

Report of the Head of Planning & Enforcement Services

Address LAND ADJOINING 12 GLADSDALE DRIVE EASTCOTE

Development: Erection of a single storey, detached, two-bedroom dwelling with associated amenity space and parking

LBH Ref Nos: 65761/APP/2011/1645

Drawing Nos: Location Plan to Scale 1:1250
Design & Access Statement
1/a
DC/4/a
Arboricultural Survey
RAC/3/b
DC/2c

Date Plans Received: 05/07/2011 **Date(s) of Amendment(s):** 05/07/2011

Date Application Valid: 15/07/2011 21/07/2011

1. SUMMARY

The proposal is for a revised scheme for a single storey detached dwelling that would be set adjacent to the existing property, 12 Gladtsdale Drive. The application was allowed on appeal where the main issue was considered to be the proposed development's effects on the character and appearance of the area. The appeal for the single storey building was allowed subject to conditions in June 2011.

The difference between this application and that allowed on appeal, is this current proposal now seeks a second bedroom and would result in elongating the building by 3.64m, bringing it 1.6m closer to the road and the fenestration altered to the front to substitute the permitted gable end with a bay window and to add a window to the north eastern side, facing the countryside. The window to the second bedroom, sited less than 2m from a 2m high boundary fence and large trees is considered to have unacceptably low levels of light and poor outlook.

In terms of the character of the area the siting of the building forward of the established building line and the total hardstanding of the area in front of the proposed building are aspects of the proposal which are considered to be out of character with the prevailing pattern of development in the area and the street scene in general.

This application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 R14 Extension Established Building Line Refusal

The proposal by reason of its projection forward of the recognised established building line along Gladtsdale Drive represents an unduly intrusive/incongruous form of development detrimental to the visual amenities of the street scene and the area in general. This effect would be further reinforced by pushing the car parking spaces forward and the provision of the additional car parking space. The proposal is therefore

contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposal would result in a reduced front garden area by creating an additional car parking space and pushing forward the proposed bungalow within the site to the detriment of the established pattern of the streetscene, area and locality. The proposal is therefore contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The window to the second bedroom, sited less than 2m from a 2m high boundary fence and large trees would have unacceptably low levels of natural light and poor outlook to the detriment of the amenity of future occupiers. The proposal is therefore contrary to policy BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007, the adopted Supplementary Planning Document HDAS: Residential Layouts and Policy 5.3 of the London Plan (2011).

3. CONSIDERATIONS

3.1 Site and Locality

The application site lies on the north side of Gladsdale Drive and comprises a plot of land, originally used as garden in connection with the residential use of No.12, a semi detached property located at the western end of Gladsdale Drive.

The street is residential in character and whilst the 'architecture' of such areas can be described as ordinary and mass produced, the proportion of the buildings, their uniform manner of addressing the street and use of space with car parking to the side, and front gardens retained are defining features that create a pleasing homogeneity.

The land is on a slope with the land falling away towards the northwest to the stream at the rear. The land to the west is within the Green Belt and is also designated as a Site of Importance for Nature Conservation and a Woodland Tree Preservation Order is in place. The western boundary of the site forms the boundary between the Developed Area and the above mentioned designations as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

3.2 Proposed Scheme

The application seeks an amendment to the planning permission granted on appeal. This proposal would add an extra bedroom, to make a two bedroomed bungalow, and elongate the approved scheme by 3.64m. The current scheme therefore proposes to erect a single storey 2-bedroom detached dwelling adjacent to 12 Gladsdale Drive using a similar footprint but bringing the building line 1.6m closer to the street. The dwelling would be 5.48m wide and 15m deep (previously 11.36m deep) and would be finished with a hipped roof that would be 2.5m to the eaves and 3.89m high to the ridge. Two off street parking spaces would be provided to the front of the property which would result in a much reduced front garden area.

