

Report of the Corporate Director of Planning & Community Services

Address LAND REAR OF 81-93 HILLIARD ROAD NORTHWOOD

Development: ERECTION OF 2 TWO STOREY BUILDINGS EACH COMPRISING OF TWO 2-BEDROOM MAISONETTE FLATS, WITH ASSOCIATED CAR PARKING, CYCLE STORE AND BIN STORE INVOLVING DEMOLITION OF EXISTING BUILDINGS.

LBH Ref Nos: 64786/APP/2009/452

Drawing Nos: 0803/6
Design and Access Statement
0803/9
0803/7A
0803/8A

Date Plans Received: 06/03/2009 **Date(s) of Amendment(s):** 06/03/2009
Date Application Valid: 11/03/2009 11/03/2009

1. SUMMARY

It is considered that the proposal would not complement nor enhance the visual amenities and character of the Old Northwood Area of Special Character and fail to provide a satisfactory form of accommodation for future residents. The proposal would be prejudicial to pedestrian and road safety and would not afford adequate refuse facilities including access to such facilities. The proposal does not satisfy the relevant policies of the Hillingdon UDP Saved Policies (September 2007). As such, the proposal is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the established character of the surrounding area. The proposal would result in a scale of buildings and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. This would also be to the detriment of the character and appearance of the Old Northwood Area of Special Character. The proposal is therefore contrary to Policies BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: 'Residential Layouts'.

2 NON2 Non Standard reason for refusal

The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the adopted Hillingdon Unitary Development

Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal by reason of its siting would result in the provision of a poor level of outlook to the detriment of the future occupiers of the ground floor dwelling units, contrary to Policies BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Section 4.0 of the Council's HDAS "Residential Layouts".

4 NON2 Non Standard reason for refusal

The proposed development by reason of the restricted width of the vehicular access represents a significant threat to highway and pedestrian safety, as it is likely to result in vehicles needing to wait in the road until the access way is clear. As such, the proposal is contrary to Policies AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NON2 Non Standard reason for refusal

The proposal fails to provide adequate refuse collection facilities, including its collection point, which would be in excess of the travel distance of refuse operators. The proposal would therefore be likely to create a poor quality of environment, result in refuse vehicles stopping up the free flow of traffic on the public highway and be contrary to the Council's recycling policies. The proposal is contrary to Policy AM7(ii) of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and policy 4.A3 of the London Plan.

6 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE5 New development within areas of special local character
New development must improve or complement the character of the

BE19	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H12	Tandem development of backland in residential areas
OE1	Protection of the character and amenities of surrounding properties and the local area
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	'Residential Developments'
CPCA	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 3A.3	London Plan Policy 3A.3 - Maximising the potential of sites
LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a 0.0653 hectares (653m²) rectangular shaped land located on the north-western side of Hilliard Road, Northwood, at the rear of Nos. 81 to 93. The site abuts the rear boundaries (gardens) of Nos. 81 to 90 Hilliard Road to the east, rear boundaries of Nos. 58 to 68 High Road (predominantly commercial with 1st floor residential accommodation), the rear/side boundary of 79 Hilliard Road to the southwest and the rear/side boundary of Woodlodge Montessori School to the north. The site is used as a builder's yard. Hilliard Road is characterised by a mixture of semi-detached and terraced houses. Nos. 81 and 83 are semi-detached houses while Nos. 85 to 93 are terraced houses. The road is in the Old Northwood Area of Special Local Character and lies within the 'developed area' as identified in the Hillingdon UDP Saved Policies (September 2007).

The site is currently used as a builder's yard. There are various buildings on the site, predominantly single-storey, comprising office, workshop garage and covered storage. The site is infrequently used with some of its structures in a poor state of repair. Access to the site is via a 2.5m gap driveway between No. 83 and 85, along their gardens.

