

Report of the Head of Planning & Enforcement Services

Address LAND ADJACENT TO AND FORMING PART OF 30 HARVEY ROAD
NORTHOLT

Development: 2 x two storey, 2-bed semi detached dwellings with associated parking and amenity space

LBH Ref Nos: 67335/APP/2011/1968

Drawing Nos: Location Plan 1:1250
10:590/6
10:590/7
Planning Statement
10:590/4 Received 23rd March 2012

Date Plans Received: 12/08/2011 **Date(s) of Amendment(s):** 12/08/2011
Date Application Valid: 19/08/2011 22/11/2011
27/03/2012

DEFERRED ON 26th June 2012 FOR SITE VISIT .

This application was deferred at the committee of the 26th June for a site visit, which took place on the 21st August, and the following additional information:

i) Clarification of ownership of site:

The applicant has served notice on the London Borough of Ealing as well as Hillingdon, which means that some parts of the site are in the ownership of both Hillingdon and Ealing Council's. It would be up to the applicants to ensure that all legal matters relating to building on land outside their ownership are resolved and does not affect the planning position.

ii) Reason why bollards were originally installed and the impact of their resiting:

The bollards were originally installed as there was constant complaints relating to anti-social behaviour occurring in the land to the rear, but outside of the property. The resiting of the bollards will still prevent vehicular access to any land that is not in constant use, which was the original intention.

1. SUMMARY

This proposal is to develop the side and rear garden of a ground floor maisonnette to provide a pair of semi-detached two-bedroom houses on a corner plot and follows a refusal of planning permission (reference 67335/APP/2010/2355) for a pair of semi-detached dwellings and a linked one bedroom bungalow.

The impact of proposed dwellings upon the character and appearance of the area and the impact upon residential amenity is considered acceptable. The scheme fails to include details of the off-site highway works required to remove the bollards and associated footway construction, which is required to enable access to the parking. However the applicant has offered to deal with this matter by way of a S106 agreement which is considered acceptable in this instance. As such the application is recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Sport and Green Spaces to grant planning permission, subject to the following:

A. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

i) A contribution of £22,013 for capacity enhancements in local schools;

ii) Obtaining all relevant approvals for the removal of the existing bollards and provision of replacement bollards in a new location (which facilitates access to the approved parking area while preventing access to open land by unauthorised vehicles), as well as a new footway and street lighting leading to the parking area;

iii) Provide the approved highway/footway/lighting works at no cost to the Council.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal Agreement(s) and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised within 6 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning, Sport and Green Spaces, then the application be refused for the following reason:

'The proposal fails to demonstrate that vehicular access would be available on the side access road and as such the scheme would fail to provide adequate off-street car parking at the site. In the absence of adequate accessible off-street car parking being provided, the proposal is likely to result in additional on-street car parking, detrimental to highway and pedestrian safety, contrary to Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Sport and Green Spaces prior to issuing the decision:

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 Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M1 Details/Samples to be Submitted

No development shall take place until details 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.

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).

4 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.

REASON

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

5 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

6 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and 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).

7 RES9 Landscaping (including refuse/cycle storage)

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

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

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

8 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).

9 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained for the life of the development.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1

10 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).

11 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 without the grant of further specific permission from the Local Planning Authority.

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).

12 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the

parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

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.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.1	(2011) Ensuring equal life chances for all
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 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

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 I2 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.

5 I3 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).

6 I5 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

7 I6 Property Rights/Rights of Light

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

8 I15 Control of Environmental Nuisance from Construction Work

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

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

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern edge of the Borough and on the east side of Harvey Road, to the south of a former access road spur. Harvey Road is a residential cul-de-sac, surrounded by open land, with vehicular access taken from West End Road, between Nos. 39/39A and 41, almost opposite the application site. The site currently provides garden space for Nos. 30/30A Harvey Road. Residential properties to the south of the main access and the spur comprise open plan blocks of two-storey maisonettes, designed to give the impression of semi-detached houses whereas properties to the north of these roads are more traditional pairs of semi-detached houses. Adjoining the site to the east is the Lime Tree Golf Course which is within the London Borough of Ealing. Open land to the south and west of Harvey Road forms part of the Green Belt.

