

Report of the Head of Planning & Enforcement Services

Address 138 LINDEN AVENUE RUISLIP

Development: Erection of 1 x 3 bedroom and 1 x 4 bedroom two storey detached dwellings with associated parking and amenity space involving the demolition of existing bungalow.

LBH Ref Nos: 11121/APP/2012/1922

Drawing Nos: 2983 S01 Rev. A
Design and Access Statement (Ref: 2983)
2983 PD03
2983 PD01 Rev. C
Photographs of Existing Bungalow
2983 PD02 Rev. C

Date Plans Received: 06/08/2012 **Date(s) of Amendment(s):** 12/11/2012
Date Application Valid: 30/08/2012 06/08/2012
18/10/2012

1. SUMMARY

The application seeks planning permission for the erection of 2 x two storey detached dwellings after the demolition of the existing bungalow at the site.

The existing bungalow is located on the southern side of Linden Avenue, within a cul-de-sac containing 8 detached dwellings, off the highway of Oak Avenue. The properties within the cul-de-sac are a mixture of bungalows and two storey dwellings. The buildings have a wide variance in architectural design, with the language of the street being traditional roof slopes and contrasting angles, however, the street also includes a symmetrical pair of modern detached dwellings on the northern side of the street.

The two proposed dwellings would be of asymmetrical design and would be provided with garden space to the rear and off-street parking in front of their principal elevations.

The proposal would provide two family dwellings which would have an acceptable impact on the character and appearance of the surrounding area. The properties would have an acceptable impact on the residential amenity of the neighbouring occupiers and would provide acceptable living conditions for the future occupiers of the properties. Therefore, the application is recommended for approval.

2. RECOMMENDATION

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

1. That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:

(i) Education: A contribution of £13,265 is sought.

2. That the applicant meets the Council's reasonable costs in the preparation of

the S106 Agreement and any abortive work as a result of the agreement not being completed.

3. If the S106 Agreement has not been finalised within 6 months, the application to be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.

4. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

5. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.

6. That if the application is approved, the following conditions be attached:

1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2983 PD01 Rev C, 2983 PD02 Rev B & 2983 PD 03 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2(November 2012) and the London Plan (July 2011).

3 RES6 Levels

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

REASON

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

4 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved

Policies (November 2012).

5 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved Policies (November 2012).

6 RES9 Landscaping (including refuse/cycle storage)

Notwithstanding the plans hereby approved in relation to refuse storage and parking layout, no development shall take place until a layout/landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting

2.g Sustainable Urban Drainage Systems

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved Policies (November 2012) and 5.17 (refuse storage) of the London Plan.

7 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows or other openings shall be constructed in any side elevation or roof slope of either dwelling hereby approved.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved Policies (November 2012).

8 RES14 Outbuildings, extensions and roof alterations

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

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved Policies (November 2012).

9 RES13 Obscure Glazing

The windows in the side elevation of both dwellings shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the

Hillingdon Local Plan: Part 2 - Unitary Development Plan Saved Policies (November 2012).

10 RES16 Code for Sustainable Homes

The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

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

11 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

12 RES24 Secured by Design

The dwellings shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan (November 2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
NPPF1	
NPPF6	
NPPF7	

3 145 **Discharge of Conditions**

Your attention is drawn to conditions 3, 4, 5, 6, 9, 10, 11 and 12 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

4 11 **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

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

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

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

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

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

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

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

6 12 **Encroachment**

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

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

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed

plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

8 14 Neighbourly Consideration - include on all residential exts

You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

9 15 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

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

10 16 Property Rights/Rights of Light

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

11

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £7,455 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a detached bungalow set within a 610 square metre plot of land on the southern side of Linden Avenue. The detached bungalow is justified towards the western boundary line of the plot, with the width of the plot narrowing behind the rear

elevation of the dwelling.

Originally a square footprint, the single storey dwelling within the plot has undergone a side extension, with the original section of the building being covered with a hipped roof and a hipped and lean to roof above the side extension. The dwelling has a width of 16.9 metres and a depth of 8.12 metres. The extension to the building has been built flush with the principal elevation and has a depth of 5.75 metres. The external walls of the dwelling are covered in white render and the roof is made from brown concrete tiles.