3.2 Proposed Scheme

Planning permission is sought for the erection of 2 two-storey blocks to provide 4 (2 flats per block) two-bedroom flats, with associated car parking, cycle store and bin store involving the demolition of existing buildings. Each block would be 8.05m deep, 9.65m wide and would have a pitched roof with an eaves height of 4.6m and a ridge height of 7.3m. The proposed block to the north of the application site would be sited 1m from its side boundaries i.e. 1m from the rear boundaries of the adjoining properties on Hilliard Road and High Road, Northwood, while the other block to the south of the site would be site 1m from

its side boundary with properties on High street, Northwood and 2m from its side boundary with property boundaries on Hilliard Road. The proposed block to the south end of the site would be set 5.6m from its rear boundary while that to the north would be set 6m from its rear boundary. There is a 14.8m gap separation between the two blocks. Six car parking spaces are to be located in this area, which the two blocks front onto. The proposal includes the erection of a single-storey cycle store and a single-storey bin store. The stores which will be located directly at the rear boundary of No. 85 and along the side/rear boundary of No. 87 would be 5m wide, 2.4m deep and 2.2m (flat roof) high.

3.3 Relevant Planning History

Comment on Relevant Planning History

Planning permission (reference 64786/APP/2008/2373) for the erection of a two storey building comprising 4 two-bedroom flats, with associated car parking, cycle store and bin store involving the demolition of existing buildings was refused in December 2008 for the following reasons:

1. The proposal by reason of its siting, design, overall layout, size, bulk, site coverage and excessive density, would result in a cramped overdevelopment of the site and an incongruous form of development which would detract from the character and appearance of the surrounding area and the Old Northwood Area of Special Local Character therefore failing to harmonise with the established character of the surrounding area. The proposal would result in a scale of building and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. The proposal is therefore contrary to Policies BE5, BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: Residential Layouts and Policy 3A.3 of the London Plan.
2. The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.
3. The floor area of the proposed dwellings is below the minimum 63m² internal floor area required for a two-bedroom flat. As such the proposal fails to provide a satisfactory residential environment for future occupiers, contrary to Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.
4. The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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:

BE5	New development within areas of special local character
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H12	Tandem development of backland in residential areas
OE1	Protection of the character and amenities of surrounding properties and the local area
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	'Residential Developments'
CPCA	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
LPP 3A.3	London Plan Policy 3A.3 - Maximising the potential of sites
LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

28 adjoining occupiers were consulted. A petition with 29 signatures and 11 letters of objection have been received with the following comments: -

- (i) Increase in traffic generation with the attendant increased pressure on parking, more congestion and obstruction affecting all residents of Hilliard Road;
- (ii) Inadequacy of parking, loading and turning spaces on the site, further adding to parking pressure in the street;
- (iii) The proposal would be out of keeping with this Area of Special Local Character;
- (iv) Risk to highway safety due to the narrowness and unsuitability of access and inadequate sight lines at junction with Hilliard Road;

- (v) Overdominant design in terms of the overall size and proportion of the plot and given its proximity to existing residential properties;
- (vi) Density of the proposed development is too high given the size of the plot;
- (vii) The 1st floor windows will overlook the flank windows of a nursery school. The distance of between the proposed building and the school's is insufficient;
- (viii) Increase in noise and disturbance resulting in an unacceptable loss of amenity to the houses affected on both sides of the street;
- (ix) The proposed building would be overbearing on the school due to its close proximity to it;
- (x) The access way is inadequate for delivery trucks and vans and emergency vehicles;
- (xi) The number of people the building will house seems too great for the parking and drive space allocated. Parking in the road is already a problem. The number of dwellings planned should be reduced;
- (xii) The 2.4m wide driveway is not a safe width for pedestrian to pass safely by cars, let alone make provision for cars to pass one another;
- (xiii) The 1st floor units' living rooms and bedrooms for the northern building will overlook the rear gardens of 77, 79 etc;
- (xiv) The siting of the bin store to the rear of 85 and adjacent to the garden of 87 is untenable and impractical.

NORTHWOOD RESIDENTS' ASSOCIATION:

No comments have been received.

NORTHWOOD HILLS RESIDENTS' ASSOCIATION:

No comments have been received.

METROPOLITAN POLICE CPDA PLANNING:

No comments have been received.

Internal Consultees

WASTE MANAGEMENT:

With respect to flats the plans do indicate a bin provision, but there is no indication of dimensions. The required ratios is of 1100 litre refuse and recycling bins on a ratio of 1:10 + 1 per waste stream as a minimum no rounding down.

For this development a recommendation for bins would be 1 x1100 ltr refuse and 1 x 1100 ltr recycling bins.