3.2 Proposed Scheme

This application is for a pair of two-bedroom semi-detached houses with a built form that would generally match the built form of maisonettes set immediately to the south. The houses would have a 13m wide frontage onto Harvey Road. The built form of the pair of houses would be 10m wide by a maximum depth of 11.8m. This depth includes single storey rear projections with 1.4m insets from the flank wall of each house; the first floor would be 8.8m deep, generally matching the depth of the maisonettes that would adjoin the plot of the proposed development. The proposed houses would have side gabled roofs, matching the maisonettes, 5m in height to the eaves and with a maximum height to the ridge of 7.6m.

Amenity space for the houses would be provided to their rear and behind the amenity space would be four parking spaces abutting the former spur road. Cycle and bin storage is shown in the rear garden areas for each of the properties.

3.3 Relevant Planning History

67335/APP/2010/2355 Land Adjacent To And Forming Part Of 30 Harvey Road Northolt

Erection of 2 x two-bedroom, two storey and 1 x one-bedroom, single storey dwellings with semi-linked lobby and associated parking and amenity space.

Decision: 23-12-2010 Refused

Comment on Relevant Planning History

Planning permission was refused in December 2010 for the erection of 2 x two-bedroom, two storey and 1 x one-bedroom, single storey dwellings with semi-linked lobby and associated parking and amenity space for the following reasons:

1. The proposal, by reason of its siting, scale and design, would appear unduly cramped and out of keeping with the spacious character and surrounding pattern of residential development on this prominent corner plot. The proposal would therefore be detrimental to the visual amenity of the street scene and character and appearance of the surrounding area, contrary to Planning Policy Statement 3 (as amended), the Mayor's Interim Housing Supplementary Planning Guidance (April 2010), Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.
2. The proposed bungalow fails to provide a sufficient amount of internal floor area and adequate usable private amenity space to afford an adequate standard of residential amenity for future occupiers. The amenity space to the bungalow would also be overlooked by a first floor window of another unit at a distance of only 4m. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.
3. The proposed houses fail to provide an adequate amount of private usable amenity space for their future occupiers, resulting in a sub-standard form of residential accommodation and the proposed off-street parking spaces, when occupied would be likely to restrict access to the rear amenity space serving the occupiers of No. 30A Harvey Road. The proposal would therefore not provide an adequate standard of residential amenity for future and existing occupiers, contrary to Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.
4. The proposal fails to demonstrate that vehicular access would be available on the side access road and given the narrow width of the proposed parking spaces that adequate off-street car parking would be provided at the site. In the absence of adequate accessible off-street car parking being provided, the proposal is likely to result in additional on-street car parking, detrimental to highway and pedestrian safety, contrary to Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).
5. The proposal fails to satisfy Lifetime Homes standards, contrary to Policy 3A.5 of the London Plan (February 2008) and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.
6. The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in

schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- | | |
|----------|---|
| 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. |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM14 | New development and car parking standards. |
| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| H4 | Mix of housing units |
| H5 | Dwellings suitable for large families |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.1 | (2011) Ensuring equal life chances for all |
| 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 3.8 | (2011) Housing Choice |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 7.3 | (2011) Designing out crime |
| LPP 7.4 | (2011) Local character |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The occupiers of 34 neighbouring properties and South Ruislip Residents' Association were consulted by letter on 23 August 2011. A site notice was displayed on 16 September 2011.

A petition of objection containing 58 signatures has been received making the following comments:

- i) service road alongside 30 Harvey Road is the only safe area within Harvey Road for our children to play without fear of danger;
- ii) there would be issues with noise nuisance/traffic with the proposed extensive building work;
- iii) development would increase traffic, there is only one route in and out of Harvey Road and this is virtually impossible as it is. Additional volume of vehicles would make the area far more dangerous for pedestrians, especially young children;
- iv) would be out of keeping with the existing properties towards that end of Harvey Road;
- v) additional properties would overlook existing gardens.

