

## Report of the Head of Planning & Enforcement Services

**Address** LAND AT REAR AND FORMING PART OF 66 LONG LANE ICKENHAM

**Development:** 2 x two storey, 4-bedroom detached dwellings with habitable roofspace, detached garages and associated parking, amenity space and installation of vehicular crossover to front.

**LBH Ref Nos:** 49805/APP/2012/1587

**Drawing Nos:** 06/2405/206 Rev. A (Street Scene)  
06/2405/207  
06/2405/208  
Design and Access Statement  
Location Plan to Scale 1:1250  
Tree Survey, Arboricultural Impact Assessment and Method Statement  
06/2405/200 Rev. B  
2012-LLI-AT-103 Vehicle tracking  
06/2405/203 Rev. B  
06/2405/204 Rev. B  
06/2405/205 Rev. B  
06/2405/206 Rev. B  
06/2405/202 Rev. B (Street Scene)

<b>Date Plans Received:</b>	29/06/2012	<b>Date(s) of Amendment(s):</b>	29/06/2012
<b>Date Application Valid:</b>	05/07/2012		05/11/2012
			12/09/2012
			03/07/2012

### 1. SUMMARY

Planning permission is sought for the erection of 2, two storey, detached, four bedroom dwellings, together with detached garage buildings, served by a shared access drive with a turning head utilising a new vehicular crossover from Long Lane, and associated landscaping on land to the rear of No. 66 Long Lane. The land incorporated in the application site currently forms part of the front and rear gardens of No.66, although is mostly overgrown and divided off from the lawned garden area to the rear by a fence.

It is considered that the overall layout, density and design represent a form of overdevelopment which would appear cramped and unrelated to the open character of the area, resulting in detrimental visual harm to the character and appearance of the Ickenham Village Conservation Area as a whole. Furthermore, the proposal would set an undesirable precedent if allowed and then repeated within the surrounding area.

Secondly, the proposal, whilst providing a satisfactory standard of accommodation for its future occupants, would nonetheless also detract from the amenities of adjoining occupiers by reason of the potential overlooking and thus loss of privacy to the properties and gardens of No.3 Neela Close and Nos.23-33 Pepys Close and by the additional disturbance and noise intrusion that would be experienced by the occupiers of Nos.64 and 66 Long Lane from the use of the new vehicle driveway.

The non payment of a financial contribution by the applicant towards the Borough's provision for the future education requirements of the occupants of the new dwellings,

whilst agreed in principle, nonetheless forms a third reason for refusal.

## **2. RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The proposed development by reason of its layout and the tandem arrangement of the dwellings, one behind the other, would result in a cramped layout that would be out of keeping with the amenity and character of the surrounding residential area. As such, it is considered to be an over-development of the site that would fail to preserve or enhance the open and spacious character of the Ickenham Village Conservation Area as a whole or harmonise with the existing street scene. Furthermore, if permitted, it would set an undesirable precedent for similar development, the cumulative impact of which would be detrimental to the overall character and appearance of the conservation area. The proposal is therefore contrary to Policies BE4, BE13 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007), Policies 3.5, 7.4 and 7.8 of the London Plan (2011) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012).

#### **2 NON2 Non Standard reason for refusal**

The proposed development would represent an unneighbourly form of development and would be detrimental to the residential amenities of adjoining occupiers by reason of the increased potential for overlooking and associated loss of privacy for occupants of the dwellings and gardens in Neela Close and Pepys Close and the additional noise disturbance and intrusion resulting from the use of the vehicle driveway formed between 64 and 66 Long Lane. The proposal would thus be contrary to Policies BE19, BE24, H12, OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **3 NON2 Non Standard reason for refusal**

The development is estimated to give rise to a significant number of children of school age and additional educational provision would need to be made in the locality due to the shortfall of places in schools serving the area. This is a material consideration of such significance as to warrant refusal and given that a legal agreement to address this issue has not been offered or entered into, the proposal is therefore considered to be contrary to Policy R17 of the Hillingdon Unitary development Plan (Saved Policies, September 2007).

## **INFORMATIVES**

#### **1 I52 Compulsory Informative (1)**

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

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

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all

relevant material considerations, including the London Plan (July 2011) and national guidance.

BE4	New development within or on the fringes of conservation areas
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.
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
H12	Tandem development of backland in residential areas
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
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 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 7.4	(2011) Local character
NPPF	
NPPF6	
NPPF7	
NPPF12	

### **3. CONSIDERATIONS**

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

The application site is located on the west side of Long Lane, half way between its junction with the A40 to the south and Ickenham village centre and station to the north. It comprises a large attractive vernacular style house with tile hanging and mock timber, set in a spacious plot, and fronted by tall dense hedges and trees. A detached garage and

side garden lie to the north.

