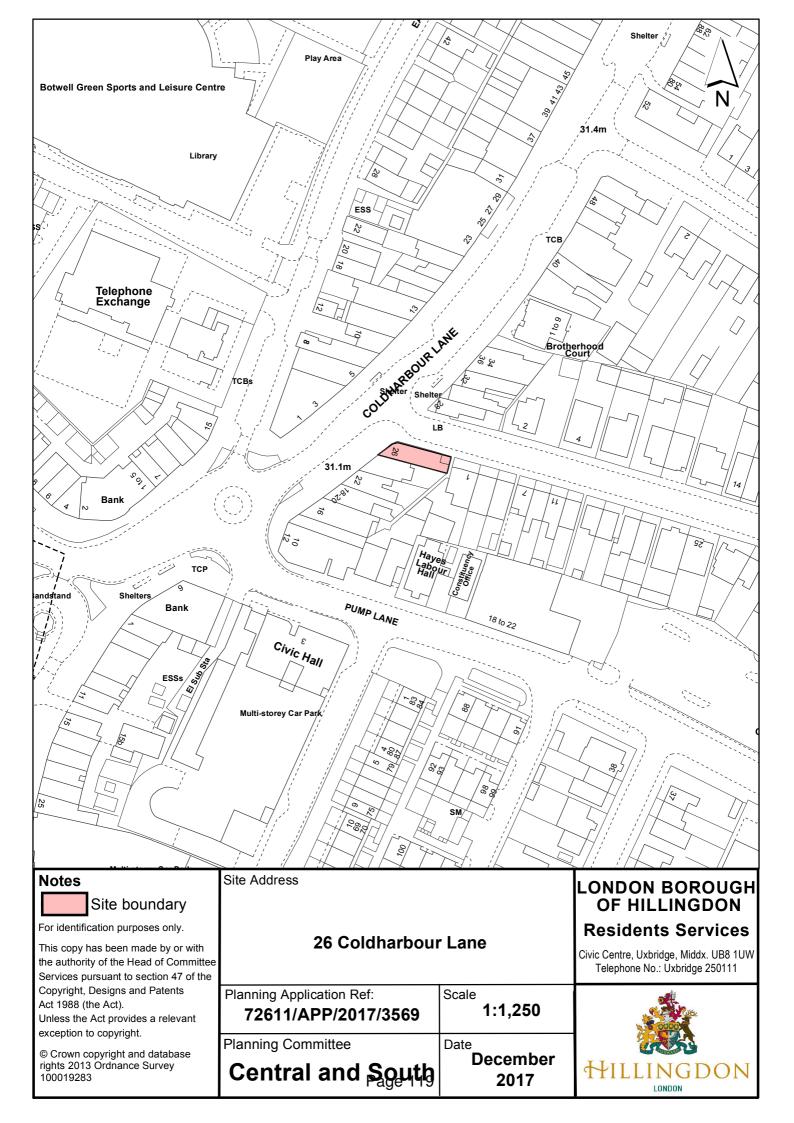
Address 26 COLDHARBOUR LANE HAYES

Development: Change of use of ground floor from Use Class A1 (Shops) to Use Class A2 (Financial and Professional Services) for use as an estate agents. (Retrospective).

LBH Ref Nos: 72	2611/APP/2017/3569	
Date Plans Received	d: 03/10/2017	Date(s) of Amendment(s):
Date Application Va	lid: 05/10/2017	







Report of the Head of Planning, Sport and Green Spaces

Address 66 FAIRWAY AVENUE WEST DRAYTON

Development: Installation of a side dormer and enlargement of roofspace to create habitable accommodation including the erection of a single storey front extension and installation of a porch

Date(s) of Amendment(s):