3.3 Relevant Planning History

41717/A/88/0791 12 Gladsdale Drive Eastcote Pinner
Erection of a two-storey side extension and formation of a granny annexe at first-floor level

Decision: 27-07-1988 Approved

41717/APP/2009/2080 12 Gladsdale Drive Eastcote Pinner
Single storey detached garage to side (Application for a Lawful Development Certificate for a Proposed Development)

Decision: 19-11-2009 Approved

41717/APP/2009/2562 12 Gladsdale Drive Eastcote Pinner
Single storey detached outbuilding to side for use as garage / games (Application for a Lawful Development Certificate for a Proposed Development).

Decision: 21-01-2010 Refused **Appeal:** 08-11-2010 Allowed

65761/APP/2009/216 Land Forming Part Of 12 Gladsdale Drive Eastcote
Two storey four-bedroom detached dwelling with associated parking.

Decision: 09-03-2009 Withdrawn

65761/APP/2009/599 Land Forming Part Of 12 Gladsdale Drive Eastcote
Two storey three-bedroom detached dwelling with associated parking.

Decision: **Appeal:** 16-09-2009 Dismissed

65761/APP/2010/2707 Land Adjoining 12 Gladsdale Drive Eastcote
Erection of a single storey detached one-bedroom dwelling with associated parking and amenity space.

Decision: 22-02-2011 Refused **Appeal:** 21-06-2011 Allowed

Comment on Relevant Planning History

This is the fourth application submitted for a dwelling on this site. The first submission(65761/APP/2009/216) was withdrawn following officer advice that the application would not receive officer support due to its design and the lack of an arboricultural report.

The second application (65761/APP/2009/599) was appealed under non-determination, however, it was considered by the North Planning committee that the application would have been refused for the following reasons:

1. The proposed dwelling by reason of its siting and layout would result in a cramped form of development, which would not be in keeping with the existing surrounding development, and would be detrimental to the visual amenity and character of the surrounding street scene contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan

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

2. The proposed development, by reason of its siting and overall size, bulk and height, would prejudice the openness of, and views to and from the Green Belt. The proposal is therefore contrary to Policy OL5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Planning Policy Guidance 2 (Green Belts).

3. The development is estimated to give rise to a significant number of children of nursery/primary/post-16 school age, and therefore additional provision would need to be made in the locality due to the shortfall of places in nurseries/schools/educational facilities serving the area. Given a legal agreement at this stage has not been offered or secured, the proposal is considered contrary to Policy R17 of the Unitary Development Plan Saved Policies September 2007.

In the determination of this appeal the inspector considered that:

- Due to the limited plot width, the need to provide off street parking to the front rather than the side, together with the orientation of the front facade, the proposal would result in a cramped appearance failing to harmonise with the existing street scene or complement the character of the wider area.
- In relation to the impact on the adjoining Green Belt, whilst accepting that there would be no meaningful space to provide landscaping to this boundary, he considered that the development would not provide a significantly different or inferior context to the Green Belt than which exists in the area at the moment. In the context of the boundary with the Green Belt the development would have no adverse effect on the visual amenities of the Green Belt.
- The proposal would provide adequate floorspace for future occupiers.

Subsequent to the determination of that appeal and the submission of that proposal, an application for a certificate of lawful development was submitted for a proposed garage and games room in the same position as the appealed proposal for the one bedroomed bungalow (65761/APP/2009/2562). This Certificate was refused by the Local Authority due to its excessive size and scale failing to represent a structure required for the incidental enjoyment of the dwellinghouse. This decision was appealed and the inspector concluded that the building would not be overly excessive and would still be in the realms of objective reasonableness and granted a Certificate of Lawful Development.