To the north of the application site lies 64 Long Lane, a two storey detached house with a single storey side extension and detached outbuildings along the side boundary with the application site, and to the south lies 35-45 Long Lane, a purpose built residential apartment block. The street scene is characterised by generous plots with mature planting and trees in front gardens and these provide a buffer from the main road.

The application site lies within the Ickenham Village Conservation Area, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and is afforded further landscape protection by Tree Preservation Order No.5. The immediately surrounding area is characterised by properties from the 1920's onwards, set in substantial plots, with gap views from the street to the rear gardens. The overall street scene is enhanced by mature landscaping to the front, dwarf boundary walls, hedges, grass verges and street trees.

### **3.2 Proposed Scheme**

Planning permission is sought for the erection of 2, two storey, detached, four bedroom dwellings, together with detached garage buildings, an access drive with a turning head and associated landscaping on land to the side and rear of No. 66 Long Lane, most of which forms part of its current rear garden. A new vehicular crossover would be formed to the north of the existing one in Long Lane.

The application site measures approximately 10.5m wide at the road frontage in Long Lane, 29.0 metres along its rear boundary with the gardens of Nos. 11-21 Pepys Close and 78 metres in its overall depth, though less than half of this alongside its southern boundary close to Nos. 23-33 Pepys Close.

The proposed house on Plot 1, nearest to the existing house at 66 Long Lane, would be set back some 47.25 metres from the main road facing south and parallel to the vehicle drive. That on Plot 2 would be positioned in tandem with Plot 1 and a further 12.35 metres back into the site from the road. The two dwellings, separated by a two metre gap, would be orientated fully southwards in parallel with the adjacent flats (Nos. 23-33 Pepys Close) to the south and thus fall mostly in a direct line behind No.66.

The proposed houses, which would be identical in size, form and layout but handed would measure approximately 9.65 metres wide and 9.1 metres deep overall at ground floor level (including the projecting front bay windows and rear bays on both floors) with the depth reduced to 6.4m deep at first floor level on their facing flank elevations. The roofs would be 5.1m high at lower eaves level and completed with a hipped end and main cross ridge (8.8 metres high) and lowered bay end hip sections (8.0m high). The dwellings would be finished externally in traditional red brick and tiles.

Each dwelling would be provided with a detached double garage with pitched roof (4.9 metres x 4.9 metres x 4.2m high), that to Plot 1 being offset to the rear corner next to the turning head and that to Plot 2 adjacent to the south western boundary corner of the application site where it faces Pepys Close.

At the front of the site, the existing driveway and crossover would be retained for the existing house, with a new vehicular crossover and entrance drive formed to serve the new dwellings to the rear, continuing for over 30 metres in parallel to the north boundary (with No. 64 Long Lane) to the turning head before curving south in front of Plot 1 and terminating at Plot 2 beyond.

### 3.3 Relevant Planning History

39319/APP/2002/2259 66 Long Lane Ickenham

ERECTION OF 12 TWO-BEDROOM AND 2 ONE-BEDROOM FLATS (IN TWO BLOCKS) WITH ASSOCIATED CAR PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING DWELLINGHOUSE AND GARAGE)

**Decision:** 12-08-2003 Withdrawn **Appeal:** 12-08-2003 Withdrawn

39319/APP/2002/2885 66 Long Lane Ickenham

ERECTION OF 12 TWO-BEDROOM FLATS (IN TWO BLOCKS) WITH ASSOCIATED CAR PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING HOUSE)

**Decision:** 26-09-2003 Not Determined **Appeal:** 26-09-2003 Dismissed

39319/APP/2004/1665 66 Long Lane Ickenham

ERECTION OF 6, TWO-BEDROOM FLATS AND 2, FOUR-BEDROOM HOUSES WITH GARAGES AND COURTYARD PARKING (INVOLVING DEMOLITION OF EXISTING PROPERTY)

**Decision:** 05-08-2004 Refused **Appeal:** 30-01-2006 Dismissed

39319/APP/2005/11 66 Long Lane Ickenham

ERECTION OF 6, TWO-BEDROOM FLATS AND 2, FOUR-BEDROOM HOUSES WITH GARAGES AND PARKING COURTYARD (INVOLVING DEMOLITION OF EXISTING HOUSE AND GARAGE)

**Decision:** 31-01-2005 Refused **Appeal:** 30-01-2006 Dismissed

39319/APP/2005/13 66 Long Lane Ickenham

DEMOLITION OF EXISTING HOUSE AND GARAGE (IN CONNECTION WITH PROPOSAL TO REDEVELOP SITE FOR 6, TWO-BEDROOM FLATS, AND 2, FOUR-BEDROOM HOUSES WITH GARAGES AND PARKING COURTYARD) (APPLICATION FOR CONSERVATION AREA CONSENT)

**Decision:** 31-01-2005 Refused **Appeal:** 30-01-2006 Dismissed

39319/APP/2007/171 66 Long Lane Ickenham

ERECTION OF A TWO STOREY BUILDING WITH HABITABLE ACCOMMODATION IN THE ROOFSPACE CONTAINING 7 TWO-BEDROOM FLATS, INCORPORATING 3 REAR DORMERS, ASSOCIATED PARKING AND LANDSCAPING AND WIDENING OF THE EXISTING VEHICULAR CROSSOVER (INVOLVING DEMOLITION OF THE EXISTING DWELLING).