The site is located in a cul-de-sac of Linden Avenue containing 8 dwellings, with only the application dwelling and No.140 Linden Avenue, a detached bungalow sharing the eastern boundary line, being on the southern side of the street. On the northern side of the street are a number of 1 to 2 storey detached dwellings of varying ages and architectural designs, including Nos.177 & 179 Linden Avenue, a pair of modern detached two storey dwellings.

The western boundary line of the site is the shared rear boundary line of No.38 Oak Avenue, a detached bungalow with a conservatory on the rear elevation.

The site is situated within a Developed Area as identified in the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The application seeks planning permission for the demolition of the existing detached bungalow at the site and the erection of 2 x two storey detached dwellings, one with three bedrooms (western dwelling), one with four bedrooms (eastern dwelling).

The proposed western dwelling would have a maximum width of 11.36 metres, including an attached single width garage, and a maximum depth of 12.07 metres. The design of the dwelling would include a small crown roof above the dwelling, two dormer windows in the principal elevation, a catslide roof on the western facade and maximum height of 7 metres.

The proposed eastern dwelling would have a maximum width of 8.5 metres and a maximum depth of 11.12 metres. The design would include an integral garage, a small two storey projecting section in the principal elevation finished with a hipped roof, a small crown roof over the building, one dormer window in the principal elevation, two dormer windows in the rear elevation and a maximum height of 7 metres.

Both dwellings would be provided with two parking spaces in front of their principal elevations and a private garden area to the rear of the building.

3.3 Relevant Planning History

11121/APP/2012/1282 138 Linden Avenue Ruislip

2 x two storey, 4-bed, detached dwellings with associated parking and amenity space involving the demolition of existing bungalow

Decision: 18-07-2012 Withdrawn

Comment on Relevant Planning History

None relevant.

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.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

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

H3 Loss and replacement of residential accommodation

H4 Mix of housing units

H5 Dwellings suitable for large families

R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

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 7.3 (2011) Designing out crime
LPP 7.4 (2011) Local character
LPP 7.6 (2011) Architecture
NPPF1
NPPF6
NPPF7

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date:- Not applicable
5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 neighbouring dwellings and the Eastcote Residents Association were notified of the proposed development on 4th September 2012. A site notice was erected on the 11th September 2012. Three individual replies and a petition with 23 signatures received, objecting on the following grounds:

- i) Harm to the character and appearance of the area;
- ii) Loss of light;
- iii) Loss of privacy;
- iv) Unacceptable increase in density;
- v) Parking layout
- vi) Harm to infrastructure;
- vii) Inaccurate plans;

Issues i)-v) are considered in the main body of the report. The proposed scheme is not considered to significantly impact the existing drainage at the site and this would not form a material planning consideration. A neighbour has questioned the plans showing that 36 Oak Avenue is not correctly indicated on the plans. The northern square containing this property on the plans is an attached wooden car port and brick garage. The living accommodation is the southern square as shown on plan reference 2983 PD 02 Rev. C, which is a detached bungalow with gable ends in the principal and rear elevations and habitable rooms in the loft space.

Internal Consultees

TREES AND LANDSCAPING

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other significant landscape features will be affected by the proposal. A small Cherry tree in the rear garden of the neighbouring property (number 38), should be unaffected by the development and the Apple trees and a Holly along the rear garden boundaries should be protected and retained as part of the landscape layout.
- The proposed layout provides a total of four parking spaces which will dominate the front gardens. However, some space has been reserved for soft landscape in the form of small areas of lawn and hedges. The Council seeks to secure a reasonable proportion (minimum 25% by area) of soft

landscape enhancement to front gardens.

- DCLG/EA guidance requires new driveways to comply with SUDS requirements.
- External storage for bikes and bins can have a detrimental visual impact on the front garden and streetscape. In this case the bins are shown within the side passages/rear garden from where they will be hidden from public view which is ideal.

RECOMMENDATIONS: No objection, subject to the above considerations and conditions RES6, RES8, RES9
(parts 1, 2, 5 and 6)

ACCESS OFFICER:

1. Level access should be achieved. Entry to the proposed dwelling appears to be stepped, which would be contrary to the above policy requirement. Details in this regard should be requested prior to any grant of planning permission.
2. Unit 1: the entrance level WC should be reconfigured so that a wheelchair user can access the side transfer area straightforwardly, rather than negotiate the gap between the toilet pan and handbasin. The first-floor bathroom proposed between bedroom three and four requires the handbasin to be positioned on the wall opposite, so that the transfer space to the side of the toilet pan can be accessed with the ease.
3. Unit 2: the handbasin within the entrance level WC should be relocated to the wall opposite. Likewise, the handbasin shown within the first-floor bathroom between bedroom one and two, should be repositioned to the wall opposite.
4. To allow entrance level WC and at least one bathroom at first floor to be used as a wet room in future, plans should indicate floor gulley drainage, with the technical specifications detailed on plan.
5. The plans should indicate the location of a future through the ceiling wheelchair lift.

