

Report of the Head of Planning & Enforcement Services

Address 51 THE DRIVE ICKENHAM

Development: Two storey building with habitable roofspace to create 5 x self-contained flats with associated parking and landscaping and installation of vehicular crossover, involving demolition of existing detached dwelling

LBH Ref Nos: 21977/APP/2012/2194

Drawing Nos: 99315.P01 Rev. A
99315.P11.2
99315.P100
99315.P101
99315.P111
Tree Survey and Arboricultural Constraints Report
99315.P10 Rev. A
99315.P02 Rev. A
99315.P11 Rev. A
Design & Access Statement
Preliminary Arboricultural Impact Plan
Tree Location and Constraints Plan
99315.P06
99315.P07
99315.P21
99315.P20
Extended Phase 1 Habitat Survey Rev.1
99315.P31 Rev. B
99315.P30 Rev. B
99315.P110 Rev. A

Date Plans Received:	06/09/2012	Date(s) of Amendment(s):	21/09/2012
Date Application Valid:	24/09/2012		06/09/2012
			20/12/2012
			30/11/2012

1. SUMMARY

The application proposes to demolish the existing house and erect a two storey building with accommodation in the roof space to provide 5 x self-contained flats, together with 8 parking spaces landscaping, installation of vehicular crossover and bin and recycling store. There is no in principle objection to the proposal.

It is considered that the design of the proposal would be in keeping with the character and appearance of the surrounding area and that it would not be harmful to the amenity of nearby residents or future occupiers. The proposal would provide adequate off-street parking and a cycling store, refuse and recycle store. The proposal would be of low density and the internal floor space required for new flats would provide an adequate level of amenity for future occupants. As such, the proposal is considered acceptable and is recommended for approval subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 99315.P01 Rev. A, 99315.P02 Rev. A, 99315.P06, 99315.P07, 99315.P10 Rev. A, 99315.P11 Rev. A, 99315.P11.2, 99315.P20, 99315.P21, 99315.P31 Rev. B, 99315.P30 Rev. B, 99315.P100, 99315.P101, 99315.P110 Rev. A, 99315.P111, Tree Survey and Arboricultural Constraints Report, Preliminary Arboricultural Impact Plan, Tree Location and Constraints Plan, Extended Phase 1 Habitat Survey Rev.1 and Design & Access Statement.

REASON

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

3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies 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 Two - Unitary Development Plan Saved Policies (November 2012).

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 49b and 51a.

REASON

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

5 HO6 Obscure Glazing

The windows facing 49b and 51a 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 Two - Unitary Development Plan Saved Policies (November 2012).

6 RES8 Tree Protection

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:

- a. There shall be no changes in ground levels;
- b. No materials or plant shall be stored;
- c. No buildings or temporary buildings shall be erected or stationed.
- d. No materials or waste shall be burnt; and,
- 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 Two - Unitary Development Plan Saved Policies (November 2012).

7 RES9 Landscaping (including refuse/cycle storage)

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

1. Details of Soft Landscaping,
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
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 surfacing/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 Two - Unitary Development Plan Saved Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan.

8 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy BE38 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 NONSC Non Standard Condition

Level access shall be provided to and into the building, including into all five dwellings, via the communal entrance.

REASON: to ensure adequate access for all is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with policy 3.8 of the London Plan (2011).

10 NONSC Non Standard Condition

Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

11 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with Lifetime Homes Standards 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 flats 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 flats 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 exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

13 MRD8 Education Contributions

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

REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the Council's Supplementary Planning Guidance on Educational Facilities.

14 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed

to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and London Plan (July 2011) Policy 5.12.

15 RES16 Code for Sustainable Homes

The dwelling(s) 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.

16 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act

incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 153 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.

AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
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.
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16	Accessibility for elderly people, people with disabilities, women and children
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.4	(2011) Optimising housing potential
LPP 5.13	(2011) Sustainable drainage
LPP 5.7	(2011) Renewable energy
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 3.3	(2011) Increasing housing supply
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old

Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

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 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.

6 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.

7 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.

8 115 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.

9 154 **Section 106 Agreement for educational facilities**

In respect of condition No. 15, you are advised that the Council considers that one way to ensure compliance with the condition is to enter into an agreement with the Council to ensure the provision of additional/improved educational facilities locally, proportionate to the child yield arising from the development.

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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 £21,317 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. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the west side of The Drive and comprises a 1930's detached 4-bed, two-storey house with a detached garage forward of the main house. To the front of the property is hardstanding with ample parking for cars. To the rear is a single storey rear element with a roof terrace above. The house is set back from the highway and sits on a spacious plot and comprises white painted brick elevations with a green pantile roof. The site is on a gentle slope with the land to the rear sloping downwards. There are a number of small trees and shrubs along the site's front boundary which form an effective green screen. There is a large, protected Scots Pine and a protected Blue Spruce in the rear garden (T9 and T8 on TPO 287). To the north of the site lies 51a The Drive, a two storey detached house and to the south of the site lies 49b The Drive, also a two storey detached house with a single storey rear extension and conservatory. To the rear of the site is Uxbridge Golf Course.