**Decision:** 10-12-2007 Approved

39319/APP/2010/1601 66 Long Lane Ickenham

Erection of two storey building with habitable accommodation in the roof space, containing 7 two bedroom flats (amendment to previously approved scheme 39319/APP/2007/171 dated 10-12-2007 to include 2 new rear dormers)(INVOLVING DEMOLITION OF THE EXISTING

DWELLING).

**Decision:** 08-10-2010 Approved

49805/95/0382 Forming Part Of 66 Long Lane Ickenham  
Erection of a detached house with integral garage

**Decision:** 26-10-1995 Refused

49805/A/96/0601 Forming Part Of 66 Long Lane Ickenham  
Erection of a coach house style detached house with integral garage

**Decision:** 21-08-1996 Refused **Appeal:** 29-05-1997 Dismissed

49805/APP/2011/1811 Land Forming Part Of 66 Long Lane Ickenham  
Two storey 5-bed detached dwelling with habitable roofspace, associated parking and amenity space, involving installation of vehicular crossover

**Decision:** 25-10-2011 Approved

49805/APP/2011/44 Forming Part Of 66 Long Lane Ickenham  
Erection of a five-bedroom, two storey detached dwelling with habitable roofspace, integral garage to side and associated parking and amenity space.

**Decision:** 07-04-2011 Refused

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

The site has been the subject of several previous planning applications for demolition and the erection of flats or new detached houses from the mid 1990's, with three proposed developments for flats or a mixture of flats and houses being dismissed at appeal between September 2003 and January 2006.

The proposed development of the site for 6, two bedroom flats in a two storey block with a parking forecourt and two four bedroom houses side by side with garages to the rear of the flats (involving demolition of existing house and garage) under ref: 39319/APP/2005/11 which was subsequently dismissed at appeal was refused for the following reasons (summarised):

1. Proposed house type B closest to 3 Neela Close would appear overdominant resulting in loss of residential amenity to occupiers [contrary to UDP Policy BE21 plus Residential Layouts Design Guide];
2. Inadequate private amenity space for occupants due to substantial tree and bush cover and excessive overshadowing [contrary to UDP Policy BE23 plus Residential layouts Design Guide];
3. Overlooking of proposed and existing flats due to proximity of habitable room windows

in first floor side elevation at 23-45 Pepys Close and of private amenity space for house type B by 3 Neela Close resulting in loss of privacy to occupiers [contrary to UDP Policy BE24 plus Residential Design Guide];

4. Cramped over-development of site due to excessive site coverage of buildings thus fails to harmonise with character of surrounding area, preserve or enhance Ickenham Conservation Area [contrary to UDP Policies BE4, BE13, BE19 and H6];

5. Juxtaposition of flats and protected Birch tree in TPO Group G8 fails to make adequate provision for long term retention of feature of merit in the landscape, the premature loss of which would be detrimental to the visual amenity and arboreal character of the Conservation Area [contrary to UDP Policies BE4, BE19, BE38]; and

6. Absence of a legal agreement to meet needs of additional educational provision in the locality [contrary to UDP Policy R17].

Subsequently, planning permission has been granted for the erection of seven flats in a two storey building (involving demolition of the existing dwelling) under ref: 39319/APP/2007/171 dated 10.12.2007 and in an amended scheme which is still extant (ref: 39319/APP/2010/1601 dated 8.10.2010). More recently, following an initial refusal, permission was granted for the erection of an additional two storey five bedroom detached dwelling to the side of the existing house (under ref: 49805/APP/2011/1811 dated 25.10.2011).

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

On the 7th November 2012 the adoption of the Council's Local Plan: Part 1 - Strategic Policies was agreed at the Full Council Meeting. Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) is relevant to this application and in particular the following parts:

BE1

The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;
2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;
3. Be designed to include Lifetime Homes principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives;.....

7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local

character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife (7.20), encourage physical activity and where appropriate introduce public art;

8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals.

9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within the Hillingdon Local Plan: Part 2 - Development Management Policies LDD. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill.

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and development management policies Hillingdon Local Plan: Part 2 -Development Management Policies.