The design of the bin chambers on paper at least seems adequate but care should be taken to incorporate the following principles:-

Goods vehicle access and egress to ensure the facilities can be easily serviced and are no more than 10 metres from the closest point of access for a refuse collection vehicle (as detailed in BS 5906). Vehicle access to the site should not be obstructed by overhanging trees / vegetation. In addition measures should be taken to prevent the inconsiderate parking of vehicles which could block access to the bin chamber(s).

HIGHWAYS ENGINEER:

The proposed plans indicate that 1.5 off-street spaces per dwelling will be provided which satisfies Council Parking Standards. However, space 6 will not allow vehicles to enter and exit the site in a forward gear. The proposed cycle shed should be moved next to the bin shed to the rear of 85 Hilliard Road and the space moved to be parallel to the east elevation. Vehicles would then be able to reverse in to the parking area and proceed to exit the site in a forward gear. Plans would need to be submitted and approved by the Council before development takes place, to address these concerns.

The width of the access road is 2.5m at the entrance and this widens to 2.8m further into the site. This is of sufficient width to enable vehicles to enter the site. All parking spaces and manoeuvring areas on the proposed plans meet the Council's minimum requirements. Traffic generation from the development will not adversely affect existing conditions.

The provision of a secure cycle storage facility must include provision for 1 space per dwelling and be shown on plans submitted to and approved by Council.

Where required, the installation or removal of any redundant crossovers and the renewal of footways must be carried out at the expense of the applicant. Sufficient sight line distances are also satisfied.

However, the Council's Highways Engineer has raised concern about the siting of the refuse bins and access into the site. The officer states that:

As the refuse vehicle cannot enter the site the bins need to be relocated within 10.0 metres of the public highway.

The 2.4 metre wide access is not wide enough to accommodate pedestrians as well as vehicles.

DIRECTOR OF EDUCATION:

Based on the erection of 4x4-room private flats in Northwood Hills, the request amount is £9,109.

TREES / LANDSCAPE OFFICER:

THE PROPOSAL

The current proposal is a re-submission to erect 2No. two-storey blocks to provide 2No. two-bedroom flats in each block, together with 6No. associated parking spaces, bin/cycle stores and shared garden/amenity space.

The submission includes a Design & Access Statement which fails to refer to the landscape setting or proposals - contrary to the advice given in Circular 01/06 and by CABE.

The current layout is shown on drawing No. 0803/6. While the layout is an improvement on the previous submission, it remains extremely tight. Soft landscaped areas are shown on the drawing with indicative tree planting proposals (showing 4No. trees). Due to the restricted space available the species selection will need to be carefully re-considered. The parking court is particularly cramped, which results in a very restricted manoeuvring space in the parking court. The bin / bicycle store projects awkwardly into the access road and one of the 'visitor' parking spaces also creating a distinct 'pinch point'.

RECOMMENDATION

If the above issues are acceptable and you are minded to approve this application conditions TL5, TL6 and TL7.

ENVIRONMENTAL PROTECTION UNIT:

Noise

The proposed development will introduce noise from vehicular use of the access road between the highway and the development site alongside the existing residential properties, which I note is existing. I further note that the volume of traffic which could presently make use of this access road is subject to the variable level of use that could potentially be made by the business premises.

The boundary treatment to the existing access road is to be a new 2.0 metre close boarded fence. This aspect of the development is covered by the proposed condition below to protect existing residential neighbours from vehicle noise generated by the 6 residential parking spaces proposed.

I do not wish to object to this application, however should permission be granted I would recommend the following condition be applied;

CONDITION 1

The development shall not begin until a scheme for protecting adjoining residential properties from vehicle noise on the access road and car park has been submitted to and approved by the LPA. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

REASON: To safeguard the amenity of occupants of surrounding properties.

CONSERVATION AREA AND URBAN DESIGN OFFICER:

BACKGROUND: This site lies within the Old Northwood Area of Special Local Character. The area contains mostly modest Victorian and slighter later buildings. It has a traditional residential character, with many of the houses incorporating attractive, small-scale design features.

There is no objection in principle to the development of the site, and the scheme is considered to be an improvement on that previously submitted and refused.

With regard to the detailed design of the blocks, we would prefer to see at least some elements of individuality incorporated into their frontages. This could take the form of a slightly different porch canopy design, different patterns of tile hanging, or the use of rough cast render to the upper part of one of the elevations. Such differences would reflect the varied character of the houses of the area and inject more interest into the appearance of this group of buildings.

