

## Report of the Head of Planning & Enforcement Services

**Address** ORENDA AND 68 THIRLMERE GARDENS NORTHWOOD

**Development:** 7 x two storey, 3-bed, terraced dwellings with habitable roofspace with associated parking and amenity space and installation of vehicle crossover to front involving demolition of 2 existing detached dwellings

**LBH Ref Nos:** 59962/APP/2011/2101

**Drawing Nos:** 10.17/03A  
10.17/04A  
10.17/05A  
Location Plan to Scale 1:1250  
10.17/01A  
Design and Access Statement  
Photographs  
10.17/02A

**Date Plans Received:** 25/08/2011                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 06/09/2011

### 1. SUMMARY

The application is for the demolition of two houses and the erection of a terrace of 7 two storey, 3 bed houses.

It is considered that the proposed development would sit comfortably within the site, within an area that is primarily characterised by various forms of terraced housing. As such the proposal would not be out of character with the area and would provide an appropriate level of family accommodation. The design of the development is considered appropriate to the area.

The scheme would not adversely affect the amenities of surrounding residential properties and would afford appropriate residential accommodation for future occupiers. Parking and access arrangements are similarly considered satisfactory. The application is therefore recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **3 OM2 Levels**

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

#### REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in the approved materials and thereafter maintained as such in perpetuity.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **5 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied and shall be carried out in accordance with the approved details and thereafter be retained in perpetuity.

#### REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **6 OM5 Provision of Bin Stores**

No development shall take place until full details of covered and secure facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include elevation drawings of the proposed structures. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7 NONSC Non Standard Condition**

No development shall take place until full details of covered and secure facilities to be provided for the parking and storage of cycles for each dwelling have been submitted to and approved in writing by the Local Planning Authority. Such details shall include elevation drawings of the proposed structures. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

**REASON**

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3

**9 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the London Plan (July 2011) Policy 5.12 and PPS25.

**10 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, 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 (including those at the rear of the site) 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. 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:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. 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 to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **11 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **12 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in 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 in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**13 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing the neighbouring properties.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**14 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 RPD6 Fences, Gates, Walls**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected other than those expressly authorised by this permission.

REASON

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**16 RPD9 Enlargement to Houses - Roof Additions/Alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed.

REASON

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**17 MRD8 Education Contributions**

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing how additional or improved educational facilities will be provided within a 3 miles radius of the site to accommodate the nursery, primary and secondary school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

**REASON:**

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Supplementary Planning Guidance on Educational Facilities.

**18 OM13 Demolition Protocols**

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

**REASON**

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (July 2011) Policy 5.20

**19 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

**20 DIS5 Design to Lifetime Homes Standards**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standard, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

**21 NONSC Non Standard Condition**

No development shall take place until details of all balconies, including obscure screening have been submitted to and approved by the Local Planning Authority. The approved screening, where necessary, shall be installed before the development is occupied and shall be permanently retained for so long as the development remains in existence.

**REASON**

To ensure that the development presents a satisfactory appearance and to safeguard the privacy of residents in accordance with Policies BE13 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**22 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3

**23 NONSC Non Standard Condition**

Notwithstanding the submitted plans, no development shall take place until drawings showing the details of the front dormer windows to a scale of 1:20 have been submitted to and approved by the Local Planning Authority. The approved drawings shall be implemented.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant

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

## **2            I53            Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

|          |  |
|----------|--|
| BE13     | New development must harmonise with the existing street scene.   |
| BE19     | New development must improve or complement the character of the area.  |
| BE20     | Daylight and sunlight considerations.  |
| BE21     | Siting, bulk and proximity of new buildings/extensions.  |
| BE22     | Residential extensions/buildings of two or more storeys.   |
| BE23     | Requires the provision of adequate amenity space.  |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.   |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.      |
| OE1      | Protection of the character and amenities of surrounding properties and the local area   |
| H4       | Mix of housing units   |
| AM7      | Consideration of traffic generated by proposed developments.   |
| AM14     | New development and car parking standards.   |
| LPP 3.3  | (2011) Increasing housing supply   |
| LPP 3.4  | (2011) Optimising housing potential  |
| LPP 3.5  | (2011) Quality and design of housing developments  |
| LPP 5.13 | (2011) Sustainable drainage  |
| LPP 5.3  | (2011) Sustainable design and construction   |
| LPP 7.1  | (2011) Building London's neighbourhoods and communities  |
| LPP 7.2  | (2011) An inclusive environment  |
| 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                  |
| PO-EDU   | Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010 |