The street scene is residential in character and appearance comprising single and two storey, individually designed detached houses. The application site lies within the developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

3.2 Proposed Scheme

The application proposes to demolish the existing house and erect a two storey building with accommodation in the roof space to provide 5 self-contained flats, together with 8 parking spaces, landscaping, installation of vehicular crossover and bin and recycling store.

The proposed building would be 21.40m wide, 20m deep and 9.80m high increasing to 10.20m high as the ground slopes downwards east to west. The building would have a crown roof measuring 11m by 9m with solar panels above and windows to the front and rear of the roof and rooflights to the side. There would be a covered projecting porch centrally located to the front of the property leading to an entrance hallway. To the rear of the property, there would be recessed balconies on the ground, first floor and the roof space. The building would maintain a minimum 3m distance from the side boundaries and would be set back from the highway by 24m and in line with the building line of the adjacent properties. The property would retain approximately 1170sq. metres of private amenity space. A communal parking area would also be provided within the front of the building allowing for 8 car parking spaces. Additionally, 5 cycle parking spaces will be provided within the site, secured and undercover. The existing vehicle crossovers would be stopped up and a new crossover provided centrally along the front of the site. The new access would be 5.0m wide, which would enable two vehicles to pass side by side. A bin storage area would be provided to allow for separate storage of general and recyclable refuse.

There would be two flats on the ground floor, two flats on the first floor and one flat in the roof space. The floor areas would be as follows:

Flat 1 = Two bedroom flat of 125 sq.m.

Flat 2 = Two bedroom flat of 125 sq.m.

Flat 3 = Two/three bedroom flat of 147 sq.m.

Flat 4 = Two/three bedroom flat of 147 sq.m.

Flat 5 = Two bedroom flat of 182 sq.m.

The elevations of the building would comprise red brick with reconstituted stone features, and the roof would be of slate. Windows would be of a traditional sash pattern in painted aluminium and double glazed.

3.3 Relevant Planning History

21977/C/81/1696 51 The Drive Ickenham
Householder dev. (small extension,garage etc) (P)

Decision: 02-12-1981 Approved

21977/E/83/0812 51 The Drive Ickenham
Householder dev. (small extension,garage etc) (P)

Decision: 14-07-1983 Approved

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

- AM3 Proposals for new roads or widening of existing roads
- AM7 Consideration of traffic generated by proposed developments.
- 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.
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- 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.
- OE5 Siting of noise-sensitive developments
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- R16 Accessibility for elderly people, people with disabilities, women and children
- H4 Mix of housing units
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LPP 3.1 (2011) Ensuring equal life chances for all
- LPP 3.4 (2011) Optimising housing potential
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.7 (2011) Renewable energy
- LPP 7.2 (2011) An inclusive environment
- LPP 7.4 (2011) Local character
- LPP 3.3 (2011) Increasing housing supply
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 5.3 (2011) Sustainable design and construction
- PO-EDU Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010

5. Advertisement and Site Notice

Not applicable

5.1 Advertisement Expiry Date:-

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

32 neighbouring properties were consulted by letter on 27th September 2012 and a site notice was posted on 1st October 2012. 22 letters of representation have been received with 1 letter supporting the application, 18 against the application and 3 making comments. A petition with 41 signatories has also been received opposing the proposed scheme. The comments can be summarised as:

1. Excellent use of plot, making maximum and sensitive use of available land;
2. Pleasant design and great improvement on some recent developments in The Drive;
3. Increase in traffic and noise;
4. Safety of road users could be compromised due to there being no street lighting;
5. Parking would be a problem as visitor parking would have to park on the road and cause access and egress of vehicles difficult at No.49b.
6. The street consists of single family homes and the proposed scheme would be out of character and appearance with the surrounding properties and set a precedence;
7. The number of recent examples of older houses being demolished and replaced by new, larger buildings has already eroded the traditional residential character of the road and therefore object to more of the same;
8. The proposed 350% increase in gross internal floor area of the house from 244sq. metres to 849 sq. metres is excessive and clearly refutes the claims made in the Design and Access Statement;
9. The proposal would bring down the value of the properties in the street;
10. The noise and pollution would increase enormously in what is at present a delightful 4/5-bed house with one kitchen. It would become a large ugly 13-bed building with five kitchens and numerous bathrooms, all of which would add many problems to the present drain and sewerage system;
11. The proposed footprint of the new building would be twice the size of the present house and would move much closer to the side boundary adjoining No.49b and would be the full length of the neighbouring property.
12. No. 49b is a two storey property with a single storey rear element. The proposed three storey building would result in a loss of light to this property.
13. The proposal would overlook No.49b house and garden as the plot sits about a foot higher;
14. Planning applications for flats/apartments have been turned down on the road because they do not suit the street scene;
15. Rubbish and recycling would be a problem as the bins would need to be very large and housed in a wooden enclosure, which would smell and an eye sore to neighbours;
16. The site is located in a predominantly low-density residential area where occupiers could reasonably expect a level of amenity concurrent with a detached house. The use of the property as flats introduces a diverse element that by reason of the use is likely to result in noise, disturbance and nuisance to the detriment of neighbouring homeowners amenity;
17. The kitchen window on the flank should be made smaller and non-opening as this would have an impact on No.51a;
18. No.51a at present share the same drain. A new run should be installed.