Conclusion: revised plans should be requested as a prerequisite to any planning approval.

Officer Comment: Revised plans have been received which address the issues raised by the Access Officer.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy H3 of the adopted UDP (Saved Policies September 2007) states that the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site. An increase in the residential accommodation will be sought.

The proposed development would result in the loss of the existing bungalow, however, it would result in an overall increase in the level of residential accommodation at the site.

Policies H4 and H5 seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere.

The proposed development is outside of a town centre and would provide 1 x 3 bedroom dwelling and 1 x 4 bedroom dwelling which are considered to be family accommodation. Therefore, the proposal is in accordance with Policies H3, H4 and H5 of the Hillingdon Local Plan: Part 2(November 2012) and the London Plan (July 2011) and is acceptable in principle.

7.02 Density of the proposed development

The proposal would have density scores of 32.78 units per hectare and 229.5 habitable rooms per hectare.

Policy 3.5 of the London Plan (July 2011) requires a site with a PTAL score of 2 to have the densities of between 35-65 units per hectare and 150-250 habitable rooms per hectare.

Whilst the number of units per hectare is slightly below the required density score, the proposal is considered in keeping with the established residential layout of the surrounding streets and no objection is raised in this regard.

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

Not applicable to this application.

7.04 Airport safeguarding

The application site is sufficiently distanced from the nearest airport to ensure the proposed new dwellings would not harm the safeguarding on an airdome.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

A number of neighbouring occupiers have objected to the proposal based on the harm to the character and appearance of the area. On the opposite side of the street to application site are 4 x two storey dwellings and 2 x bungalows. Therefore, the provision of 2 x two storey dwellings in replacement of a bungalow is considered not to harm the character of the area in terms of the heights of the buildings proposed.

In terms of design, the pair of dwellings would have minimal symmetry between the properties. However, this section of Linden avenue is characterised by a mixture of buildings and a variance in architectural design between the premises. Indeed the one anomaly in the street is the pair of symmetrical modern dwellings at the end of the northern side of the road. Therefore, the use of differing designs between the dwellings is considered in keeping with the character and appearance of the area. Whilst the use of crown roofs on the dwellings would not be in keeping with the traditional roof slopes of the neighbouring properties, the level of harm to the appearance of the area is considered not to be so great to warrant a refusal of the application. Therefore, the development is considered to comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2(November 2012) and the London Plan (July 2011).

7.08 Impact on neighbours

The application is a resubmission which has redesigned the western dwelling to minimise the impact to No.36 Oak Avenue. On plan reference 2983 PD 02 Rev. C, the applicant has compared the distance separation between the rear elevation of No.38 Oak Avenue to the proposed western dwelling and the existing bungalow. The plan shows that the catslide roof would ensure the upper floor of the building is situated further away from the rear elevation of this neighbouring occupier than the existing roof slope at a distance separation of 15 metres. The proposed height of the western building at this distance separation would be 5 metres, with the roof pitching away from this No.38 Oak Avenue. Given the eastern orientation of the western dwelling to No.38 Oak Avenue, this neighbouring property would only receive light over the proposed dwelling in the early hours of summer months. Therefore, the impact to this neighbouring occupier in terms of loss of light is considered acceptable in this instance. No.36 Oak Avenue also has a conservatory on the southern side of the building, which is not plotted on the plans. Given the glazed nature of this structure, it would still receive adequate daylight and the orientation would again ensure the proposed dwelling would only impact the sunlight early in the morning during the summer months.

The eastern dwelling would cause no conflict of the 45 degree guideline when taken from

the rear elevation of No.140 Linden Avenue. Therefore, the proposal would cause no unacceptably harmful loss of light, loss of outlook or sense of dominance to the occupiers of this neighbouring property.

The occupiers of No.38 Oak Avenue have objected to the proposal due to the loss of privacy to their property. The rear elevation of this neighbouring dwelling would not be within 21 metres, nor 24 metres, when a 45 degree visual splay is taken from the first floor window in the rear elevation of the western dwelling. Whilst a proportion of the garden area of No.38 Oak Avenue would be within this visual splay, the overlooking of neighbouring gardens in this manner is no worse than in most linear residential layouts. Therefore, the level of harm to this neighbouring occupier from the overlooking of the garden space is considered not to be so great to warrant a refusal of this application.