## **3            I1            Building to Approved Drawing**

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            I100            Informative for all permissions with side facing windows**

You are advised that this permission does not remove the requirement to comply with



Building Regulations. You are therefore advised to seek advice on the viability of your works from an Approved Building Regulations Inspector prior to commencing construction works. This is so that you can be aware of any potential issues relating to side facing windows regarding ventilation or means of escape that might conflict with use of obscure glazed/non-opening windows. You should be aware that Building Regulation requirements do not override planning requirements for obscure glazed/non-opening windows to be installed.

## **5            115            Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works 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.

## **6            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

## **7            13            Building Regulations - Demolition and Building Works**

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 & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

## **8            15            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

from, any adjoining owner, where the building owner proposes to:  
carry out work to an existing party wall;  
build on the boundary with a neighbouring property;  
in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

## **9 16 Property Rights/Rights of Light**

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

## **10**

The applicants should note that in relation to Condition 3 the details submitted should clearly and comprehensively clarify all level changes, given the existing site gradients.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site is located on the northern side of Thirlmere Gardens. It has a total frontage width of 32m onto the highway, and a total site area of 0.13 hectare. With the exception of a splayed north-eastern corner, the site is otherwise regular in shape. There is a gentle slope across the site, falling from west to east and from south to north.

The site is currently occupied by two residential dwellings. These are both two storey, detached properties with pitched roofs. No.66 (Orenda) is to the rear of No.68, and is accessed along the eastern property boundary from a driveway from Thirlmere Gardens.

To the east of the application site is a row of two storey detached houses with pitched roofs. There are no windows in the gable end to the western most dwelling (No.60) adjoining the application site.

The western side boundary is 37m in length and adjoined by a terrace of two storey houses with pitched roofs. Each property has a detached single garage built within the front boundary setback to Thirlmere Gardens. There are no windows in the two storey flank elevation to No.70 Thirlmere Gardens immediately adjoining the application site.

The northern (rear) boundary measures 47m and is fenced and screened by mature vegetation. It adjoins the rear property boundaries of 17-21 Kewferry Drive.

The application site lies within the developed area as identified in the saved UDP, September 2007.

#### **3.2 Proposed Scheme**

The application is for the demolition of the existing two houses and their replacement with a staggered terrace of 7 two storey houses with accommodation in the roofspace.

The terrace would be sited parallel to the street and broadly in line with the existing terrace of houses to the west.

The floor area of the houses would range from 133sq.m (plots 2 to 6) to 140sq.m (plot 1) and 154sq.m (plot 7). Each property would provide 3 bedrooms.

Each dwelling would have its own private garden to the rear, ranging between 11m and 13m in depth, and with areas of between 58m<sup>2</sup> and 64m<sup>2</sup> (with plot 7 having a considerably larger area of amenity space of 170m<sup>2</sup>). The two end of terrace properties would be sited in slightly larger plots and would have additional accommodation in the form of a rear conservatory, and in the case of plot 7 (the dwelling adjacent No.60), a study room.

The end houses would have a dutch gable style roof. Each house within the terrace would have a front and rear dormer window, to enable accommodation in the roofspace, and at the rear each house would also have a small first floor rear balcony.

The houses would be of a relatively traditional design with front 2 storey projecting bays and weather porches to the main entrances. Elevations would comprise facing brick with a plain tile roof.

Car parking would be within a consolidated area to the front of the terrace, surrounded by soft landscaping. Two car ports, each containing two parking spaces would be provided within this car parking area. The parking spaces would be allocated so that each house has two tandem parking spaces.

Bin stores and cycle parking would be provided within the front amenity area.

### **3.3 Relevant Planning History**

59962/APP/2004/2590 Orenda And 68 Thirlmere Gardens Northwood

ERECTION OF A BLOCK OF 14 RESIDENTIAL FLATS WITH ASSOCIATED CAR PARKING, BIN STORE AND AMENITY SPACE (INVOLVING DEMOLITION OF TWO EXISTING DWELLINGHOUSES)

**Decision:** 23-11-2004 Refused

**Appeal:** 11-07-2005 Dismissed

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

In 1978 planning permission was granted for the erection of 8 one bed units. This scheme was not implemented.