The last proposal for the one-bedroomed bungalow was refused permission for the following reasons:

1. The proposed development, by reason of its siting, design and layout, would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site through the loss/part loss of this side garden area would have a detrimental impact on the character, appearance and local distinctiveness of the area. The development therefore fails to harmonise with the character of the surrounding area, contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance, April 2010, Planning Policy Statement 3: Housing (as amended) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposal by reason of the size, design and the siting would result in a form of development which would be cramped and out of character with the existing pattern of residential development in the area. The proposal therefore represents an over development of the site to the detriment of the character and visual amenities of the area contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Polices September 2007), Policy 4B.3 of the London Plan (2008) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

This application was subsequently granted permission on appeal in June 2011.

4. Planning Policies and Standards

Planning Policy Guidance Note 2: (Green Belt)
Supplementary Planning Guidance: Educational Facilities
Planning Policy Statement 3: Housing (June 2010)
The London Plan: Interim Housing Supplementary Planning Guidance (April 2010).

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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.
OL5	Development proposals adjacent to the Green Belt
OE7	Development in areas likely to flooding - requirement for flood protection measures
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

30 neighbours and the Eastcote Village Conservation Area Advisory Panel, Northwood Hills Residents Association and Eastcote Residents Association consulted. 4 individual objections and a petition of 80 signatures have been received, that made the following comments:

1. The land has always been part of the Green Belt land, adjacent to No.12;
2. The changes to PPS3 have taken gardens out of the Brownfield category, and therefore there is no automatic right to build a dwelling on this land;
3. No need for this additional property, which was initially supposed to be a garage, then games room, then single property and now a two bedroom property;
4. Additional stress on the services which are limited at best;
5. The character of the road would be completely destroyed with any further building works as well as an overdevelopment;
6. Destruction of wildlife habitat;
7. This is one of many applications, it is clear the developer is trying to achieve his goal little by little of building a large detached property in the garden;
8. Destruction to greenbelt meadow trees;
9. Loss of front gardens;
10. Out of character.

Environment Agency:

We have no objection to the proposal as shown in the application. Although the proposed development is with 20 metres of a watercourse and in Flood Zone 1, in this instance we have no concerns that can not be addressed by your use of our Flood Risk Standing Advice. The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. We recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development. If you have identified drainage problems at this site through your Strategic Flood Risk Assessment or Surface Water Management Plan, you may want to request a formal Flood Risk Assessment from the applicant in line with Flood Risk Assessment Guidance Note 1.

Thames Water:

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. With regard to water supply, this comes within the area covered by the Veolia Water Company.

Internal Consultees

Conservation and Urban Design Officer:

Given the recent Planning Inspectors decision re this site, it would appear difficult to sustain an objection to this application on design grounds.

Tree/Landscape Officer:

The woodland, which includes a willow and a number of hornbeam and ash trees, on the land to the north of the site is protected by TPO 387. The immature Ash trees at the end of Gladsdale Drive and close to the eastern boundary of the site do not form part of the protected woodland. The scheme includes a survey report (from 2009) about the multistemmed Willow tree close to the northern boundary of the site. The report also mentions the woodland. The willow is found to be defective and prone to split and collapse, because decay in the main stem has spread to the other limbs one of which has collapsed, and will have to be removed in the interests of safety. As previously, and as acknowledged by the Inspector who dismissed the appeal against the refused application (ref: 65761/APP/2009/599), Saved policy BE38 of the UDP does not apply to this tree, because in this condition it is not a feature of merit. In this context, the matter of the removal of this tree is a private matter for the owners of the land on which it is situated, who had previously indicated that the tree can be removed (correspondence on application ref: 65761/APP/2009/599). Subject to the protection afforded by the existing boundary fence, which should be retained (or replaced), the scheme will not affect the other (off-site) woodland trees and the (off-site) trees at the end of Gladsdale Drive. The layout also reserves space for landscaping at the front of the site. Subject to conditions TL5, TL6 and TL7, which are consistent with those imposed by the Inspector who allowed the last appeal in June 2011, and a condition requiring the retention of the existing boundary fence or the provision of alternative fencing to protect the off-site trees/woodland (reason TL3), the scheme is acceptable in terms of Saved Policy BE38 and Green Belt landscape policy.

