

Report of the Head of Planning & Enforcement Services

Address GOSPEL OAK (228) SWAKELEYS ROAD ICKENHAM

Development: Erection of a block of 9 flats (4 no. one-bedroom and 5 no. two-bedroom) with associated parking and amenity space (involving demolition of existing house)

LBH Ref Nos: 11246/APP/2012/1575

Drawing Nos: 1640-1
1640-2
1640-3 Rev. B
1640-4 Rev. B
1640-5 Rev. B
2435 (Topographic survey)
Design & Access Statement, May 2012
Arboricultural Report, March 2012
1:1250 Location Plan

Date Plans Received: 27/06/2012 **Date(s) of Amendment(s):**
Date Application Valid: 27/06/2012

1. SUMMARY

This proposal seeks permission to demolish the existing house and erect a two storey block of 9 flats, with accommodation in the roof space and off-street parking for 11 cars in the front garden.

The flatted block would have an excessive density in terms of satisfying the Mayor's density guidance. The scheme is also considered to be of an excessive scale and bulk and would be of a poor design so that it would appear as an incongruous addition to the street scene and would fail to harmonise with the spacious character of the surrounding area.

The property also fails to satisfy Lifetime homes standards and as no S106 Agreement has been signed at this stage, the scheme fails to make a proportionate contribution towards education provision.

The application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed development, by reason of its excessive density, scale, bulk and design, would result in the over-development of the site and a cramped form of development that would appear as an incongruous addition within the street scene. The proposal therefore fails to harmonise with spacious character of the surrounding area and would be detrimental to the visual amenities of the street scene, contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 3.4, 3.5, 7.1, 7.4 and 7.6 of the London Plan (July 2011) and the Council's

adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The scheme fails to satisfy 'Lifetime' homes standards, contrary to policy 3.8 of the London Plan (July 2012) and the Council's Supplementary Planning Guidance 'Accessible Hillingdon', January 2010.

3 NON2 Non Standard reason for refusal

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).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

NPPF	National Planning Policy Framework (March 2012)
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.13	(2011) Sustainable drainage
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
LPP 7.6	(2011) Architecture
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety

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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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.
AM15	Provision of reserved parking spaces for disabled persons
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3. CONSIDERATIONS

3.1 Site and Locality

The application site is sited on the north western side of Swakeleys Road, opposite the grassed island site with mature trees which forms the junction with Woodstock Drive and Roker Park Avenue. Some 12m to the south of the application site is a planted bed which marks the siting of the Gospel Oak, an ancient tree. This is enclosed by a footpath which provides a pedestrian link to the southern end of Highfield Drive, which forms a cul-de-sac, of which the rear gardens of properties fronting this road adjoin the application site at the rear.

The application site is sited within a dip in the road, with ground levels rising to the north and south. Adjoining the site to the south is No. 230, a detached house which has a narrow frontage onto Swakeleys Road. To the north is No. 226, a large property which appears to be in multiple occupation and has a mature Oak in the front garden on the shared boundary with the application site. Immediately in front of the application site is a bus stop.

In the absence of any formal designation, the application site forms part of the 'developed

area' as identified within the Proposals Map of the Saved Policies UDP (September 2007). The site is also covered by TPO 621.

3.2 Proposed Scheme

It is proposed to demolish the existing detached house and erect a two storey block with accommodation in the roof space comprising 9 flats, 2 x one-bedroom and 2 x two-bedroom flats on each of the floors and a two-bedroom flat within the roof space. The block would be staggered with an overall width of 18.1m, leaving 1.5m and 1.8m gaps to the side boundaries with Nos. 226 and 230 respectively and a main depth of 20.1m. The block would have a hipped roof with a variable eaves height (4.1m to 5.3m high) and maximum ridge height of 9.1m incorporating large offset front and rear gables, half dormers and rooflights to all elevations, (2 front, 2 rear and 7 side rooflights, 3 of which would face No. 226 and 4 would face No. 230). The front and rear elevations would include projecting bay window elements.