Six individual letters also received objecting to the proposal on the following grounds:

1. The proposal will adversely affect the look of the street. Currently, it is very uniform;
2. In the present day it is very common for households to have two cars and there should be adequate parking. Additionally parking spaces should not be used for large vehicles;
3. The north end of Harvey Road is particularly quiet with plenty of open garden space. The 6 blocks of 24 self contained flats are now a mix of both council and private property. The area is home to a number of school age children who are frequently seen playing outside on the open grass spaces in front of the above mentioned properties. Parking space has become increasingly tight over the last 3 years due to the increase in privately owned property and visitor parking. All things considered, Harvey Road has very low traffic flow making the area very safe for young children. It is a quiet, open and green road in an otherwise built up area. This development would reduce open green space, be detrimental to the appearance of the road and increase the already high demand for resident parking in the area.

Internal Consultees

URBAN DESIGN AND CONSERVATION OFFICER:

The site forms part of the corner property of a modern semi-detached pair in use as maisonettes, with separate access from the side at first floor. The street is suburban and spacious in character with simply designed post-war and later semi-detached properties, set back from the street. The homogenous layout of the buildings, continuous building line and the grass frontages form an attractive part of the street-scene and appearance of the area. There has been a previous refusal for a scheme of three units on this site. Following previous comments the development has been reduced to two units with associated amenity and parking spaces. As previously stated, there are no objections in principle for the development of this site for residential use. The revised scheme proposes a semi-detached pair, slightly set back from the established front line of the adjacent properties, and lower in height. In terms of scale, the pair sits comfortably on the street scene and

relates to the homogeneity of the area. There are, therefore, no objections from a street scene point of view.

From a design point of view, the scheme has been revised to reflect the architectural details and general appearance of the maisonettes immediately adjacent to the site. The scheme would be, therefore, acceptable from a design point of view.

CONCLUSION: Acceptable. All materials to match existing.

HIGHWAY ENGINEER:

The applicant has not submitted any drawing and information for the existing bollards on the road which restrict vehicular access (except for emergency vehicles) and are covered by a traffic order. This information must be agreed otherwise the proposals are impractical.

Officer comment: The agent and applicant were advised that the additional information was required prior to a decision being issued. The agent has since accepted that a section 106 agreement will need to be entered into. This agreement would have to be completed before a decision is issued.

TREES AND LANDSCAPE OFFICER:

The site occupies a spacious corner plot adjacent to a pair of semi-detached houses within a residential street, characterised by open front gardens and wide grass verges. Drawing No. 10:590/1 Rev. A indicates the approximate locations of a highway tree in the front and a number of unspecified fruit trees to the side and rear of house number 30. No detailed tree survey has been submitted. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area. The proposal is a re-submission, following the refusal of a previous application (ref. 2010/2355). The current proposal is to build two new semi-detached houses adjacent to 30 Harvey Road. Off-street parking for four cars is to be provided at the end of the service road/cul-de-sac, behind the new houses.

The Design & Access Statement describes the key features of the layout but makes no comment with regard to proposed landscape enhancement. 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.

- While the existing trees have some amenity and ecological value, they do not merit retention or pose a constraint on development. Nevertheless there is space and opportunity to include hard and soft landscaping within the site. Replacement tree planting and landscape enhancement should be included as part of the new development.
- DCLG/EA guidance requires new driveways to be designed and installed in accordance with SUDS principles.

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

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 HDAS: 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 should be submitted.

2. The proposed entrance level WC is located under the staircase which will result in a reduced height sloped ceiling. A section plan should be provided to demonstrate that there will be sufficient standing/transfer space to the side of the WC to allow the shower and hand basin to be used conveniently.
3. The plans should indicate the location of a future through the ceiling wheelchair lift.

Conclusion: On the proviso that revised plans are received no objection would be raised.

Officer comment: Amended plans have been received which show that the development complies with the lifetime homes standards.