Access Officer:

In assessing this application, reference has been made to London Plan Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010. 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:

Level access should be achieved. Entry to the proposed bungalow appears to be stepped, which would be contrary the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to the ground floor entrance door. Details in this regard should be requested prior to any grant of planning permission. To allow the bathroom to be used as wet rooms in future, plans should indicate floor gulley drainage.

Conclusion: Revised details/plans should be submitted to address the above observations prior to any grant of planning permission.

(Case officer note: amended plans received and agreed by Access Officer).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Members will note from the section relating to the planning history of the site that the previous application for a bungalow on the site was refused on the principle of a dwelling on the site. In his appeal decision the Inspector commented as follows on this aspect:

"13. As a result of the revisions to PPS3, Housing in June 2010, residential gardens are no longer classed as previously developed land, and thus have lower priority for development. However, development on such land is not precluded, and the PPS still encourages the efficient use of urban land. London Plan Policies 3A.3 and 4B.1 likewise seek to maximise the potential of housing land, provided that development is compatible with the local context. The appeal proposal would add to the area's housing stock without causing any material harm, and is therefore consistent with the aims of these policies.

14. I note the contents of Policy 1 of the Mayor of London's Interim Housing SPG, dated April 2010, which requires full account to be taken of the contribution that gardens make to a range of other London Plan policy aims. But in the present case, I have already concluded that the proposed development would not harm the area's character or distinctiveness, and there is no evidence that it would adversely affect any of the other issues referred to in this SPG policy."

The principle of the development of a bungalow has already been accepted on this site by virtue of the appeal decision and circumstances and policy have not changed in the intervening period to suggest that the application should be refused on principle.

7.02 Density of the proposed development

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.

Table 3A.2 recommends that developments of detached houses on suburban residential sites with a PTAL score of 1 should be within the ranges of 35-55 u/ha and 150-200 hr/ha. The proposed density for the site would be approximately 86 habitable rooms per hectare (hrpha), which is below the suggested London Plan thresholds and has already been accepted by the Inspector. However, the proposal is for a single, small dwelling where the density of the proposal has limited value in assessing its acceptability and its compliance with policies within the Hillingdon Unitary Development Plan Saved Policies (September 2007), The London Plan (2008) and national policies is of greater relevance.

However the additional car parking space required as a result of increasing the density would result in removing more of the front garden of the property than that granted on appeal and further contrary to the existing development pattern of the area. This element is not acceptable and is contrary to policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

The application is adjacent to Eastcote Village Conservation Area, however, in relation to the impact of a two storey dwelling on the site, the Inspector in the appeal decision commented as follows:

"22. I agree with the Council that the appeal site is far enough away from the boundary of the Eastcote Village Conservation Area for the appeal development not to have any impact on its setting. I therefore do not see that saved UDP Policy BE4 is engaged."

The scheme, being a bungalow would have even less impact than the two storey scheme that the Inspector concluded would have no impact on the Eastcote Village Conservation Area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

This aspect has already been considered in the Inspector's decision. The impact of an additional 3.64m requires further consideration. However, in this context, adjacent to mature trees and against a backdrop of another building when viewed from the countryside, this additional length is considered to be too small to warrant refusal on this ground alone. This aspect therefore complies with Policy OL5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Clause 3.15 of PPS2.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies September 2007 highlights the importance of designing new development to harmonise with the existing street scene whilst Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. Section 4.27 of the SPD: Residential Layouts, states careful consideration should be given to building lines, and these should relate well to the existing street pattern. On the siting of the building within the street scene, the Inspector on the original appeal relating to a two storey dwelling on the site commented as follows:

"9. While the style of the houses in Gladsdale Drive varies somewhat, with a mixture of hipped and gabled roofs, all the properties are traditional in style, and the appeal development would follow this lead. The houses in the immediate area of the appeal site are mainly semi detached, although there are four maisonettes opposite the appeal site on the south side of the road, and further down the road there are some other detached houses. In architectural style and form, the appeal proposal would therefore harmonise with the existing development in Gladsdale Drive. I note that the Council's Conservation and Urban Design Officer raised no objection to the design and siting of the appeal development in the form which is the subject of this appeal.