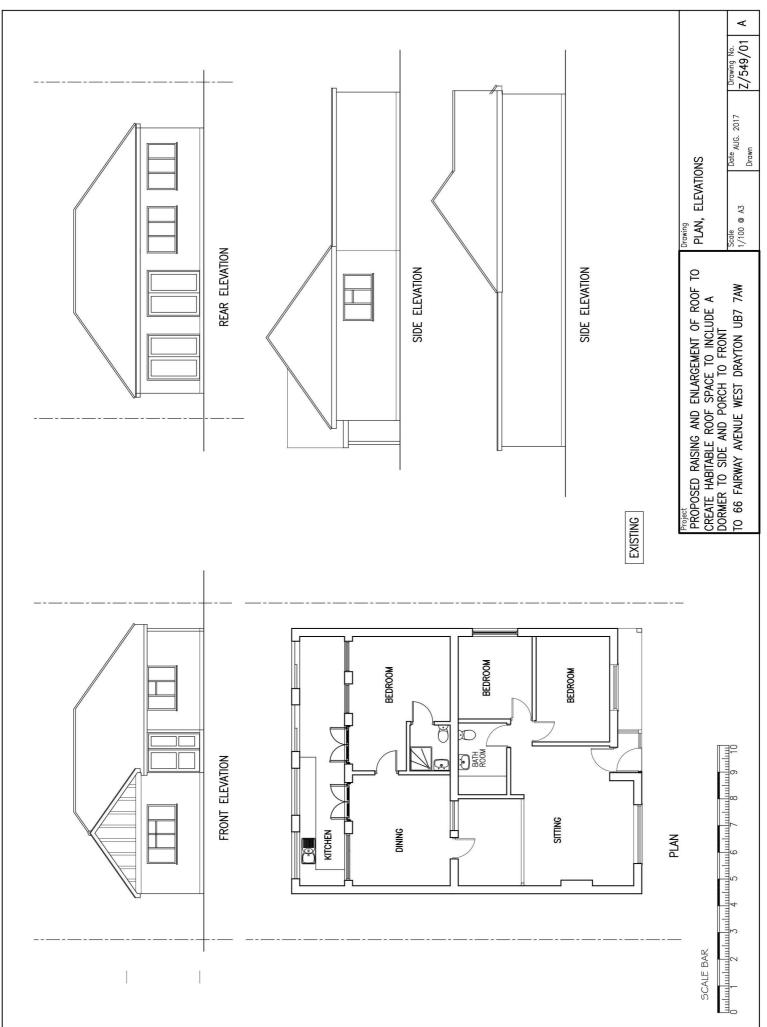
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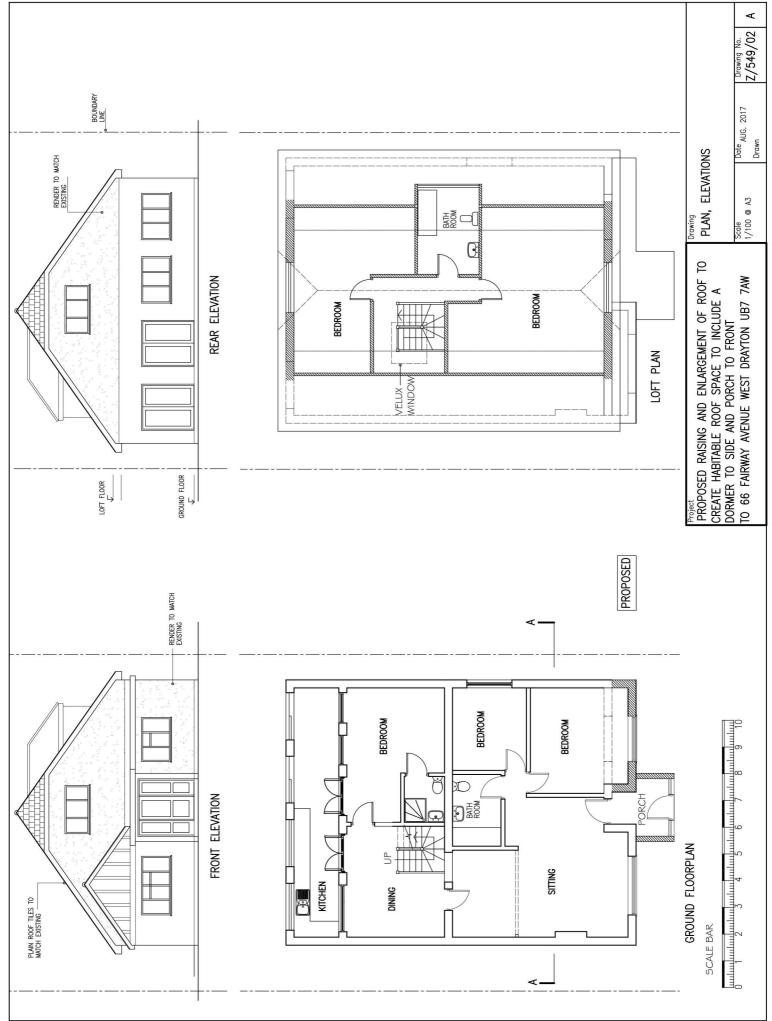
LBH Ref Nos: 29143/APP/2017/3100