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

- |      |   |
|------|---|
| BE4  | New development within or on the fringes of conservation areas  |
| 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. |



H4	Mix of housing units
H7	Conversion of residential properties into a number of units
H12	Tandem development of backland in residential areas
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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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 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 7.4	(2011) Local character
NPPF	
NPPF6	
NPPF7	
NPPF12	

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th August 2012**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

25 neighbouring occupiers have been consulted (on 9.7.2012) and in addition a site notice was displayed (on 20.7.2012). Six letters were received in response, including one from the Ickenham Conservation Area Panel together with a petition with 26 signatures received objecting on the following grounds:

1. loss of open character and intrusion of dense form compared to surrounding layouts;
2. inappropriate/incongruous development of backland site detrimental to residential amenities;
3. houses too close together and too prominent;
4. out of keeping and harmful to the character and appearance of Conservation Area;

5. will detract from the ambience and spatial qualities of the area;
6. overdominant to properties in Neela Close, Pepys Close and flats;
7. overlooking to Pepys Close/gardens of 1-3 Neela Close plus rear windows of 1 Milton Road;
8. likely damaged to valued trees;
9. insufficient amenity space for occupants families;
10. previous refusals for overdevelopment dismissed (plus an approval for new dwelling not implemented);
11. construction noise/disruption;
12. unsafe level of traffic generation from a concealed site with shared ingress/egress on to a single lane road;
13. inadequate means of access for emergency vehicles;
14. loss of amenity for occupiers of No. 66 (access road to side).

Ward Councillor: Requested that this application be reported to the planning committee for decision.

Thames Water Utilities: No reply received.

### **Internal Consultees**

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

**BACKGROUND:** There has been a long planning history on this site, with approval for redevelopment of 66 Long Lane to 7 flats and an additional dwelling to the side. The current scheme proposes additional two dwellings to the rear of 66 Long Lane.

**COMMENTS:** It is felt that the approved applications have already compromised the character and appearance of the area. A further development to the rear would severely compromise the available amenity space to the approved flats and as such would be considered back-land development. The development should be assessed accordingly from a policy and planning point of view.

From a conservation point of view, the resulting plot sizes and the layout of the proposed houses do not relate to the established suburban and spacious layout of the conservation area. Given the limited plot sizes and the required hard standing to provide appropriate access and parking, the development would appear cramped and would not relate to the open character of the conservation area. If permitted, the development would set an unwanted precedent of similar schemes, the cumulative impact of which would be severely detrimental to the overall character and appearance of the conservation area. It is, therefore, unacceptable.

In design terms the houses are uninspiring in appearance. The roofs appear very steep and high and relate poorly in proportion to the facade of the elevations. As such these would not enhance the character and appearance of the conservation area and would be unacceptable.

Overall, the proposed scheme would be considered over-development of the site, severely detrimental to the open and spacious character of the area and as per NPPF Policy 132 and 133 would cause substantial harm to a designated heritage asset. It is, therefore, unacceptable in principle.

#### **TREE AND LANDSCAPE OFFICER:**

There are many trees, protected by Tree Preservation Order No. 5 (TPO 5) or by virtue of their location in the Ickenham Village Conservation Area, on and close to the site. Some of the trees, notably those close to the Long Lane frontage of the site, have individual merit and others, in the rear gardens of the existing property, have collective value and provide some deciduous screening

between the site and the surrounding residential properties in Neela Close and Pepys Close. However, several of the trees in the rear gardens are in decline, defective, or have poor form.

The application includes a (updated, August 2012) tree survey, which shows the tree cover more accurately than the site layout plan, which is seemingly based on a previous survey, in so far as several trees have died and been removed or fallen since the last survey (2006/7). It also includes an arboricultural implications assessment, tree removal (and retention) and protection plan and method statement for the scheme.

According to the tree removal plan, about half of the trees in the rear garden will be lost either due to their poor condition/quality or to facilitate the proposed development. The loss of these trees will create gaps in the existing mass of trees, mainly close to the boundaries, and the partial screen they provide. In some places, there is space for replacement trees, but in others there is not. For example, due to the location of the garages on plot 2, the loss of two Goat Willows and a Yew will open a view into the site. In this respect, this scheme is significantly different from those approved for the development of the front of the site, which make provision for the retention and replacement of all of the significant trees on site, in particular those close to the rear and side boundaries as well as the road frontage.

Overall, whilst the application may, subject to relevant tree-related and landscape conditions, be acceptable in terms of Saved Policy BE38, it may well be unacceptable in terms of its impact on the amenity and character of Conservation Area.

#### ACCESS OFFICER:

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. Level access should be achieved. The entrance to the proposed dwelling house appear to be stepped, which would be contrary to the above policy requirement.
2. 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.
3. 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.
4. The plans should identify a convenient area for the future installation of a through-the-ceiling wheelchair lift.