EPU:

We have no record of any contamination in this area. If it is likely soil will be imported as part of this development for use in any garden or landscaping areas a condition is advised for imports.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within an established residential area and forms part of the 'developed area' as defined in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

Key changes in the policy context, since the adoption of the UDP, include the publication of the NPPF and the adoption of The London Plan of July 2011.

In relation to National Policy the NPPF, paragraph 53 states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The outcome of this change means that Councils will have to assess whether the proposal would cause harm to the local area.

Policy 3.5 of the London Plan (July 2011) states in part the following:

'Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic Policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified.

As regards the principal of developing this site, there is no objection in principle to the intensification of use on existing residential sites and in this instance the impact on the character of the area and the adjoining occupiers is considered acceptable, as detailed in other sections of this report. As such the principal of development is in accordance with national guidance contained within the NPPF and policies contained within the Unitary Development Plan Saved Policies September 2007.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban fringe location and has a Public Transport Accessibility Level (PTAL) of 1b. Taking these parameters into account, the matrix recommends a density of 150-200 hr/ha. This proposal equates to a density of 200 hr/ha. The proposal therefore satisfies the density standards as recommended by the London Plan.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the scheme harmonises with its surroundings and its impact on adjoining occupiers.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Policy OL5 of the saved UDP seeks to ensure that development adjacent to or conspicuous from the green belt would not injure its visual amenities.

Although this proposal would result in built development being brought closer to the Green Belt boundary at the rear of properties on Harvey Road, the proposal would still maintain a minimum 30m gap to this boundary. At such a distance, the proposal would not be harmful to the Green Belt's open character.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area.

The southern end of Harvey Road has a relatively spacious character, with the two storey maisonette blocks set back from the road by approximately 7.5m, with their front garden areas being open and grassed with no boundary structures. The sense of openness is enhanced by the surrounding Green Belt which can be glimpsed between the first floor gaps between and at the side of the blocks, including the open side garden area of the application site.

The proposed houses would not project beyond the front and rear building lines on this prominent corner plot on Harvey Road and would maintain the existing open front garden area. The scale and bulk of the proposed dwellings would be comparable to that of the nearby properties. Furthermore, the amount of amenity space proposed would be similar to that of the adjoining and nearby properties and whilst the gap between the proposed block and the adjoining existing property is 3.7m, which is below the 5.5m gap between most of the existing blocks, this gap is considered sufficient to ensure that the proposal does not appear cramped and respects the spacing and layout of development within the immediate vicinity.

As such the erection of 2 x two storey detached dwellings would not cause harm to the

appearance of the street scene and is in keeping with the character of the area, in accordance with UDP policies BE13 and BE19 of the Hillingdon UDP (Saved Policies 2007).

7.08 Impact on neighbours

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, a minimum of 21m overlooking distance should be maintained.

As regards the impact of the proposal upon properties to the north, the proposal would be separated by the 12m wide access road so that the properties would not be adversely affected by means of dominance or loss of sunlight. A gap of 1.4m is retained between the flank wall of the dwelling on plot 1 and the flank wall of the stores to the side of number 30. A gap of 3.7m is retained between the two storey elements. The two storey element of the proposed pair of semi detached houses would project 1m to the rear of the rear wall of numbers 30 and 30a Harvey Road. It is considered that in view of this limited projection and the separation between the properties that the occupants of numbers 30 and 30a Harvey Road would not experience a loss of residential amenity by way of an oppressive or overbearing outlook. Furthermore, the southern flank elevation of house 1 is proposed to have no windows at first floor level and a WC and secondary living room window, which is some distance from the boundary. Thus, given this and a condition to ensure no first floor windows are inserted within the flank side elevation, the proposal would not have an unacceptable impact on the residential amenities of the occupiers of the adjoining properties through overdominance, visual intrusion, overshadowing and loss of privacy. The proposals are therefore in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

7.09 Living conditions for future occupiers

HDAS 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. Habitable rooms should have an adequate outlook and source of natural light. Both the London Plan (July 2011) and the Council's HDAS: Accessible Hillingdon establishes minimum floor space standards.