RECOMMENDATION: Acceptable subject to the above revisions.

ACCESS OFFICER:

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Documents "Accessible Hillingdon" and "Residential Layouts", adopted July 2006.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The following access observations are provided:

1. In the interests of good design the proposed entrance ramp should be avoided. It would be preferable to gently slope (maximum gradient 1:20) the pathway leading to the ground floor entrance door.

2. The width of the proposed hallway and doorways should be of sufficient width to allow wheelchair user to pass through at an angle. Reference to HDAS 'Accessible Hillingdon' should be made.

3. The bathrooms/ensuite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

4. To allow the bathrooms to be used as a wet room in future, the proposed plans should indicate floor gulley drainage.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home and Wheelchair Housing standards.

Conclusion:

Unless the above concerns can be conditioned, I consider that the scheme is unacceptable as it does not comply with Lifetime Home Standards.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection in principle to the demolition of the existing buildings and the change of use to residential use as Hilliard Road is predominantly residential. This type of development remote from the frontages would be a departure from the existing pattern of development in the area.

Policy 3A.3 of the London Plan advises that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context and the site's public transport accessibility. The London Plan provides a density matrix to establish a strategic framework for appropriate densities at different locations. Where the density exceeds 150 hr/ha, it is expected that applicants demonstrate that the design and layout of a scheme provides good environmental conditions.

Table 3A.2 recommends that housing developments on suburban residential sites with a PTAL score of 1 should be within the ranges of 35-55 units per hectare (u/ha) and 150 - 200 habitable rooms per hectare (hr/ha). The proposed density in units per hectare amounts to an estimated 61 u/ha or an estimated density of 199 hr/ha, exceeding one of the thresholds. Notwithstanding this, it is considered that given the proposed siting and layout, the development would not harmonise with the surrounding area and fails to achieve good environmental conditions contrary to the London Plan guidelines and Council policies.

7.02 Density of the proposed development

Refer to section 7.1

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

Not applicable to the application.

7.04 Airport safeguarding

Not applicable to the application.

7.05 Impact on the green belt

Not applicable to the application.

7.06 Environmental Impact

Not applicable to the application.

7.07 Impact on the character & appearance of the area

The proposed blocks of flats would be situated a minimum distance of 38.3m from the road frontage with Hilliard Road. The buildings would not be readily visible from the street scene. However, the proposed buildings can be seen from the back gardens of some of the neighbouring properties and from the adjoining nursery school. The new buildings and the parking area would occupy a large proportion of the plot, and in comparison with the adjacent domestic buildings, most of which have large open gardens. The proposed blocks would appear rather cramped on the site, particularly given that there are gaps of approximately 1m between their west elevations and the boundary and the distance between the buildings and their rear boundary fence.

Although the Council's Urban Design Officer has raised no principled objection to the scheme and considers the current scheme to be an improvement on the previously refused scheme, the officer has advised that some elements of the buildings be redesigned to incorporate individuality into their frontages. This could take the form of a slightly different porch canopy design, different patterns of tile hanging, or the use of rough cast render to the upper part of one of the elevation. Such difference would reflect the varied character of the houses of the area and inject more interest into the appearance of this group of buildings. However, notwithstanding this, it is considered that the application cannot be refused on this ground and that amendments would have sought to reflect the issues raised by the Urban Design Officer had the application be recommended for approval.

Section 4.17 of the Council's HDAS (SPD) 'Residential Layouts' states that "developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area. It is considered that the proposal, in particular, its layout, represents a cramped form of development and would not complement the character of the area. Notwithstanding the presumption in favour of development as stated in PPS1, the proposal does not accord with the development plan and materially harms the appearance of the area. As such, the proposal would fail to comply with Policies BE13 and BE19 of the Hillingdon UDP Saved Policies (September 2007).