Therefore, the proposal is considered to have an acceptable impact on the residential amenity of all neighbouring occupier, in compliance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2(November 2012).

7.09 Living conditions for future occupiers

The proposed eastern and western dwellings would have internal floor areas of 134 square metres and 143 square metres (excluding garages) respectively. Therefore, both dwellings would meet the minimum floor space standards required under Policy 3.5 of the London Plan (July 2011).

The proposed eastern and western dwellings would be provided with 178 square metres and 146 square metres of garden space respectively. Therefore, both dwellings would meet the required garden space standards detailed within the Supplementary Planning Document HDAS: Residential Layouts, in accordance with Policy BE23 of the of the Hillingdon Local Plan: Part 2(November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Both of the proposed dwellings would be provided with a garage measuring 3 metres by 6 metres and two car parking spaces in front of their principal elevations measuring 2.4 metres by 4.8 metres. One of the parking spaces in front of the principal elevation of the western dwelling would be right up to the principal elevation and unsuitable for use. However, this dwelling would still be provided with 2 parking spaces, in accordance with the maximum parking standard.

The provided parking spaces would require cars to exit the site in reverse gear. The site is located in a cul-de-sac of 8 properties and no pavement is provided on this side of the vehicle carriageway. Therefore, given the low level of vehicle movements and the minimal pedestrian movements past the driveways, no objection is raised to this parking arrangement.

Subject to a condition for the removal of the unacceptable parking space as part of the required landscaping plans. No objection would be raised on parking grounds.

The provided garages meet the minimum standard provided within the adopted Car Parking Standards to also allow for the storage of bicycles. Therefore, the proposal is considered acceptable in terms of Policies AM7 and AM14 of the Hillingdon Local Plan: Part 2(November 2012).

7.11 Urban design, access and security

A condition is recommended requiring the dwellings to achieve the secure by design accreditation. With this condition attached, the proposal is considered acceptable in terms of design to minimise crime.

7.12 Disabled access

The Accessibility Officer has raised a number of issues with the design over the proposed dwellings in terms of accessibility. The applicant has submitted amended plans to address these issues and ensure the dwellings will be in accordance with Lifetimes Homes Standards. Therefore, the proposal is considered to meet Policy 3.8 of the London Plan (July 2011) and the HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The trees and landscaping officer has reviewed the proposal and subject to conditions relating to landscape and planting plans, has raised no objection to the proposal. The development would provide at least 25% soft landscaping on the land in front of the principal elevation. Therefore, the development is considered to comply with Policy BE38 of the adopted UDP (Saved Policies September 2007).

7.15 Sustainable waste management

The provided plans show the location of a bin store adjacent the side elevation of the dwellings. However, these bins would block the side passageway to the rear gardens and would not be suitable location. A bin store could easily be accommodated in the rear garden, with the refuse presented to the kerbside on the day of collection. Therefore, subject to the relocation of the bin store as part of the landscaping plans, no objection would be raised over the waste collection from the site.

7.16 Renewable energy / Sustainability

A condition would be added to any approval requiring the dwellings to be built in accordance with Code for Sustainable Homes Level 3.

7.17 Flooding or Drainage Issues

Not applicable this application.

7.18 Noise or Air Quality Issues

Not applicable this application.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning Obligations

The proposed development would add 6 habitable rooms to the site and would create an additional dwelling. Therefore, a contribution towards educational facilities at the site will be required, as detailed under the SPD Planning Obligations, Revised Chapter 4. The applicant has indicated that they are willing to meeting this financial contribution and therefore a S106 agreement is proposed to cover this. The proposed development is therefore considered to comply with Policy R17 of the adopted UDP (Saved Policies September 2007).

7.21 Expediency of enforcement action

Not applicable this application.

7.22 Other Issues

No further issues for comment.

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 this application.