In 2004 planning permission was refused for the erection of a block of 14 flats. A subsequent appeal was also dismissed. The appeal was dismissed because the design features were considered intrusive, there was excessive hard paving, the parking would be too close to trees, the areas for landscaping were too small, the amenity space was inadequate and harmful to the character of the area.

### **4. Planning Policies and Standards**

## UDP / LDF Designation and London Plan

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

### Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

### Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- H4 Mix of housing units
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- LPP 3.3 (2011) Increasing housing supply
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.3 (2011) Sustainable design and construction
- LPP 7.1 (2011) Building London's neighbourhoods and communities
- LPP 7.2 (2011) An inclusive environment
- 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
- PO-EDU Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010

## 5. Advertisement and Site Notice

Not applicable

5.1 Advertisement Expiry Date:-

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

36 adjoining and nearby properties have been notified of the application by means of a letter dated 8th September 2011. 13 responses have been received, objecting to the development on the following grounds:

1. Amenity and Character. The impact will be detrimental neither enhancing nor complementing the character of the existing surroundings.
2. Safety. The parking area and crossover will be close to the T-junction and faces existing properties with driveways. This will increase the risk of accidents.
3. Car Parking. The area is too large, will be highly visible, noisy and unattractive.
4. Drains. The proposal would add to existing problems and additional cost to the Metropolitan Housing Trust for repairs and enhancement.
5. Design. The buildings would have higher roofs and steeper pitches than the existing houses and would have a detrimental effect on the outlook, privacy and light of the surrounding houses. Materials would not blend in with the surroundings and the siting of rubbish bins next to existing properties is unacceptable. The buildings would be out of keeping with the character and appearance of the area and will not harmonise with its surroundings.
6. The area is already overdeveloped and more houses would make this worse.
7. The amenities of the residents in Kewferry Drive at the rear of the site would be adversely affected given the bulky buildings, their mass, the steep roof pitches and rear dormer windows.
8. The change in density of the development is too great. Semi-detached houses should be provided rather than terraced housing.
9. There is insufficient on site parking including disabled parking.
10. The site is in a prominent location.
11. The siting of the terrace does not take into account the curve in the road, unlike the rest of the road.
12. The balconies at first floor level and the dormer windows at the rear are out of keeping and will result in overlooking and loss of privacy of the gardens and rooms in the houses at the rear of the site, and they would be inappropriate and ill-proportioned.
13. The conservatories and single storey element to plot 7 are inappropriate and out of keeping, exacerbating an overdevelopment of the site and limiting amenity space.
14. There is insufficient amenity space for these three bed houses.
15. Noise and disturbance from construction will affect the health of local residents. The increase in the number of young families in the new building will also create additional noise and disturbance.
16. Overdevelopment, cramped and inappropriate, and harmful to the streetscene.
17. Addition of more paved areas for parking will increase run-off, and along with increased water use by the residents, will put further strain on an already challenged drainage system.

Northwood Residents Association

Object to the application on the grounds that it fails to comply with the UDP Saved Policies BE13, BE15 and BE19.

A petition of objection has been received, with 53 signatories. No details of the nature of the objections are stated.

THAMES WATER have commented on the application in relation to water and sewerage matters,

and have confirmed that they do not have any objection in regard to sewerage infrastructure.

### **Internal Consultees**

#### **CONSERVATION AND URBAN DESIGN:**

This is a cul-de-sac off Thirlmere Gardens, with two large detached properties in white render and concrete roof tiles. Much altered, Orenda is a 1930s house with an attractive eye-brow shaped roof over the first floor window to the front. Thirlmere gardens, is a mix of 1970's housing estates and terraces.

To the north, Kewferry Drive is an attractive street with low density suburban housing set in large and spacious gardens. The development site would be clearly visible from the rear gardens on these properties.

Given the character of the area, there would be no objections to the proposed development in principle. Following previous concerns raised regarding the dormers, the Juliet balconies and the overall roof form, the scheme has been revised and is considered to be an improvement.

The proposed terrace would face Thirlmere Gardens and would sit in line with the building line of the adjacent properties. Whilst the resulting width is not ideal, this would relate to the overall townscape of the area, and would be acceptable in this instance.

In terms of its setting, the scheme proposes hard surfacing to the front with 2 car ports and at least 8 car parking spaces. This would have considerable impact on the setting of the development as well as on the street scene of the area. There are no details on the proposed height and design of the car port, and it is felt that an open flat roof port with climbers would mitigate their visual intrusiveness. Further soft landscaping would help reduce the impact of the hard surfacing and the off-street parking and would enhance the street scene.