ICKENHAM RESIDENTS ASSOCIATION:

The proposed conversion of an existing large family home into 5 self-contained flats would create an undesirable precedent in The Drive, and would cause harm to the residential amenities and

character of the area and the amenity of adjoining occupiers in accordance with section H7 of the UDP. The 5 x self-contained flats would be 2-bedroom apartments, indicating mainly professional single person or young couples occupancy within the commuter belt of London. The front garden would be turned into a substantial car-park, reminiscent of medical clinics car park facilities, unlike the generous, suburban landscaping of the rest of The Drive. This is a huge and massive development, more than doubling the existing footprint, which will create an excessive bulk and appear overbearing on adjacent properties, which in accordance with BE21 by reason of the proposed siting would result in a significant loss of residential amenity. We have been approached by a number of anxious residents in The Drive, who, no doubt, will be contacting you shortly, and we understand a petition is being raised at the moment. The Association objects to this application.

(Officer comment: The comments raised are considered in the main body of the report).

NATURAL ENGLAND:

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

Natural England's advice is as follows:

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected by this application.

Using Nature on the Map we determined that the application is not within/close to a SSSI or SAC notified for bats. We looked at the survey report and determined that it did highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. We determined that detailed visual inspections (internal and external where appropriate) had not been undertaken and no evidence of a roost was found. We determined that the application does not involve a medium or high risk building as defined in our standing advice. Permission could be granted (subject to other constraints) and that the authority should consider requesting enhancements.

METROPOLITAN POLICE:

No response received.

Internal Consultees

HIGHWAYS:

It is considered that the development proposals would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan and an objection in relation to the highway aspect of the proposals is not raised in this instance. However, a suitably worded condition should be imposed in the planning consent, stating that the proposed access gates shall not open out over the adjacent highway.

URBAN DESIGN:

The loss of the existing house is regrettable as it has significant architectural value and is a good example of its style and period. However, there is no control over demolition within non-designated areas and as such we do not wish to comment on the same.

New development:

Setting: The new block would be set back from the main street frontage and would be in line with the neighbouring houses. The scheme proposes planting to the front to mitigate the impact of the parking and hard-standing to the front. This would also ensure to preserve the street suburban scene of the area. There are, therefore, no objections regarding the setting and positioning of the new building.

Design: There have been several discussions during the pre-application process regarding the design of the new block to create 5 flats. The new building would be in a Neo-Georgian style and as such given the other new houses in the street, there would be no objections to the same from a design point of view. Whilst not ideal, the crown roof would be acceptable in this instance as it has been allowed in other schemes on the street. The concerns raised previously regarding the proportions of the windows, dormers and the roof have been addressed and there are no further objections.

Conclusion: Acceptable. Materials to be conditioned.

EPU:

External Amenity Space: In addition to the private external amenity space for each apartment described above (terraces for apartments 1 & 2, balconies for Apartments 3-5) there is also a large communal garden area to the rear. This can be accessed either via the enclosed link from the entrance hall or via the perimeter of the building which offers full disabled access. Any ramped sections of the path will not exceed a gradient of 1.20.

We are conscious of the need to adequately separate individual private external amenity space from communal external space.

Around the perimeter of the building a 1.8m deep planting bed will be created between the perimeter path and the building to create adequate privacy and security to ground floor windows.

The site appears to have been built on farmers fields. No former contaminative uses have been identified based on Ordnance Survey historical maps. However, as an additional number of sensitive receptors are being introduced to the site as a minimum a condition to ensure the soil is free of contamination and suitable for use is advised.

Also the construction site informative is advised on any planning permission that may be given.

TREES AND LANDSCAPE:

Acceptable, subject to conditions RES8 (implementation of tree protection); RES9 (1, 2, 4, 5 and 6) and RES10.

S106 OFFICER:

The education would be the only obligation arising from this proposal. I note that you have already undertaken the education calculation and have sought agreement from the applicant to meet the contribution in the sum of £23,599.