10. CONCLUSION

The proposal would provide two family dwellings which would have an acceptable impact on the character and appearance of the surrounding area. The properties would have an acceptable impact on the residential amenity of the neighbouring occupiers and would provide acceptable living conditions for the future occupiers of the properties. Therefore, the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part 2 - UDP Saved Policies (November 2012)

HDAS: Residential Layouts

HDAS: Residential Extensions

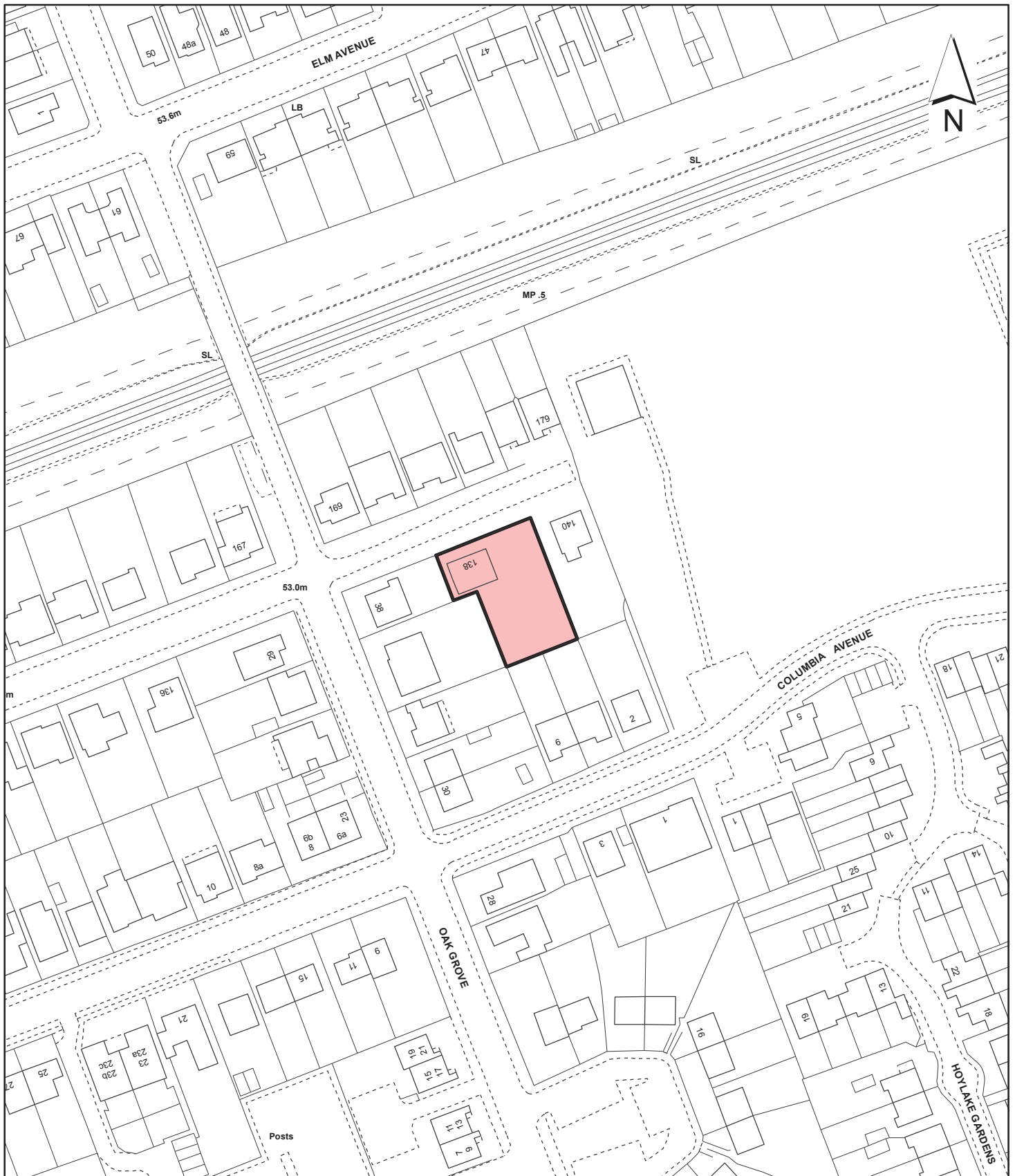
The London Plan (July 2011)



Supplementary Planning Document Planning Obligations (July 2008)

Supplementary Planning Document Planning Obligations: Revised Chapter 4 (September 2010)

Contact Officer: Alex Smith

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<p>Notes</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).</p> <p>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 style="text-align: center;">138 Linden Avenue Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">11121/APP/2012/1922</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">North</p>	<p>Date</p> <p style="text-align: center;">November 2012</p>	
		 <p>HILLINGDON LONDON</p>	