11 parking spaces would be provided within the front garden, including 1 disabled space. Bin storage would be provided at the front of the site.

The application is supported by a Design & Access Statement and an Arboricultural Report.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history on this site.

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:

- | | |
|---------|---|
| NPPF | National Planning Policy Framework (March 2012) |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 3.8 | (2011) Housing Choice |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.3 | (2011) Sustainable design and construction |

LPP 5.13	(2011) Sustainable drainage
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
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5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **10th August 2012**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

4 neighbouring properties have been consulted and a site notice was displayed on the 24/7/12. Two petitions and 5 individual responses have been received. The two petitions have 38 and 25 signatories and both state:-

'Petition against the proposed development of 228 (Gospel Oak) Swakeleys Road, Ickenham.

The demolishing of existing house and replacing with a three storey block of flats consisting of: four two bedroom flats; four one bedroom flats; and one two bedrooms flat with balcony, overlooking the rear of properties 51 and 53 Highfield Drive, Ickenham.'

The individual responses make the following comments:-

- (i) Proposal for an unattractive oversized building that appears predictably monolithic and unornamented, detracting from the aesthetics of the area. It will be out of keeping with surrounding historic homes and the character of the street, changing the nature of the neighbourhood,
- (ii) Proposal will result in a loss of privacy to adjoining properties at the rear. As proposal will be three stories high, incorporate a second floor balcony and much closer to rear party fence than existing property, living rooms on the first and second floors will have uninterrupted views into our house and garden,
- (iii) The increase in car usage at this dangerous spot at the bottom of the dip, where there are blind spots and sloping drives is far too great on this very busy road which could increase accidents, with traffic queuing behind buses and cause problems for pedestrians and those using the bus stops, particularly residents of surrounding sheltered housing,
- (iv) 11 parking spaces for 9 flats is inadequate, particularly parking on the D-shaped green opposite is severely limited,
- (v) Proposal will establish unfortunate precedent for similar proposals,
- (vi) Flats have a reputation for being dirty and rowdy with all kinds of people coming and going and invariably all night parties,
- (vii) Dust, noise and traffic generation and inconvenience of the demolition and building works will be unimaginable,
- (viii) Impact on property prices should be considered,
- (ix) Applicant also owns adjoining property, so if this application is successful, where will it end?

Ickenham Residents' Association:

The Association is concerned that what is essentially a 3 storey (ground, first and second floor levels of accommodation) block of flats on this site currently occupied by one house, would be completely out of character with the surrounding area in this section of Swakeleys Road, which consists mainly of detached and semi detached 2 storey houses set in reasonably spacious plots. The proposed development appears to be too overbearing due to its bulk and the proximity to adjacent properties thus failing the criteria of the UDP Policy BE21.

We also feel the proposal contravenes the following policies;

- Policy BE13 - the proposals would not complement the existing street scene - and
- Policy BE19 - the effect on existing local amenity - should also be taken into consideration.
- Policy H7 (ii) & (iv) - see comments below

Consideration should also be given to Policy BE2 due to the proposal site being immediately adjacent to the Gospel Oak Site, which is of significant historical and local community interest.

Design and Access Statement of the application:

179 Swakeleys Road is located too far from this site to be considered as a reference site.

Parking spaces proposed are 11 in total for 9 flats, which allows a minimum of 1 per flat plus 2 for possible visitors or trades vehicles. This is very restrictive and unrealistic in our estimation, for instance if many of the spaces are occupied we question access to certain of them. The siting of

such parking, being at the foremost area of the site, and immediately adjacent to each neighbour's side boundaries could in our opinion be detrimental to those neighbour's environments.

The traffic generated by these proposals on a site located on a very busy North/South road artery with a public bus-stop just outside no. 228 would considerably worsen an already congested situation. Traffic regularly builds up at the busstop in Swakeleys Road, sometimes with tailbacks right up to Swakeleys Roundabout. The constant flow of vehicles travelling along this stretch of the road will cause safety issues for vehicles accessing and egressing the development.

Consideration must be made of Policy AM7, which seeks to prevent existing traffic flow problems from worsening.