Conclusion: unacceptable

HIGHWAY OFFICER: Has requested information to demonstrate that a 10.5 metre refuse vehicle can access and turn around within the site.

## **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) but is also situated within the Ickenham Village Conservation Area. Key changes in the policy context, since the adoption of the UDP, include the adoption of the

London Plan of July 2011 and the National Planning Policy Framework (NPPF) in March 2012.

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.'

Paragraph 53 of the NPPF states:

'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 Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on the 7th November 2012 and Policy BE1 of this document is relevant and in particular parts 1, 2, 3 and 9, as set out above, are particularly relevant to this application.

The outcome of these changes means that Council's will have to assess all material planning considerations more closely and make decisions on a case by case basis. The principle of the development therefore hinges on all other material planning considerations and the quality of the proposed development in terms of its layout, design, form and impact on adjoining occupiers, all of which are assessed in detail below.

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

The proposal, with 14 habitable rooms on a site area of 0.14 hectare (approx.), equates to 98hr/ha. and thus falls below the London Plan Policy 3.4 density range of 150-250 habitable rooms per hectare for suburban areas, based on the site's Public Transport Accessibility Level (PTAL) score of 2. There is therefore no objection per se to the proposed density of the scheme. The density of a development is however only one aspect of such a development and its layout, form and impact on the surroundings are subject to compliance with other policies in the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and which are assessed below.

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

The impact of the proposed development on the character and appearance of the Ickenham Village Conservation Area is addressed in Section.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

Policy BE13 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene. Policy BE22 states with regard to buildings of two or more storeys in height that these should be set back a minimum of one metre from the side boundary of the property for the full height.

Policy BE19 states the Local Planning Authority will seek to ensure that new development

within residential areas complements or improves the amenity and character of the area. The site is located within the Ickenham Village Conservation Area and within such protected areas there is a presumption under UDP Saved Policy BE4 that all new development will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities, avoiding the demolition or loss of such features.

The Council's adopted Supplementary Planning Document (SPD), the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) in Section 3.4 states that this type of development must seek to enhance the character of the area.

The street scene is characterised by predominantly detached houses within spacious plots with mature planting and trees in the front. The plot widths of the sites in the street are relatively generous, ranging in size from 12 metres to 20m wide. The majority of plots on the east side of Long Lane measure approximately 12m wide, including Nos.59 and 59A Long Lane which are directly opposite. The application site, with a width of 10.5 metres on Long Lane, is thus narrower but given the proposed setting back of Plot 1 by some 47 metres from the roadside boundary and the existence of mature protected trees at the front entrance of the site, it is considered that the width of the site would not by itself have an adverse visual impact on the street scene or the surrounding area.

However, the layout of the development would include two houses in tandem, the provision of an internal access road, turning heads and various hardstanding areas associated with the dwellings. This would inevitably necessitate the removal of areas of albeit less valuable natural vegetation and planting, though much of which has been long established within the site and along its boundaries. By opening up the interior of the site in this way the proposal would undoubtedly have an impact on the appearance of the surrounding area and would be visible to a greater or lesser degree from the adjoining properties and from other indirect public views within the conservation area, including Pepys Close and Neela Close as well as from Long Lane itself.

In particular, the smaller individual plot sizes and tandem arrangement, one behind the other, of the dwellings would appear cramped and result in a residential layout that does not relate well and is thus out of keeping with the more spacious and open character of the surrounding conservation area. If permitted, there is the possibility of an undesirable precedent being set for similar such schemes, the cumulative impact of which would be severely detrimental to the overall character and appearance of the conservation area.

As such it is considered to be an over-development, detrimental to the open and spacious character of the Ickenham Village Conservation Area, which would not be preserved or enhanced. Similarly, it would fail to complement the amenity and character of the surrounding residential area as a whole or harmonise with the existing street scene. For these reasons it is therefore contrary to the NPPF, London Plan policies 7.4 and 7.8 and UDP Saved Policies BE4, BE13 and BE19.

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

The Hillingdon UDP (Saved Policies, September 2007) contains policies that seek to safeguard the amenities of adjoining residential occupiers with regard to their levels of daylight/sunlight received to windows and gardens (Policy BE20), their outlook by reason of siting, bulk and proximity (BE21) and their privacy (Policy BE24). With reference to the specific form of housing layout being sought by this application, Policy H12 also considers the impact of tandem backland development in established residential areas and these will only be permitted if no undue disturbance or loss of privacy is likely to be caused to

adjoining occupiers.