The footprint of the proposed town houses would appear tighter with limited amenity space. However, given the varied typology of housing in the area, the scheme would relate to the established scale and layout of the immediate surrounding, and would be acceptable from a design point of view.

Following pre-app advice, the applicant has submitted a street scene elevation. It is felt, that the proposed terrace would appear higher than the adjacent housing. However, given its set back from the street frontage it would be acceptable in this instance.

The development proposes 7 town houses resulting in a wide and horizontal elevation. The properties, however, are slightly stepped from each other, reducing in height due to the slope, which would break their visual impact on the street scene. As suggested, the revised scheme shows square bays to the front, which would provide a vertical element to the facade and help in the articulation of the elevation.

The revised roof form is more traditional in appearance, and is in keeping with the character and appearance of the area. Whilst not ideal, the front dormers have been reduced in size and there are no objections to the same. There are no objections to the rear dormers.

Overall, given the varied typology of housing, the terrace would be acceptable in principle.

#### **TREES AND LANDSCAPE TEAM**

The site is occupied by two detached houses, one behind the other. There are no significant trees or other landscape features close enough to the proposed development to pose a constraint. Trees

which were in the rear garden/side boundary of the neighbouring property (number 60), which may have posed a constraint, have recently been removed.

There is a Tree Preservation Order, No. 111, on the land to the east of the site, but there are no protected trees close to this site.

A topographical survey has been submitted which includes the identification and approximate size of trees on, and close to, the site. The young Oak on the front boundary is closer to 5 metre in height than the 3 metres annotated on plan.

The proposal is to demolish the two houses and build a terrace of seven houses with associated parking and gardens (private and communal).

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 only significant tree which will be affected by the development is the young Oak on the front boundary. Other off-site trees, which may have posed a constraint along the east boundary (rear half) have been removed prior to submission of this application. However, the indicative layout provides space and opportunity for tree replacement and other amenity planting. Hard and soft landscaping should be secured by condition.

DCLG/EA guidance requires new driveways to be permeable, to meet SUDS requirements.

A landscape management/maintenance plan should be submitted to ensure that the communal landscape to the front of the development is established and maintained in accordance with good practice.

No objection, subject to the above considerations and conditions TL5, TL6 and TL7.

#### WASTE STRATEGY TEAM

The plan does show that a space has been allocated for the storage of waste, which is good practice. However, Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer. I would recommend each property has its own bin and it is kept within the curtilage of the property. This will stop problems about the accumulation of items in communal bin areas.

#### ACCESS OFFICER

In assessing this application, reference has been made to London Plan July 2011, 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:

1. Details of level access referred to in the Design & Access Statement should be provided on a levels plan measured from a fixed datum point. The plan should indicate the proposed internal and external levels.

2. Entry into some of the proposed houses is showing as stepped on plan. The Lifetime home

standards require level access to be achieved via the principal entrance. Plans should be amended accordingly to provide level or gently sloping access from the proposed car parking area to and into the proposed houses. To achieve level access, it would be preferable to gently slope (maximum gradient 1:21) the pathway leading to, and into, the entrance door. Details in this regard should be requested prior to any grant of planning permission.

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

4. To allow the entrance level WC and first floor bathroom to be used as a wet room in future, plans should indicate floor gulley drainage.

5. The plans should indicate the location of a future "through the ceiling" wheelchair lift.

The Design & Access Statement should be revised to confirm adherence to all 16 Lifetime Home Standards.

## MAJOR PROJECTS AND IMPLEMENTATION

Education is the only planning obligation required as a result of this proposal.

### EDUCATION DEPARTMENT

A planning contribution of £56,346 should be secured to provide places in the primary, secondary and post 16 education sectors.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site is designated as a Developed Area within the Hillingdon Unitary Development Plan Saved Policies (September 2007) (UDP). The proposal site is located in a predominantly residential area which currently contains terraced, semi-detached and detached dwellings, including a number of which are more recent developments. The principle of redeveloping existing residential sites for more intensive development is acceptable in locations such as this, subject to compliance with the relevant policies within the Hillingdon Unitary Development Plan Saved Policies (September 2007) (UDP), the London Plan (2011) and the standards set out in the Supplementary Planning Document HDAS: Residential Layouts.