We cannot find any information on the siting of Waste storage, but it seems undesirable/unreasonable to have waste storage bins immediately adjacent to the public footway and in particular a bus stop

The Association objects to this application.

Internal Consultees

Urban Design/Conservation Officer:

BACKGROUND: This is currently a two storey house, with a single storey garage adjacent, which has been built forward of the building line. The property is barely noticeable in the streetscene behind the front walls and mature trees in the front garden.

The proposed replacement building would stretch across the site on three storeys, and over half of the front facade, which is finished with a huge gable, would be significantly further forward than the building line of the adjoining property, so accentuating its overlarge scale and bulk. The gable itself, with oculus, slightly lop-sided catslide to one side and vertical glazing, together with the 35 degree pitch of the roof would comprise a combination of features from different traditions which would not work well with the vernacular style bay windows and eaves dormers also proposed. The rear elevation with attic level glazing and balcony above 1930s bay windows would similarly constitute an awkward combination of features which would not sit well together. These poor design elements, to front and rear, would increase the perception of a very bulky appearance.

In conclusion, the replacement building would be very noticeably bulky and out of scale in the street scene, and the design would bring a discordant note, out of keeping with properties in the vicinity. The parking of the front garden with eleven cars parked in a formal layout, would also be at odds with the front gardens of other properties in the area.

RECOMMENDATIONS: Unacceptable

Highway Engineer:

Application site is located on the western side of Swakeleys Road and lies within a residential area comprising large detached and semi-detached houses. Swakeleys Road is classified as a Borough Secondary Distributor road and is benefiting from 6.8m wide carriageway and 2.0m wide footway on both sides with no parking restriction.

The site is shown to be in an area with a PTAL accessibility rating of 1b, as indicated on maps produced by TfL. The site is therefore considered to have a low level of accessibility. A right turn access from Swakeleys Road into Woodstock Drive and a one way egress out of Woodstock Drive into Swakeleys Road is located within close vicinity of the application site. A northbound bus stop is placed at the site frontage, serving 3 buses, U9 to Harefield, U1 to Ruislip and U10 to Ickenham and Ruislip.

The proposal is to demolish the existing four bedroom detached dwelling with its associated nine off street parking space and erect a block of nine one/two bedroom flats, with a total of eleven off street parking spaces, which may result in an intensification of use of the site. Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The standard requires a maximum of 1.5 off street parking and one covered and secured cycle parking for each dwelling.

The following highway issues have been considered in determining acceptability of this application:-

- 1) Swakeleys Road is generally known as a congested network during peak hours but trip generation from 9 flats is unlikely to result in excessive delays to vehicular journey times.
- 2) In July 2007 pre-application advice was provided for a tentative redevelopment of 226 - 230, Swakeleys Road. During discussions with the applicant and their transport consultants, concerns were raised regarding the network being already saturated during peak hours. Furthermore the effect of proposed redevelopment of no 226, 228 and 230 on the safety of highway users arising from right turning traffic out of the site were discussed and related to them.
- 3) There are highway safety concerns for traffic turning right out of the site considering proximity of site access to the existing bus stop location, affecting visibility splay. The applicant should therefore provide a plan demonstrating that the visibility splay is not compromised by the proximity of bus stop location at the site access for traffic turning right out of the site.
- 4) The applicant has failed to provide secured and covered cycle parking within development.

However, taking into account that each application should be considered individually, without assuming that adjoining sites may follow suit in future, and considering that there are sufficient unrestricted parking spaces available in the surrounding area, the proposal is unlikely to result in major traffic delays to the detriment of highway and pedestrian safety, and therefore no objection is raised on the highway aspect of the proposal subject to the following condition being applied.

Conditions:-

- 1) The development hereby permitted shall not be commenced until details of the sight lines at the point of the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority.
- 2) No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be permanently retained on site and be kept available for the use of cyclists.

Tree Officer:

Tree Preservation Order (TPO) / Conservation Area: This site is covered by TPO 621.