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, 15 metres will be the minimum acceptable distance between buildings. Furthermore, a minimum of 21 metres overlooking distance should be maintained between any facing habitable room first floor windows in the new dwellings (within 45 degree angles taken from the centre of the window) and those in adjoining properties or any area that can be overlooked with an additional 3 metres distance required where these would overlook a rear patio area.

Whilst there are no adjoining houses or flats that would fall within 15 metres of the proposed new dwellings and thus none would be dominated by the proposal or be likely to suffer from any indirect loss of natural light or sunlight, some of the habitable room windows contained within the flank or rear elevations of these neighbouring properties would be marginally less than the HDAS minimum, between 19 and 21 metres away and private amenity areas could similarly be overlooked.

In particular, those of No.3 Neela Close, a detached house with a private garden that would be faced by the rear windows of both new dwellings on Plots 1 and 2, and Nos. 23-33 Pepys Close, a block of flats situated just beyond the south boundary of the site could potentially be overlooked with resultant loss of privacy. The removal or die back of any existing vegetation or smaller trees (those not protected by virtue of the Tree Preservation Order or their conservation area status) along the shared boundaries would increase the likelihood of overlooking all year round. This loss of privacy could occur both ways with an equivalent effect on the occupiers of the new dwellings.

Furthermore, the proximity of the existing house and garden of No. 66, and of the neighbouring detached property to the north, No. 64 Long Lane, either side of the new entrance and access driveway serving the dwellings to the rear would be likely to lead to constant disturbance and loss of privacy to occupiers of those houses. The effects of this would vary throughout the year, but may in some circumstances even deter these neighbours from making full use of their rear gardens in summer, whilst the noise intrusions from car engines revving, doors shutting and music plus lights would be a source of regular nuisance.

As such, the proposal would represent an unneighbourly form of development and in this respect would be contrary to UDP Saved Policies BE19, BE24, H12, OE1 and OE3 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and to the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

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

Hillingdon UDP Saved Policy BE23 requires that new residential buildings should provide or maintain sufficient external amenity space for the occupants of the proposed and surrounding buildings, which is usable in terms of its shape and siting.

With regard to the private amenity space to be provided in the proposed layout, some 120 square metres is proposed for the new house on Plot 1 and 200 sq.m. for Plot 2 and this would meet the recommended standard of 100 sq.m. for a 4 or more bedroom house as advised at paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential

Layouts. A reduced but nonetheless sufficient amount of private amenity space (approx.190 sq.m.) would be retained available to the occupiers of the existing house, No. 66 Long Lane. Therefore, the proposal would comply with UDP Saved Policy BE23 in this respect.

The internal size of both the proposed houses would be approximately 158 square metres which would exceed the requirements of London Plan Policy 3.5 standard for 4 bedroom/5 person dwellings of 100 sq.m. gross floor area and of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for 4 or more bedroom houses, which is for a minimum of 92 square metres net internal floor area and is thus in accordance with UDP Saved Policy BE19.

The floor layout and new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 5.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

Hillingdon UDP Policy AM7 considers the traffic generation of new developments, whilst Policy AM14 requires provision of adequate parking provision by adherence to the Council's adopted car parking standards.

However, the proposal for two new dwellings served by a new vehicular access has not given rise to any concerns regarding traffic from the Highways Officer. It is accepted that the proposed houses would not lead to a significant increase in the amount of local traffic generated given the location of the site within a residential area on one of the Borough's busiest roads close to its connecting A40 east and westbound junctions either side of Hillingdon Station. As such, the proposal would comply with UDP Policy AM7.

The area has a PTAL accessibility rating of 2, 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 proposed dwelling.

The proposed garages have an internal width that would be capable of accommodating two vehicles and the driveway in front has additional capacity for one. With the dwellings being positioned so far from the road however, it is considered that the proposal would not be likely to result in an increase in on street demand for parking to the detriment of highway and pedestrian safety. It is therefore in accordance with UDP Policy AM14 and with the Hillingdon Design & Accessibility Statement: Residential Layouts in this respect.

Following a request from the Highways Officer, the turning requirements of a refuse vehicle have been demonstrated by the applicant on a revised site layout plan.

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

In design terms the proposed houses are standard in appearance with steep pitched roofs that attain a height of 8.8 metres and thus do not match the proportions of the facade below. Notwithstanding this, both the front and rear elevations are broken up by the lowered and hipped roof bay sections whilst the positioning of the dwellings on the site, between those in Neela Close and the adjacent flats in Pepys Close and the fact that their bulk would be partly obscured from most views beyond the site, would mean they should not appear especially intrusive.

Their arrangement and backland position on site with relation to the existing adjoining development apart, this type of dwelling style can nonetheless be found repeated in its various forms elsewhere throughout Ickenham's extensive Conservation Area. As such it

would be difficult to conclude how these would fail to complement the amenity and character of the surrounding residential area purely in design terms provided that the external finishes to be used (this is not stated in the application) were of a good quality, colour and mix using natural materials where possible to achieve a standard of visual amenity appropriate in a conservation area. On this aspect therefore the proposal is considered acceptable.