### **7.02 Density of the proposed development**

The density of development should be in compliance with the density matrix Table 3.2 of the London Plan (July 2011). Policy 3.4 of the London Plan advises that Boroughs should take into account local context and character, design and public transport capacity, and that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2.

The site is located within a suburban setting. The London Plan provides for a residential density between 55-115 units per hectare at an average of 3.1-3.7 habitable rooms per unit and 200-350 habitable rooms per hectare (hrh). As such, based on the total number of habitable rooms being 36, the scheme provides for a residential density of 46 dwellings per hectare or 240 hrh. It therefore complies with Policy 3.4 of the London Plan (2011).

Policies H4 and H5 seek to ensure a practicable mix of housing units are provided. Larger family units are promoted outside of town centres such as this. Given that the proposal



provides 7 family homes in an area already characterised by family homes, the proposal complies with these two policies.

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

The site does not fall within an Archaeological Priority Area and there are no Listed Buildings, Conservation Areas or Areas of Special Local Character within the vicinity.

#### **7.04 Airport safeguarding**

Not applicable to this application.

#### **7.05 Impact on the green belt**

Not applicable to this application.

#### **7.06 Environmental Impact**

Not applicable to this application.

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

Policies BE13, BE19 and BE21 seek to ensure that new development complements and improves the character and amenity of the area and harmonises with the existing street scene.

The area generally comprises a mix of 2 storey attached housing and 3 storey blocks of flats. Car parking to terraced housing along Thirlmere Gardens is provided in separate single storey garages located within the front gardens of properties.

The proposed housing would be reflective in scale and form of that which exists in the immediate area and it would not have any significant adverse impact on the character and appearance of the area. Whilst the pitch of the roofs would be higher than that existing, and higher than that of the adjoining properties, it is considered that this would not be so harmful as to adversely affect the character of the area. The staggered effect of the terrace, and the design of the elevations are considered suitable to the character of the area.

The proposed car parking layout to the front of the property attempts to avoid a series of separate driveways to the front of individual properties. This has the effect of creating just one single access thereby retaining an element of off-street parking on the highway to the front of the site and a single access point. It also allows areas of landscaping to be provided on the frontage to offset the visual impact of the parking area and assorted paraphernalia such as car ports and bin stores. It is therefore considered that this arrangement is satisfactory.

Overall, in terms of the layout of the site and the size, scale and design of the buildings it is not considered that the development would be so detrimental to the visual amenity of the street scene, or detract from the visual amenities of the area generally, as to warrant refusal. It is considered that the development is in accordance with UDP Saved Policies BE13 and BE19, relevant London Plan Policies and supplementary design guidance.

#### **7.08 Impact on neighbours**

The new development would have a similar relationship to the properties in Kewferry Drive as the existing properties in Thirlmere Gardens either side of the site. The rear gardens of the properties in Kewferry Drive are in excess of 46m in length and combined with the garden depth of the proposed properties, the relationship with buildings at the rear would be considerably in excess of the required distance of 21m set out in the Supplementary Planning Document HDAS: Residential Layouts.

Similarly it is considered that there would be no adverse impact on the amenities of the properties either side of the site. There are no windows that would be adversely affected

by loss of light or outlook and the development would not encroach within a 45 degree line of sight from any habitable room windows on the adjoining properties. Whilst there may be some mutual overlooking of rear garden areas from the rear of the new properties this would be consistent with that of a typical terrace, albeit with a gap between the new and the old development being retained.

As such, whilst the proposed buildings would appear higher, it is considered that there would be no adverse impact on the amenities of adjoining occupiers. The use of obscure glazing to the rear balconies would be an appropriate way of minimising any overlooking or loss of privacy concerns, as would new tree planting towards the rear and around the edges of the site.

As such, the scheme is considered to comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.09 Living conditions for future occupiers**

In order to achieve a satisfactory living environment, the London Plan (July 2011) sets out minimum floorspace standards for new development. This suggests that two storey, 3 bed (4 person) houses should have a minimum floor area of 87m<sup>2</sup>. The internal floor area of the houses clearly exceed this guidance. Even if the development was considered to be three storey, 3 bed (5 person) units the internal floor area of the houses would still exceed the recommended size of 102m<sup>2</sup>.