Significant trees / other vegetation of merit in terms of Saved Policy BE38: There are two mature protected Oaks (T3 and T4 on TPO 621) close to the front (southern) boundary of the site. These trees form a group with two other protected Oaks (T1 and T2 on TPO 621) which are situated in the neighbouring front garden (at No. 230). There is another protected Oak (T7 on TPO 621) in the neighbouring garden at No. 226, which is situated closer to the houses and set behind a non-protected Hawthorn and a protected Norway Maple (T6 on TPO 621).

The protected Maple and four protected Oaks significantly contribute to the amenity and arboreal

character of the area and have high and very high amenity values respectively. The trees in the rear garden do not constrain development.

The tree report that has been submitted to support the application provides adequate protection for the important trees on-site.

Scope for new planting (yes/no): N/A

Does scheme conform to HDAS (yes/no) : N/A

Does scheme conform to SUDS (yes/no) : Permeable block paving is proposed for the front of the site.

Recommendations: The tree report is adequate, however a landscaping scheme should be submitted to support the application. This matter can be dealt with by condition.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES8 (implementation), RES9 (1, 2, 4, 5, 6) and RES10.

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. It is noted from the Design & Access Statement and plan that an accessible parking space would be provided for disabled motorists. However, the space shown on plan appears not to have been designed in accordance with Part M to the Building Regulations 2000 (2004 edition) or BS 8300:2009.

2. Level access should be demonstrated by way of a topographical survey for a suitably detailed plan to confirm that level access would be achieved.

3. To accord with the Council's adopted Supplementary Planning Document 'Accessible Hillingdon', the design should be amended to incorporate a minimum of one passenger lift to serve all flats above ground floor level. The lift should be designed in accordance with all relevant building regulations.

4. A minimum of one bathroom within each flat should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

5. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.

Conclusion: no objection would be raised provided the above observations are incorporated into revised plans prior to any grant of planning permission.

S106 Officer:

Given the scheme is below the 10 unit threshold for a major scheme, education is the only likely planning obligation arising from this proposal.

I have calculated the education contribution to be £17,683 based upon the following:

Existing:

4 bed house with 6 habitable rooms

Proposed:

4 x 1 bed flats with 3 hbrms in each

5 x 2 bed flats with 4 hbrms in each.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection in principle to the demolition of the existing house which does not have any intrinsic architectural or historical interest nor to the intensification of the residential use of this plot within an established residential area, subject to normal development control criteria.

There has been new guidance on the development of gardens and the interpretation of related policies which would be a material consideration in determining the principal of development on this site. This includes the Letter to Chief Planning Officers: Development on Garden Land dated 19/01/2010, the London Plan (July 2011) and National Planning Policy Framework (March 2012).

The key point in relation to the proposed scheme is that residential gardens are no longer included within the definition of 'previously developed land' - ie. 'brownfield land'. There is hence no automatic presumption that residential gardens are nominally suitable for development or redevelopment, subject to compliance with normal development control criteria. As regards this proposal, it is considered that although there would be more built development on site, the new block would occupy a similar siting to the existing house and the majority of the garden area would be retained, with no significant tree loss involved. Therefore, there would be no objection in principle on 'garden grabbing' grounds.

Paragraph 3.3 of the Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts also advises that the traditional residential character of an area can be compromised where there is an over-concentration of flatted development. The guidance goes on to advise that to avoid this, the cumulative impact of residential conversions are unlikely to be acceptable where more than 10% of the houses in a street have been converted or redeveloped to provide flats or other forms of housing. On residential streets longer than 1km, the guidance advises that the application site should be taken as the midpoint on a 1km stretch of road to be assessed. Using this assessment, it is only the adjoining property, No. 226 which appears to have been redeveloped/converted to flats/multiple occupation within this stretch of road. As such, the 10% figure would not be breached.

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 area and has a Public Transport Accessibility Level (PTAL) of 1b, where 6 is the most accessible and 1 the least.

Taking the site parameters into account, the matrix recommends a density of 40 - 65 u/ha and 150 - 200 hr/ha for schemes with an average unit size of between 3.1 - 3.7 hr/u such as is being proposed here. This proposal equates to a density of 75 u/ha and 267 hr/ha, which is in excess of the Mayor's guidance.