#### **7.12 Disabled access**

The London Plan Policy 3.5 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

The proposed internal layouts of the dwellings have been revised in order to meet these standards. The dwellings would thus have level entrances, with the dimensions of all rooms including the ground floor wc and first floor bathrooms accessible to wheelchairs. Therefore, the proposal complies with the 'Lifetime Homes' standards as set out in policy 3.5 of the London Plan (2011) as well as the Council's Hillingdon Design & Accessibility Statement: 'Accessible Hillingdon'.

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

Not applicable to this application.

#### **7.14 Trees, landscaping and Ecology**

Hillingdon UDP Saved Policy BE38 sets out that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. For similar reasons, the loss of such natural features which can make a significant contribution to the special visual qualities of a conservation area are also sought to be avoided under UDP Saved Policy BE4

There is a mature Horse Chestnut and Holly at the front of the site, both of which are considered to have high and moderate amenity values respectively, and are features of merit that make a positive contribution to the character and appearance of the street scene and the Ickenham Village Conservation Area. The only other tree on the site is a mature laurel which is not subject to TPO 5 but is protected by its conservation area status. However, this tree is considered to have a low amenity value.

The scheme makes provision for the retention of the mature Horse Chestnut and the Holly tree to the front. This would partially screen the development from the highway and would maintain the character and visual amenities of the street scene and the Ickenham Village Conservation Area.

The Trees/Landscape Officer has indicated that many of the trees to the rear of the site in the area where the dwellings would be sited and which currently create a collective amenity value rather than being of individual merit would be removed by the proposal. These include two Crab Apple trees and an Elder towards the northern (Neela Close) site boundary and two Willow trees, an Ash, a group of three Oak trees and a Silver Birch close to the southern (Pepys Close) boundary. Thus valuable screening potential may be lost and the site would become more open to views both inward and out. That said, there is undoubtedly scope for replacement planting within the site that could be made the subject of standard landscaping and planting conditions.

Due to the the need to ensure that the occupants of the new dwellings receive sufficient daylight and sunlight, such new planting may not be sufficient to reduce the loss of privacy that may be experienced between these houses and those adjoining the site. The introduction of appropriate new species in positions where they could mature and not be



compromised by pressure to lop or remove them in future would though enhance the long term landscape value of this part of the site which contains many competing trees in poor condition. In these circumstances therefore, the amenity of the conservation area would thus be preserved.

The retention and further landscaping, both soft and hard, can be secured by further conditions, if the scheme is deemed acceptable. On this issue, the application is thus considered to comply with the aims of UDP Saved Policies BE4 and BE38.

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

The provision of suitable refuse bin storage areas or enclosures to each of the individual dwellings on the site could be made the subject of a condition on any approval. The collection of refuse, due to the set back of the dwellings from the road by more than 23 metres (the maximum distance from the highway recommended in HDAS) would have to be possible within the site and is subject to Highways Officer agreement on the turning capability of refuse vehicles within the site.

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

A condition requiring the development to meet Level 3 of the Code for Sustainable Homes would be attached to any permission granted in order to meet the sustainability objectives of the development.

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

UDP Saved Policy OE8 states that permission will not be granted for new development of existing urban areas which would result in an increased flood risk due to additional surface water run-off. A condition requiring the provision of sustainable urban drainage and the use of porous materials for the driveway and hardstanding areas would be sufficient for the level of localised flood risk principally from surface water run-off identified in this area. There are no other potential flooding issues since the site is not located within a flood zone. On this aspect therefore, the proposal would therefore comply with UDP Saved Policy OE8.

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

Not applicable to this application.

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

With regards to the layout of the and its impact on the surrounding conservation area and on adjoining occupiers, these issues have been summarised and addressed under separate headings in the main body of the report.

#### **7.20 Planning obligations**

The proposed development would result in a net increase of 14 habitable rooms on the site and therefore would fall within the threshold for seeking a financial contribution towards provision of the educational needs of its future occupants in the Borough. The applicant has therefore agreed to enter into an agreement with the Council that the calculated sum of £27,455 required would be paid in full if permission were granted for the development proposed.

On this basis therefore, the proposal would comply with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

A contribution is also required towards the Mayor of London's Community Infrastructure Levy, introduced across all Boroughs in March 2012. The currently estimated figure for this (based on £35 per sq. metre of floorspace) which is collected on behalf of the GLA following completion of the development but prior to occupation, would be advised to the applicant by means of an informative

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

Not applicable to this application.

#### **7.22 Other Issues**

None relevant.