The Design & Access Statement makes no reference to the landscape objectives for the site. The Commission on Architecture and the Built Environment (CABE) advises that landscape is one of the design issues which should be addressed at the design stage. This is essential as a way to filter views and reduce the visual impact of buildings and parked cars when viewed from neighbouring properties. The Council's Landscape Officer has raised concern about the proposed layout. The officer states that "while the layout is an improvement on the previous submission, it remains extremely tight. Soft landscaped areas are shown on the drawing with indicative tree planting proposals (showing 4No. trees). Due to the restricted space available the species selection will need to be carefully re-considered". The officer states further that "the parking court is particularly cramped, which results in a very restricted maneuvering space in the parking court. The bin / bicycle store projects awkwardly into the access road and one of the 'visitor' parking spaces also creating a distinct 'pinch point'. Notwithstanding, the officer has not raised any principle objection to the scheme subject to condition. As such, it is not considered justifiable to refuse the current scheme on landscaping grounds in this instance. The proposal therefore complies with Policy BE38 of the Hillingdon UDP Saved Policies (September 2007).

7.08 Impact on neighbours

The Council's HDAS (SPD) 'Residential Layouts' advises that for two storey buildings adequate distance should be maintained to avoid overdominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings. In this case the proposed flank walls would be situated at least 20m from the rear walls of Nos. 81 to 89 Hilliard Road and that of Nos. 62 to 64 High Road, Northwood. As such, the proposal would not result in an overdominant form of development which would detract from the amenities of the adjoining occupiers in compliance with Policies BE21 and BE22 of the Hillingdon UDP Saved Policies (September 2007) and the Council's HDAS (SPD) 'Residential Layouts'.

The Council's HDAS: Residential Layouts requires a minimum distance of 21m to ensure that no overlooking to adjoining residents will occur. There are no habitable room windows proposed in any of the flank walls of the two blocks. The habitable room windows of the four flats are located to the front and rear. The habitable room windows and private garden areas of adjoining properties will be outside the 45° line-of-sight view from the habitable room windows of the proposed flats, and as such the proposed windows in the front and rear elevations would not result in the direct overlooking of their private garden area. The proposal would therefore comply with Policy BE24 of the Hillingdon UDP Saved Policies (September 2007) and the Council's HDAS (SPD) 'Residential Layouts'.

Taking into consideration the distance from adjoining properties the proposed development would not result in a loss of light or overshadowing of adjoining properties to justify refusal. The proposal would therefore comply with Policy BE20 of the Hillingdon UDP Saved Policies (September 2007).

7.09 Living conditions for future occupiers

The Council's SPD 'Residential Layouts' requires that flats with two bedrooms should have a minimum shared amenity space of 25m² per flat. In this case, the block to the north would have a shared garden (soft and hard) area of 66sq.m while the block to the south end of the application site would have a communal garden (soft and hard) area of 72sq.m. Whilst the amenity provisions are above the required minimum standard stated in the Council's design guide, the same design guide states that developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats they serve. Access to the communal gardens for the upper floor flats is via the side, and whilst the overall quantity of amenity space provision is considered to be sufficient, it is considered that the use of the terrace areas would result in loss of privacy to the rear ground floor flat, as occupiers of the flats would be able to get close to its habitable rooms windows causing an unacceptable loss of privacy to the occupiers.

In addition, the building at the southern end of the site would be sited a mere 5.6m from the rear boundary while that at the northern end would be sited 6m from its rear boundary. Whilst these distances would normally be acceptable, it is considered that as the habitable rooms of the ground floor flats are oriented to face the rear garden areas that the distances between their windows and the rear boundary fence of at least 1.8m high would result in poor outlook from the habitable rooms. This would be further compounded by the fact that other users other than the occupiers of the ground floor flats would have access to the confined spaces, which will mean bringing them in close proximity to the windows. It is considered that as this would be the only outlook from the dwellings and as a consequence

there would be no relief from the limited view. Furthermore, whilst the overall quantity of provision is considered to be sufficient, the design guide also states that new residential development should be orientated and designed to make full use of the sunlight. An overshadowing diagram indicates that the proposed two-storey block at the northern end of the development site would overshadow its own amenity area to the north throughout the day. The quality of amenity space provision is therefore considered to be unacceptable and would fail to provide a suitable environment for future occupants. The proposal is considered to be inherently inadequate for this reason. The proposal therefore provides a substandard form of accommodation for future occupiers being contrary Policies BE19 BE21, BE23 and BE24 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's HDAS (SPD) 'Residential Layouts'.