For a two storey two bedroom house the minimum floor areas required is 63m². The London Plan requires 83m². Each dwelling has a floor area of 100m² which exceeds both of the minimum standards.

Each property is shown to provide a private rear garden area of 61m² which exceeds the Council's minimum standard of 40m².

The proposed habitable rooms would provide adequate outlook and natural lighting for its future occupiers.

As such, the proposal would provide adequate amenities for its future occupiers.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The area has a PTAL accessibility rating of 1, which means within a scale of 1 to 6, where

6 is the most accessible, the area has a low accessibility level. Therefore, the Council's maximum parking standard of 2 spaces is required for each proposed dwelling.

The site layout shows that 4 parking spaces can be provided off the existing service road. The service road currently has bollards restricting access to these parking spaces. The applicant has not submitted any information relating to the existing bollards on the road which restrict vehicular access (except for emergency vehicles) and are covered by a traffic order. The applicant's agent has confirmed in writing that they are willing to enter into a S106 agreement to remove the bollards and carry out off-site highway works to provide the required parking area. This is considered acceptable and as such acceptable provision for the required 4 off-street parking spaces to accord with the Council's Parking Standards can be achieved. The application would therefore comply with Policy AM14 of the Hillingdon UDP (Saved Policies 2007).

7.11 Urban design, access and security

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The design of the proposed scheme reflects the architectural details and general appearance of the maisonettes immediately adjacent to the site and would not introduce any concerns in terms of security. As such the proposal is considered acceptable in this respect.

7.12 Disabled access

Policy 3.8 of the London Plan (July 2011) advises that all new housing development should be built in accordance with Lifetime homes standards. Further guidance on these standards is provided within the Council's Supplementary Planning Document: Accessible Hillingdon, January 2010. Amended plans have been received which confirm that the proposal meets the lifetime homes standards, in compliance with the London Plan Policy and the SPD.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Council's Tree Officer advises that although there are a number of trees on site, none are of any particular merit and do not constrain the proposed development. A Condition is recommended requiring details of replacement tree planting and landscaping to ensure compliance with Policy BE38 of the saved UDP.

7.15 Sustainable waste management

There is no requirement for proposals for houses with individual curtilages to identify where refuse will be stored as this would be largely a matter for the new occupiers. However, the submitted plans do show that there would be available space within the front garden areas.

7.16 Renewable energy / Sustainability

A condition is recommended requiring details of how the development would meet Level 4 of the Code for Sustainable Homes.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concerns relating to the appearance of the development, its impact on the street scene and on adjoining occupiers and the provision of parking have been considered in the main body of the report.

Concerns have also been raised relating to noise and disturbance resulting from the construction process. Whilst this is not a planning matter, a site construction informative is recommended.

7.20 Planning Obligations

The proposed development would result in an increase of more than 6 habitable rooms and therefore would fall within the threshold for seeking a contribution towards school places as required by Policy RO7. The applicant has confirmed acceptance of the S106 contribution of £22,013 and their willingness to resolve the highways issue relating to relocating the existing bollards.

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 impact of proposed dwellings upon the character and appearance of the area and the impact upon residential amenity is considered acceptable. The scheme also provides for education contributions and details of the off-site highway works required to remove the bollards and associated footway construction. As such the application is recommended for approval.

11. Reference Documents

Hillingdon Unitary Development Plan saved policies September 2007.