### **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**

For reasons outlined above the proposal would fail to comply with the aforementioned policies of the Hillingdon Unitary Development Plan (Saved Policies, September 2007), and accordingly this application is recommended for refusal.

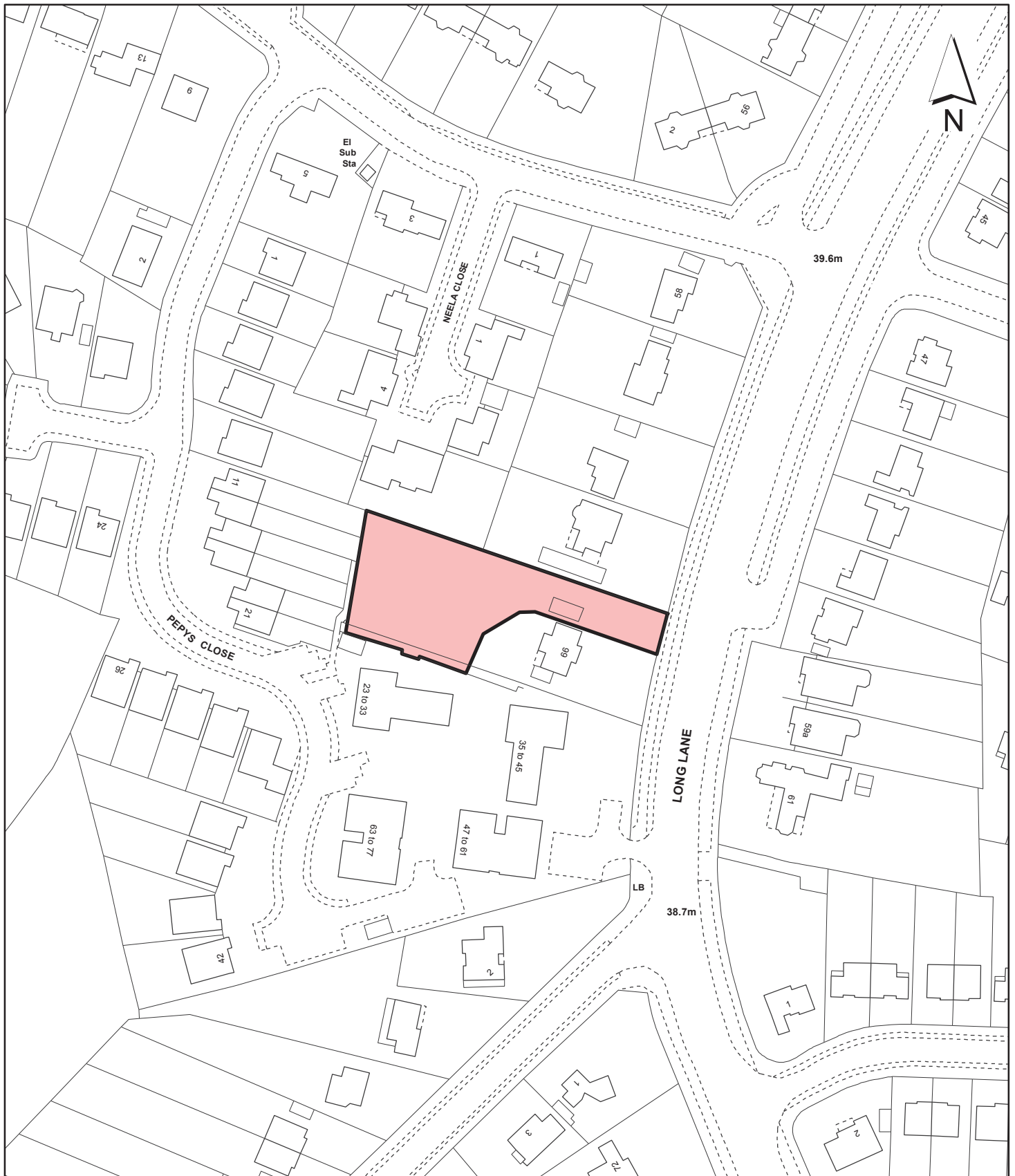
### **11. Reference Documents**


London Plan 2011.  
Hillingdon Unitary Development Plan (Saved Policies September 2007).  
Hillingdon Design and Accessibility Statement: Residential Layouts.  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon.  
Hillingdon Planning Obligations Supplementary Planning Document July( 2008) and updated chapter 4 Education (August 2010).  
Council's Adopted Car Parking Standards (Annex 1, Hillingdon Unitary Development Plan, Saved Policies, September 2007).

National Planning Policy Framework.

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**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Land at rear and forming part of 66 Long Lane Ickenham</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b> Planning, Environment, Education &amp; Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>49805/APP/2012/1587</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>November 2012</b></p>	



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