The Hillingdon Design and Accessibility Statement (HDAS) sets out minimum internal floor areas for residential accommodation. The internal floor area of the smallest unit would be approximately 64sq.m. This is in line with the Council's minimum required standard of 63m² for a two bedroom dwelling.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's parking standards require a maximum of 1.5 spaces per dwelling. 6 parking spaces are proposed in line with Council policy. The Council's Highway Engineer considers that the proposed means of access onto the High Street would not give rise to conditions prejudicial to highway and pedestrian safety as the sightlines to the edge of the footpath would be sufficient to ensure that adequate visibility splays can be achieved in both directions. It is also considered that the proposal would not result in additional congestion on the highway to justify refusal. While there is concern about the narrow 2.4m access road to the site, being narrower than the minimum width recommended in the central government document 'Manual for Street', it is considered that the proposal is unlikely to result in any significant increase in traffic volume when compared to the existing permitted use of the site as a builders yard or a full resumption of the historic commercial use. Whilst the Highways Engineer has not raised any principle objection to the proposal, the officer has objected to the scheme on the basis that a refuse vehicle cannot enter the site and the bins are located more than 10.0 metres from the public highway, which is the maximum distance required for the siting of a 1100 litre bin from the public highway in this case. The officer states further that the 2.4 metre wide access is not wide enough to accommodate pedestrians as well as vehicles. The proposal would therefore be likely to create a poor quality of environment, result in refuse vehicles stopping up the free flow of traffic on the public highway and be contrary to the Council's recycling policies. Overall, the proposal would prejudice pedestrian and vehicular safety and would fail to provide easily serviced refuse facilities for refuse collection vehicles, contrary to Policy AM7(ii) of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

Please refer to sections 7.7 to 7.9 above.

7.12 Disabled access

The Access officer has raised concern about the front access in to the units. The officer has advised that in the interest of good design, the proposed entrance ramp should be avoided and that a gentle slope of a maximum gradient of 1:20 be provided instead. The officer has objected to the proposal on the basis that it does not comply with all 16 Lifetime

Home and Wheelchair standards. However, it is considered that had the application been recommended for approval a revision of the internal layout and access into the units would have been sought. On this basis, it is not considered necessary to refuse the application on this ground.

7.13 Provision of affordable & special needs housing

Not applicable to the application.

7.14 Trees, Landscaping and Ecology

The Council's Trees and Landscape Officer has raised no in principle objection to the scheme subject to conditions. Officer comments can be found in section 6.2 above.

7.15 Sustainable waste management

Refer to section 7.10.

7.16 Renewable energy / Sustainability

Matters have been considered in the assessment of the application.

7.17 Flooding or Drainage Issues

Not applicable to the application.

7.18 Noise or Air Quality Issues

It is considered that the number of flats proposed would not give rise to additional noise and disturbance sufficient to justify refusal. The potential noise disturbance from vehicles passing along the side and close to the gardens of Nos. 83 and 85 can be mitigated by erecting a brick or acoustic fencing along the side and rear boundaries of these properties. A condition requiring prior approval of a scheme for protecting adjoining residential properties can be recommended in the case of an approval. As such, it is considered that the proposal would not unduly give rise to conditions that would significantly affect the residential amenities of the neighbouring properties. The proposal therefore complies with Policies AM14 and OE1 of the Hillingdon UDP Saved Policies (September 2007).

7.19 Comments on Public Consultations

The issues raised by the objectors have been addressed in the report, some of which are supported in the reasons for refusal.

7.20 Planning Obligations

The Director of Education has advised that the proposed development will lead to additional pressure for school places in the Northwood area. A contribution of £9,109 towards nursery, primary and post-16 school places would be required to address the cost of the proposed development and the applicants have not indicated that they would be prepared to meet these costs to address the impact of the development. As such, the proposal fails to comply with Policy R17 of the Hillingdon UDP Saved Policies (September 2007).