10. In general, the houses in the road make fairly full use of the plot widths available to them, but that is often because part of the site accommodates an attached garage. With only around 1 metre of side space to either side of the appeal development and with no garage, the appeal development would be out of character with other houses in the area in that respect. The proposal would allow for a combined space of 2 metres from the side elevation of 12 Gladsdale Drive, but the plot width of the appeal development and the remaining plot width of 12 Gladsdale Drive would then be less than the norm in the road.

11. The appeal development would provide off road parking by using the area to the front of the proposed dwelling as parking space for two cars. While it was apparent on my site visit that off road parking takes place at many of the houses in Gladsdale Drive on the run in to the garages within the curtilage of the properties concerned, the normal pattern in the road is for front garden areas to be retained. The appeal proposal would thus again be out of character with the houses in the road in not having a front garden area.

12. The proposal would match the height of the immediately adjacent property at 12 Gladsdale Drive, and also follow the same front building line as the other properties on the north side of Gladsdale Drive. I can understand why the same building line is used, given the limited width of the appeal site, but in my view this would have the effect of making the proposal relate oddly to the street scene in that, alone of the properties in the road, it would not face the road. The front elevation of the property would be at an angle to the road.

13. The density of development on the appeal site would equate to 280 habitable rooms per hectare, which would be in excess of the London Plan guideline for a development of this nature. While the thresholds set out in Table 3A.2 of the London Plan do not lead to the automatic refusal of a planning application, they raise a question about the acceptability of a proposal. In this case, I consider that the very limited plot width and the need to provide off road parking rather than a front garden at the site, together with the orientation of the front facade of the appeal property, all underline the fact that the proposal would appear cramped on its site, and to that extent it would in my view fail to harmonise with the existing street scene and to complement the character of the immediate area."

The allowed appeal sited the bungalow behind the existing building line, which together with the Lawful Development Certificate for a detached outbuilding, that had been granted seemed to be crucial in the Inspectors consideration. The current proposal brings the building even further forward than the dismissed appeal and this is unacceptable. The additional impact of bringing the proposed bungalow 1.6m closer to the building line and extending the length of the building by a total of 3.64m is considered to conflict with Policies BE13 and BE19 Hillingdon Unitary Development Plan Saved Policies September 2007 and the HDAS: Residential Layouts.

Another aspect on which the Inspector, on the two storey scheme, considered the proposal to be unacceptable was the use of virtually the whole of the front garden area for parking as set out in Paragraph 11 of his decision letter (quoted above). The parking layout proposed for this development is considered to be worse than the one dismissed on appeal and again proposes virtually the whole of the front garden area for parking, due to a combination of the reduction in space from siting the building further forward and the need to provide two parking spaces. This was not the case with the allowed appeal, which retained considerable space for landscaping and only required the provision of one space. Thus in terms of the siting of the building and the lack of a front garden area the proposal is considered to be out of character with the existing street scene and fails to complement the character of the immediate area contrary to policies BE13 and BE19 Hillingdon Unitary Development Plan Saved Policies September 2007 and the HDAS: Residential Layouts.

7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. Due to the single storey nature of the proposal and the distances to the nearest residential properties it is considered that a material loss of outlook or light would not result to those properties. Therefore the proposal would comply with policies BE20 and BE21 of the UDP (Saved Policies September 2007).

With regard to loss of privacy, the side facing openings shown on the elevation facing the host dwelling (No.12) would be to serve a hallway and therefore could be conditioned to be obscure glazed and non-opening below top vent and with regard to the remaining side elevation this would look out over the adjoining Green Belt land and therefore would not result in any loss of privacy to adjoining occupiers. Therefore the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007).