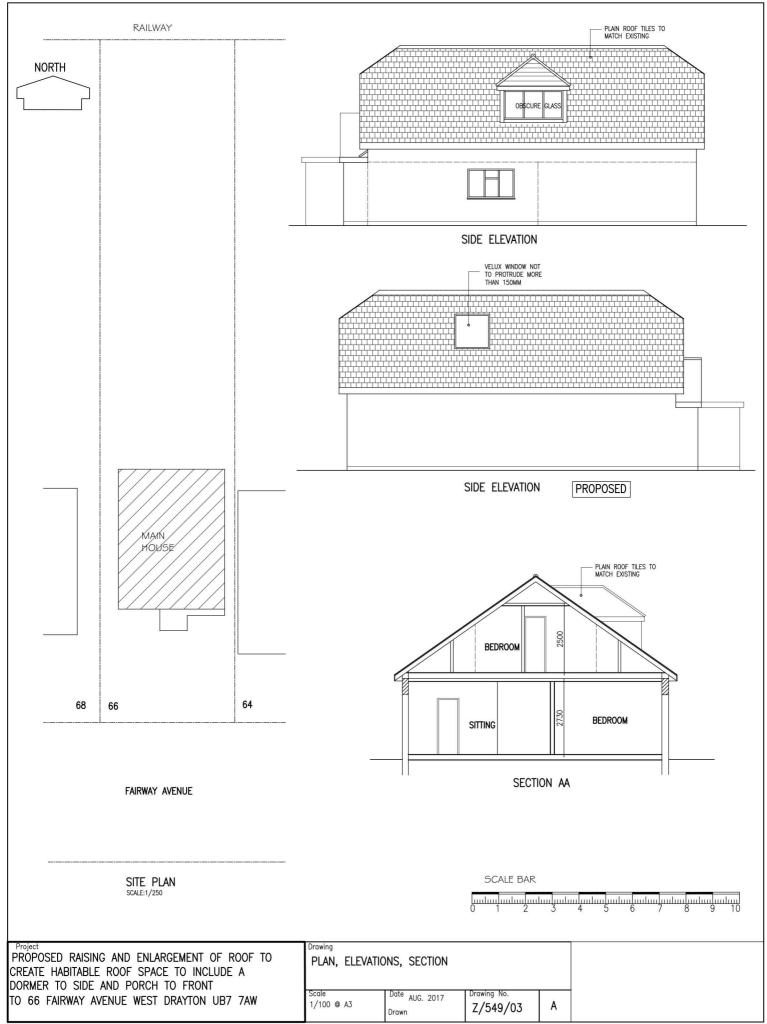
Date Plans Received: 24/08/2017

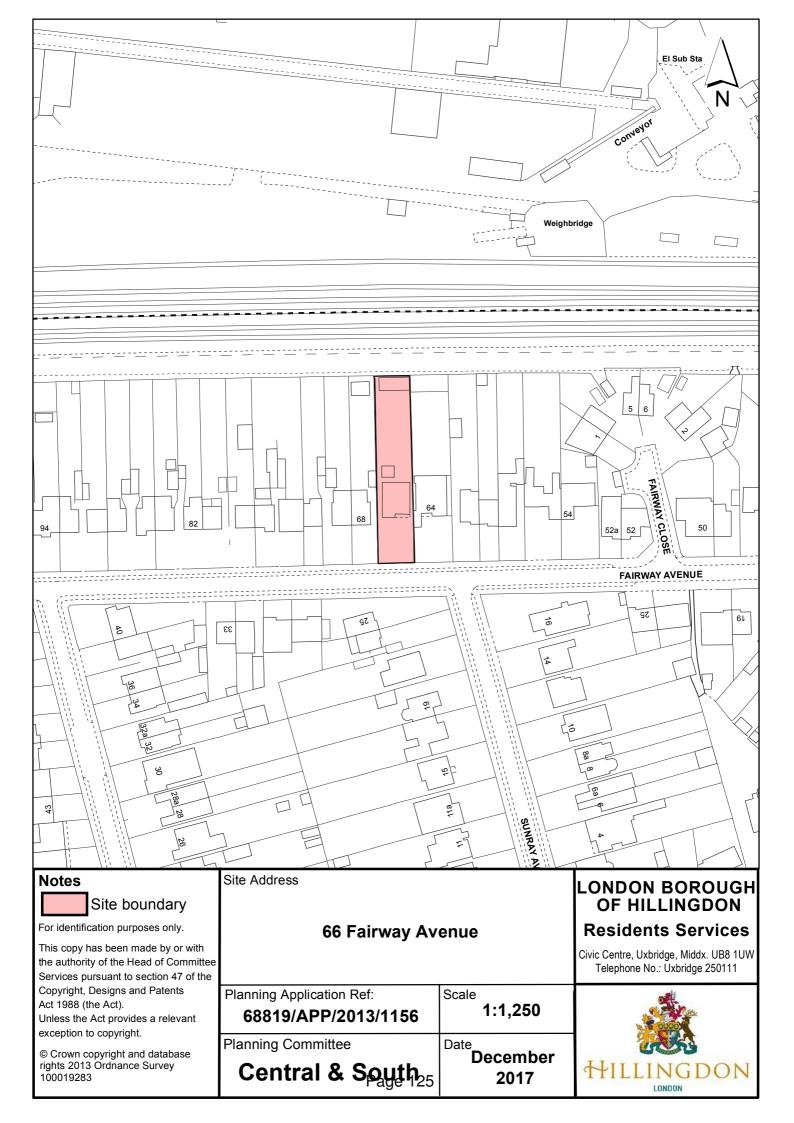
Date Application Valid: 31/08/2017

Project PROPOSED LOFT CONVERSION & FRONT PORCH TO GG FAIRWAY AVENUE WEST DRAYTON UB7-7AW Page 1	Drawing LOCATION PLAN Scale Date Aur.g. 2017 121/1250 Drawn









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