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

The proposal is not sited within or close to a conservation area or an area of special local character. The scheme would also not affect any listed or locally listed building, nor is it sited within an area that is of archaeological interest.

7.04 Airport safeguarding

There are no airport safeguarding impacts raised by this application.

7.05 Impact on the green belt

The application site is not located within or sited close to the Green Belt and therefore does not raise any Green Belt issues.

7.07 Impact on the character & appearance of the area

This part of Swakeleys Road is characterised by large detached two storey houses of varying scale and design which are set well back on their spacious plots, within an established residential area that contains many mature trees.

The proposed residential block would generally respect the general staggered siting of properties on this part of Swakeleys Road, being set behind No. 226 but forward of No. 230. However, the building would have an overall width of 18.1m, extending across much of the width of the site, leaving only small gaps of 1.5m and 1.8m to the side boundaries. Much of the accommodation in the roof space would also be incorporated within a large gable, giving the impression of a three storied building which would be sited forward of its neighbour. The overall impression would be of an overlarge and cramped development on its plot which would be out of keeping with the spacious character of surrounding houses.

The Council's Conservation/Urban Design Officer also advises that the design of the proposal, including the large gable with oculus, catslide roof to one side, vertical glazing, 35 degree pitch roof, bay windows and eaves dormers on the front elevation comprises a combination of design features from different traditions that do not sit comfortably together. The rear elevation with attic level glazing and balcony above 1930s bay windows would similarly constitute an awkward combination of features which would not sit well together. The Officer concludes that the design elements would increase the perception of a very bulky property, out of scale in the street scene, and its design would bring a discordant note, out of keeping with properties in the vicinity.

It is therefore considered that the proposal fails to comply with Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

In terms of the adjoining properties, the proposed block would not project significantly beyond their rear elevations. On the boundary at No. 226 which is on 0.5m - 0.7m higher ground as compared to the application site, is a garage with a large swimming pool enclosure behind which extends into the rear garden. There are no habitable room windows within this side elevation that would be adversely affected by the proposal. No. 230 has an attached garage on the boundary adjoining the application site and the side elevation of the property does not contain any windows.

There are two properties that front Highfield Drive which adjoin the application site at the rear. No. 51 Highfield Drive is raised above the rear garden level of the application site by some 0.5m - 0.7m level. The nearest proposed window in the rear elevation of the proposed block would be sited some 25m from the nearest part of the rear elevation of No. 53. This distance is adequate to ensure that the proposal would be sufficiently remote from this neighbouring property to ensure that the minimum 15m and 21m distances recommended by the Council's Design Guide 'Residential Layouts' would be satisfied to ensure the proposal did not appear unduly dominant or result in an unacceptable loss of privacy from the property or its 3m deep patio area. The ground is more level in the rear garden of No. 53, but the separation distance between this neighbouring property and the rear elevation of the proposal would be in excess of 24m, which again satisfies design guidance. There are also many mature trees and shrubs along the rear boundary that would assist in the screening of the proposal from these neighbouring properties, particularly in the summer months when gardens are more intensively used.

The proposal would not be detrimental to the amenities of surrounding residents and fully complies with policies BE20, BE21 and BE24 of the Council's adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

7.09 Living conditions for future occupiers

In order for proposed residential accommodation to provide a satisfactory standard of residential accommodation, the London Plan (July 2011) establishes minimum internal floor space standards which development proposals are expected to satisfy. These standards require minimum floor areas of 50sqm, 61sqm and 70sqm for 1 bedroom/2 person, 2 bedroom/3 person and 2 bedroom/4 person flats respectively. Although the larger flats satisfy these standards, the one-bedroom flats at 46 - 48sqm are slightly undersized. However, it is considered that the shortfall is not so significant to justify an additional reason for refusal.

All the habitable rooms would have an adequate outlook and natural lighting.