7.09 Living conditions for future occupiers

Section 4.7 of the SPD: Residential Layouts, states careful consideration should be given to the design of the internal layout and that satisfactory indoor living space and amenities should be provided. The proposed internal floor space for the new dwelling would be

79m². The SPD states the minimum amount of floor space required for a 2-bedroom, single storey house would be 63m² and therefore the proposal would comply with this advice.

With regard to the size of the garden, the SDP: Residential Layouts: Section 4.15 states that a 2 bed house should have a minimum garden space of 40m² and the proposal would comply with this advice with a usable rear garden area of over 60m² for the new dwelling. Therefore the proposal would comply with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007).

However, the only window to the proposed second bedroom is situated less than 2m from a 2m high boundary fence and a number of large trees, the subject of a woodland preservation order. Thus it is considered that the outlook from this bedroom and the level of natural light reaching it would be extremely poor and detrimental to the amenities of future occupiers. Furthermore, in terms of sustainable design and construction, the lack of natural light to this room would result in high demand for artificial lighting. It is therefore considered that the proposed bedroom 2 would not experience an adequate outlook and source of natural light, therefore conflicting with Policy BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007, the HDAS: Residential Layouts and policy 5.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal shows the provision of 2 off street parking spaces for the existing dwelling and a further two spaces for the new dwelling, as such the proposal is considered to comply with the Council's car parking standards and with policies AM7(ii) and AM14 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

As above

7.12 Disabled access

The proposal comprises a single storey building and as such level access could be provided throughout and the Design and Access statement comments that the development would comply with Part M of Building Regulations. As such, the proposal is considered to comply with Policy 3.8 of the London Plan (2011) and the Council's HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Council's Landscape Officer has not raised objection to the proposal in terms of the impact of the proposal on protected trees and in this respect the proposal is considered acceptable. As such, the proposal is considered to comply with Policy BE38 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.15 Sustainable waste management

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. Were the application acceptable in all other respects, then the siting of the bin stores could have been covered by condition.

7.16 Renewable energy / Sustainability

This issue has been covered in section 7.09 of this report.

7.17 Flooding or Drainage Issues

Policy OE7 of the UDP (Saved Policies September 2007) considers areas that could be liable to flooding. The Environment Agency do not object to the proposal subject to an

informative. As such the proposal is considered to accord with policy OE7 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

With regard to point 1 the site is not within the Green Belt and the impact of the proposal on the Green Belt is considered above. Points 3, 6, and 14 are not material planning considerations. The other points raised are covered in the main report.

7.20 Planning Obligations

Presently S106 contributions for education are only sought for developments if the net gain of habitable rooms exceeds six. The proposal would result in the provision of 3 additional habitable rooms and therefore no contribution would be sought in this instance.

7.21 Expediency of enforcement action

Not applicable to 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

Not applicable to this application.