In terms of amenity space, each dwelling would have its own private garden to the rear, ranging between 11m and 13m in depth, and with areas of between 58m<sup>2</sup> and 64m<sup>2</sup> (with plot 7 having a considerably larger area of amenity space of 170m<sup>2</sup>). Whilst this would mean that 2 of the units are below the required level of 60m<sup>2</sup>, set out in the Supplementary Planning Document HDAS: Residential Layouts, it is considered that the shortfall is not so significant as to justify a refusal on this ground alone.

All the main habitable room windows would have front or rear facing windows. These windows would provide the rooms with an adequate outlook and natural lighting.

As such, the scheme would achieve a suitable residential environment, in accordance with policies BE19, BE23 and BE24 of the UDP.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Two car parking spaces would be provided per dwelling, which would comply with the Council's standards. The forecourt type parking arrangements are considered satisfactory, and the proposed car ports would add interest to the site frontage, and subject to an appropriate landscaping scheme (which can be controlled by condition) would make a positive contribution to the streetscene without detriment to pedestrian or vehicular safety.

Cycle storage would also be provided, and a condition is recommended to ensure that covered and secure provision is made.

#### **7.11 Urban design, access and security**

The issue of design is covered in Section 7.07. In terms of security and access, the traditional arrangement of houses fronting the street would assist in providing secure gardens to the rear, backing onto existing gardens, thereby being an improvement on the existing arrangements in terms of security and crime prevention.

#### **7.12 Disabled access**

The Council's Access Officer raises a number of detailed points concerning the scheme's

compliance with Lifetime Homes standards. Appropriate conditions can be imposed to ensure that the scheme is fully compliant with these standards.

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

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

The comments of the Council's Trees and Landscape Team are noted, and subject to appropriate conditions requiring details of services and levels, tree protection, landscaping and implementation schemes and a construction method statement, the proposal is acceptable in terms of Policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.15 Sustainable waste management**

Subject to appropriate conditions, adequate provision would be made for refuse and recycling storage.

#### **7.16 Renewable energy / Sustainability**

The Greater London Authority (GLA), through the London Plan, clearly outlines the importance of reducing carbon emissions and the role that planning should play in helping to achieve that goal. The London Plan contains a suite of policies relating to climate change.

In the supporting text to Policy 5.1, it states that the Mayor expects all development to make the fullest contribution to the mitigation of climate change. Policy 5.2 sets out the energy hierarchy. Policy 5.3 expects the highest standards of design and construction in new development to minimise environmental impacts and Policy 5.4 advises that these high standards will apply in conversion schemes. Policy 5.15 advises on the need for efficient use of water.

The Council's Sustainability Officer advises that energy efficiency and the efficient use of water can both be dealt with by means of condition and thus the houses are expected to meet level 4 of the Code for Sustainable Homes.

#### **7.17 Flooding or Drainage Issues**

Policy OE8 seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. The site is not within a flood zone. A sustainable urban drainage condition is nevertheless recommended.

#### **7.18 Noise or Air Quality Issues**

The site is within a well established residential area and it is considered that the occupiers would not be adversely affected by noise or air quality, nor would the development have any significant impact on such matters for existing residents surrounding the site.

#### **7.19 Comments on Public Consultations**

These have been addressed in the body of this report.

#### **7.20 Planning Obligations**

Policy R17 of the Council's Unitary Development Plan advises that where appropriate, new development should supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations.

Given the nature and scale of this proposal, the development only gives rise to the requirement for a S106 education contribution of £56,346 to provide places in the primary, secondary and post 16 education sectors. This can be secured by means of a condition to which the applicant has agreed.

#### **7.21 Expediency of enforcement action**

No enforcement issues are raised by this application.

#### **7.22 Other Issues**

There are no other relevant planning issues raised by this application.

#### **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**

#### **10. CONCLUSION**

The scale of the terrace and its design would match existing features and harmonise with the character of the area. The scheme takes adequate account of its impact upon existing trees on site. As such, the proposal would maintain and enhance the character and appearance of the area.

The scheme would not adversely affect the amenities of surrounding residential properties and would afford appropriate residential accommodation for future occupiers. Parking and access arrangements are considered acceptable. It is recommended for approval.

#### **11. Reference Documents**

PPS1: Delivering Sustainable Development.

PPS3: Housing.

London Plan (July 2011).

Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

HDAS: Residential Layouts & Accessible Hillingdon.  
Planning Obligations Supplementary Planning Document, July 2008.  
Consultation responses.

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