Policy BE23 of the saved policies UDP requires the provision of external amenity space, which is usable in terms of its shape and siting. The Council's HDAS specifies that shared amenity space for flats should be provided with the minimum overall provision equating to 20sqm and 25sqm of amenity space for each one and two bedroomed units respectively. In order to satisfy this standard, a minimum overall amenity space provision of 205sqm would be required. The scheme would provide some 350sqm of shared amenity space which accords with minimum guidance.

The ground floor units would also have patio areas/planted beds immediately adjacent to their habitable room windows which will improve the privacy for the ground floor occupants.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Highway Engineer advises that although highways concerns were raised in discussions with a prospective developer on an earlier pre-application proposal for a larger residential re-development scheme which also involved Nos. 226 and 230 Swakeleys Road, each application has to be treated on its merits.

Swakeleys Road does experience congestion during peak hours but traffic generated by the proposed 9 flats is unlikely to result in excessive further delays to passing traffic. There is a potential highway concern regarding vehicles turning right from the site, which could interfere with the bus stop, but a plan showing an appropriate visibility splay would mitigate this concern, which could be conditioned. The lack of cycle parking could also be

condition. No objections are raised to the number and layout of the parking spaces.

As such, the Highway Officer raises no objections to the scheme, in accordance with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

- Mix of units

It is considered that the mix of one and two bedroom units would be acceptable in terms of policy H4 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.12 Disabled access

The Council's Access Officer raises a number of deficiencies of the scheme in terms of satisfying Lifetime homes standards.

7.13 Provision of affordable & special needs housing

Not applicable, given the nature of the proposal.

7.14 Trees, Landscaping and Ecology

The Council's Trees and Landscape Officer advises that the tree information submitted with is adequate and has demonstrated that the scheme would provide adequate protection for existing trees on and close to the site and would make suitable provision for their retention. Various conditions are recommended and these would have been attached had the application not of been recommended for refusal. The scheme therefore complies with policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.15 Sustainable waste management

With respect to bin storage, this is shown behind an existing 1.8m high wall so would not be detrimental to the visual amenity of the street scene. The proposed provision for refuse/recycling storage is adequate. Details of such provision could have been conditioned had the application not been recommended for refusal.

7.16 Renewable energy / Sustainability

The proposal does ensure that all the habitable rooms would be well served by natural daylight. A condition could have been attached to any permission requiring the applicant to submit details of how the scheme reduce carbon emissions and improve energy efficiency in line with the Mayor's energy hierarchy.

7.17 Flooding or Drainage Issues

This application does not fall within a flood risk area and a sustainable urban drainage system would have been sought by condition, had the application been recommended favourably.

7.18 Noise or Air Quality Issues

This application for residential development within a residential area does not raise any specific noise or air quality issues.

7.19 Comments on Public Consultations

Relevant planning concerns raised have been dealt with in the officer's report.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

The Council's S106 Officer advises that this scheme would only generate a requirement for an education contribution of £17,683.

As the application is being recommended for refusal, no detailed negotiations have been entered into with the developer in respect of this contribution. As no legal agreement to address this issue has been offered, the proposal fails to comply with Policy R17 of the UDP Saved Policies (September 2007) and it is recommended the application should be refused on this basis.

7.21 Expediency of enforcement action

Not applicable to this site.

7.22 Other Issues

There are no other 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 proposal would have an excessive density, scale and bulk and would be of a poor design so that it would appear as an incongruous addition within the street scene and fails to harmonise with the spacious character of the surrounding area.

The property also fails to satisfy Lifetime homes standards and as no S106 Agreement has been signed at this stage, the scheme fails to make a proportionate contribution towards education provision. It is therefore recommended for refusal.