7.21 Expediency of enforcement action

Not relevant of this application

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it

unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

10. CONCLUSION

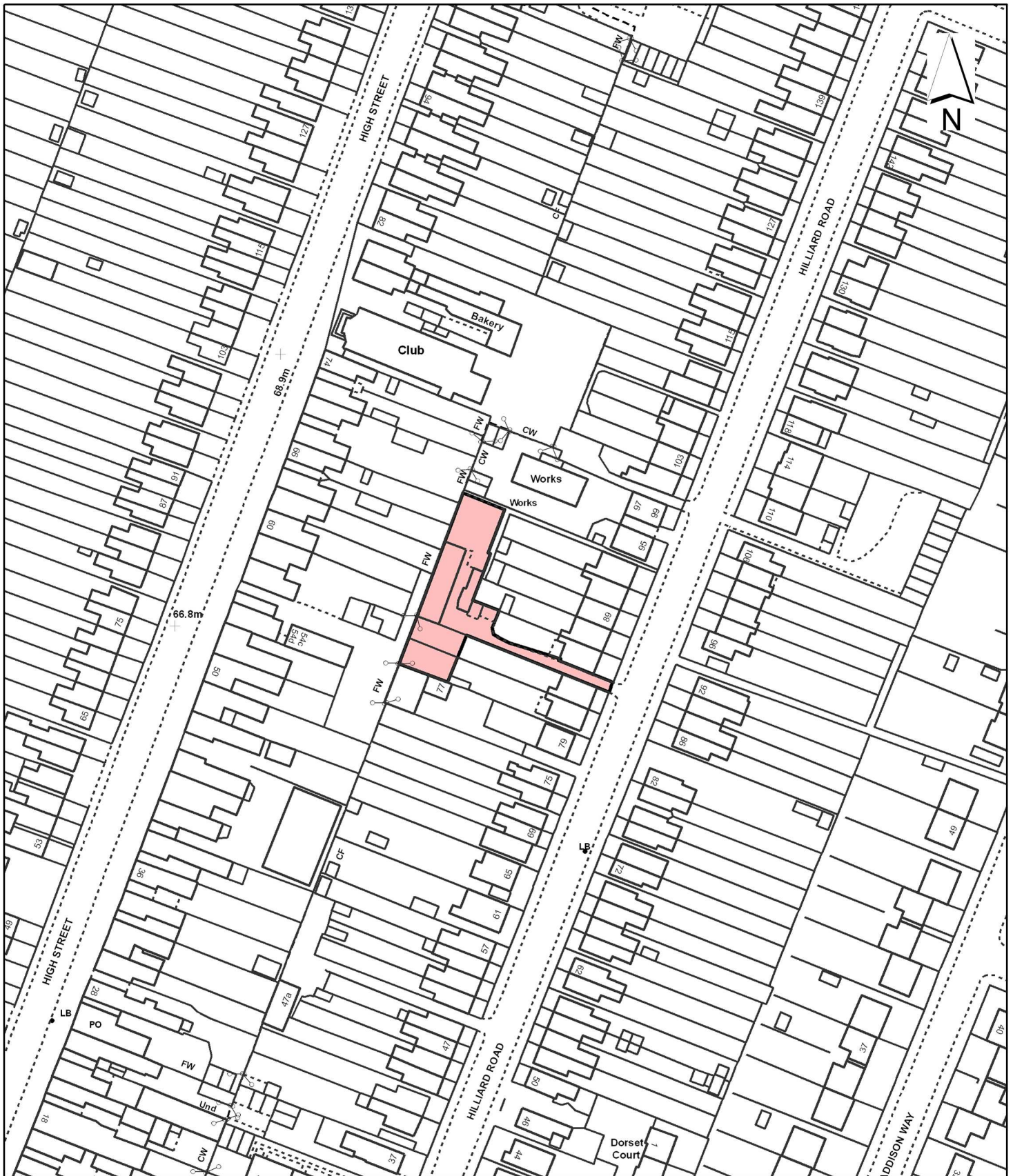
It is considered that the proposal would not complement nor enhance the visual amenities and character of the Old Northwood Area of Special Character and fail to provide a satisfactory form of accommodation for future residents. The proposal would be prejudicial to pedestrian and road safety and would not afford adequate refuse facilities including access to such facilities. The proposal does not satisfy the relevant policies of the Hillingdon UDP Saved Policies (September 2007). As such, the proposal is recommended for refusal.

11. Reference Documents

Refer to section 4

Contact Officer: Raphael Adenegan

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.

© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009

Site Address

**Land rear of 81-93 Hilliard Road
Northwood**

Planning Application Ref:

64786/APP/2009/452

Planning Committee

North

Scale

1:1,250

Date

July 2009

**LONDON BOROUGH
OF HILLINGDON**

**Planning &
Community Services**

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



HILLINGDON
LONDON