HDAS: Residential Layouts

Revised Chapter 4: Education Facilities of the Planning Obligations SPD adopted 23 September 2010

Planning Obligations SPD adopted July 2008

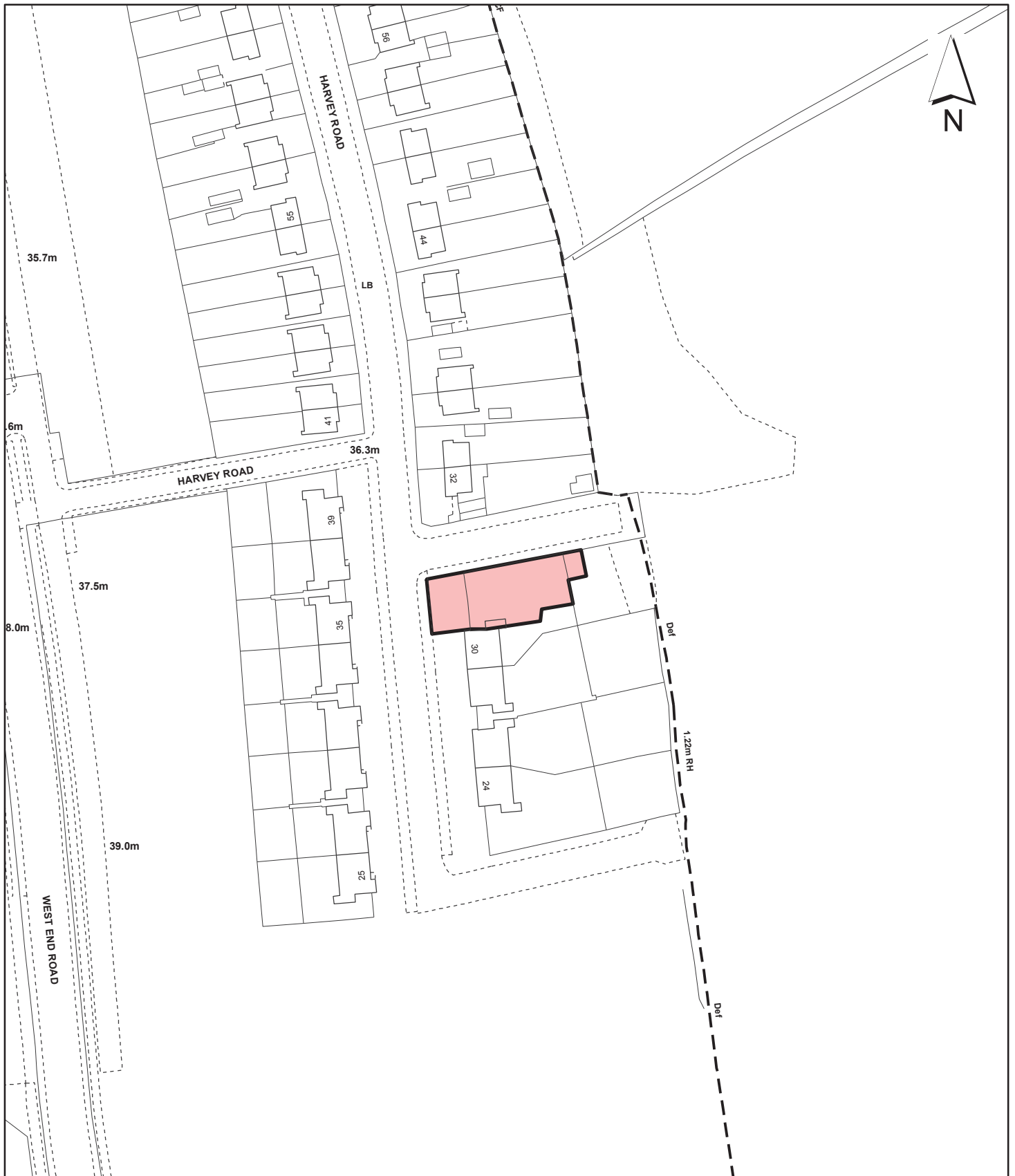
Accessible Hillingdon SPD adopted January 2010

The London Plan (2011)

NPPF

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Notes



Site boundary

For identification purposes only.

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Site Address

Land adjacent to and forming part of 30 Harvey Road Northolt

Planning Application Ref:

67335/APP/2011/1968

Planning Committee

North

Scale

1:1,250

Date

June 2012

LONDON BOROUGH OF HILLINGDON
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