11. Reference Documents

National Planning Policy Framework (March 2012)

London Plan (July 2011)

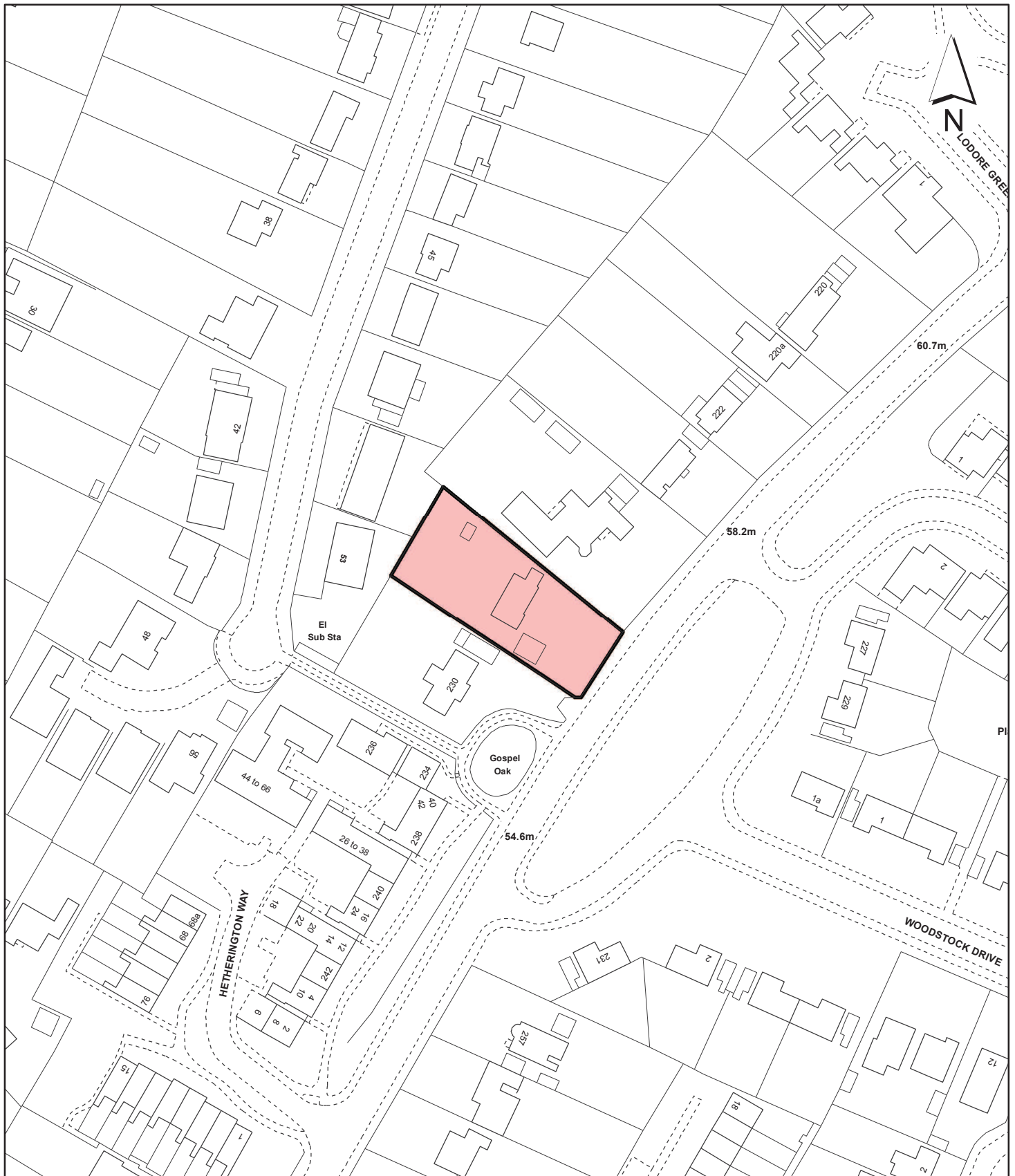
Adopted Hillingdon Unitary Development Plan Saved Policies (July 2007)



HDAS: Residential Layouts (July 2007) & Accessible Hillingdon (January 2010)

Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



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	<p>Planning Application Ref:</p> <p align="center">11246/APP/2012/1575</p>	<p>Scale</p> <p align="center">1:1,250</p>	
	<p>Planning Committee</p> <p align="center">North</p>	<p>Date</p> <p align="center">September 2012</p>	