10. CONCLUSION

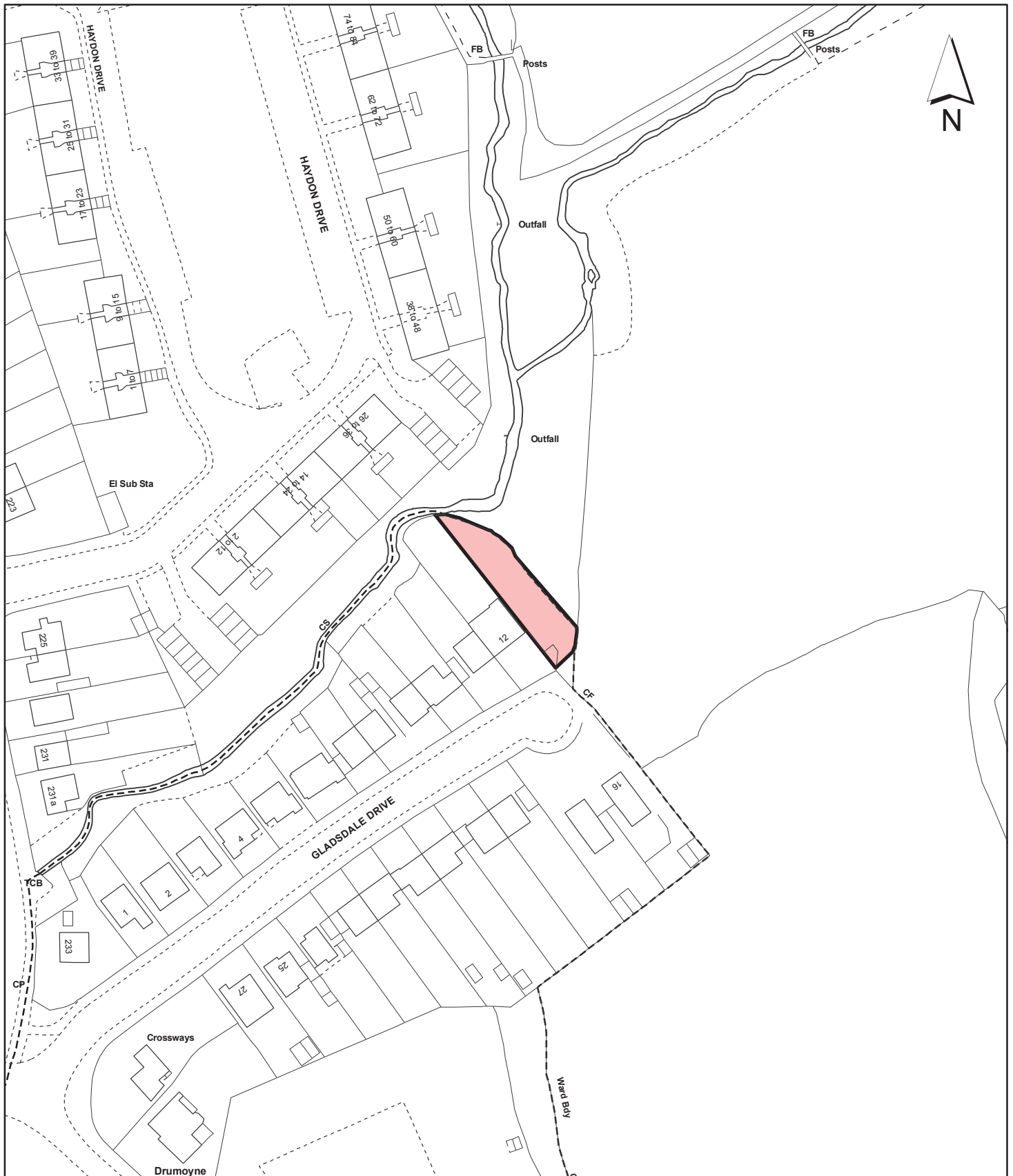
The proposal, due to its siting and position would result in a development which is considered to cause additional harm to its surroundings than that granted permission on appeal. The additional works are therefore considered to cause additional material conflict with the Council's Policies BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007), the Supplementary Planning Document HDAS: Residential Layouts and the London Plan (2011).

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
HDAS: Residential Layouts
The London Plan (2011)
Planning Policy Guidance Note No 2: Green Belts
Supplementary Planning Guidance: Educational Facilities
Planning Policy Statement 3: Housing (June 2010)
The London Plan: Interim Housing Supplementary Planning Guidance (April 2010).

Contact Officer: Clare Wright

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Notes

 Site boundary

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Site Address

Land adjoining 12 Gladsdale Drive Eastcote

Planning Application Ref:
65761/APP/2011/1645

Planning Committee
North

Scale
1:1,250

Date
November 2011

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Planning,
Environment, Education
& Community Services
Civic Centre, Uxbridge, Middx. UB8 1UW
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