ACCESS OFFICER:

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document Accessible Hillingdon adopted January 2010. 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. Contrary to and the advice within the submitted Design & Access Statement, the communal entrance shown on plan appears to be stepped, which would be contrary to the above policy requirement. Should it not be possible, due to topographical constraints, to achieve level access, a gentle slope (maximum gradient 1:21) to the entrance door should form an integral component of the landscaping design.
2. A minimum of one bathrooms/ensuite facility within each flat should be designed in accordance with Lifetime Home Standards as defined in the above Supplementary Planning Document. 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 a minimum of one bathroom in every flat to be used as wet rooms in future, plans should include the position of floor gulley drainage, including the type to be installed.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

ADDITIONAL CONDITION

Level access shall be provided to and into the building, including into all five dwellings, via the communal entrance. Level thresholds shall be designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (2004 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the developed area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007). The site is not located in a conservation area and the building is not listed. There are no policies which prevent the demolition of the existing building, in principle.

The Supplementary Planning Document (SPD) HDAS: Residential Layouts, at paragraph 3.3 states that in relation to the redevelopment of large plots and infill sites currently used for individual dwellings into flats, the redevelopment of more than 10% of properties on a residential street is unlikely to be acceptable, including the houses which have been converted into flats or other forms of housing.

The above document underpins and supports Policies BE13 and BE19 of the Unitary Development Plan, which seek to protect the impacts of flatted development on the character and amenity of established residential areas. There are currently no new flats/apartments on The Drive, therefore the erection of flats is acceptable in principle.

7.02 Density of the proposed development

The London Plan 2011 requires that new housing within a suburban setting and a PTAL score of 1a to generally be in the range of 150-200 habitable rooms per hectare (hr/ha) and 35-55 units per hectare (u/ha). The residential density of the proposed development equates to 14 hr/ha and 2.5 u/ha. As such, the proposed scheme is considerably below the minimum range, but given the spacious layout and large plots within the vicinity of the site and the density of development of the surrounding area, it is considered that a density below the London Plan requirements is acceptable in this instance. However, density is only one consideration and the proposal still needs to comply with other Council and London Plan policies and standards and these issues are considered elsewhere in the report.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The site is located within a Developed Area where there is no objection in principle to flats on the site subject to the proposal satisfying other policies in the plan and supplementary planning documents.

UDP Policies BE13 and BE14 resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The street scene is characterised by large detached properties individually designed. The proposed building would be well designed, rectangular in shape with a hipped crown roof with solar panels. It is proposed that the building would follow the existing front building line of the adjacent properties and it would retain a large front garden which would entail soft landscaping and the refuse store planted up with climbing plants. This would ensure that the building would integrate well into its surroundings and that the front garden would not have the appearance of a car park.

The urban design officer has commented the new building would be in a neo-georgian style, which would reflect the design of the other new houses in the street. The crown roof would be acceptable in this instance as it has been allowed in other schemes on the street.

Overall, it is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with Policies BE13 and BE19 of the UDP Saved Policies September 2007.

7.08 Impact on neighbours

UDP Policy BE21 of the adopted Hillingdon Unitary Development Plan states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss in residential amenity. Likewise UDP Policies BE22 and BE24 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

The proposed development would extend approximately the same depth as the adjacent properties and would be a minimum 3m from the side boundaries. As a result it is

considered that the proposal would not impede upon the daylight serving these properties or result in loss of outlook. The building would be a sufficient distance from the side boundary and the neighbouring properties to not result in an overbearing impact. The balconies on the upper floors are set back within the footprint of the building to prevent angular views into neighbouring properties gardens. The first floor side windows serving en-suites, utility and kitchens can be conditioned to be obscure glazed and fixed shut below 1.8m to prevent any unacceptable overlooking to the neighbouring properties. The roof space would have rooflights on the side elevation, however due to the angle of these windows, they would not directly overlook the adjacent properties.

As a result it is considered that the proposal would not be harmful to the amenity of nearby residents through loss of privacy, loss of light and overbearing impact. It would be in compliance with UDP Policies BE21, BE22 and BE24 in this respect.

7.09 Living conditions for future occupiers

London Plan Policy 3.5 seeks to ensure that all new housing development is of the highest quality, both internally and externally and in relation to their context.

The London Plan sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. The London Plan recommends that for a three bed, five person flat a minimum of 86sq.m should be provided and for a 2 bed 4 person flat a minimum of 70sq.m. The total internal floor area for each of the proposed flats would exceed these standards and therefore they are in accordance with the London Plan.

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The minimum level of amenity space required for a 2 bed flat is 25sq.m and 3 bed flat is 30sq.m. The gardens proposed for all five flats would far exceed these standards and would be in accordance with the HDAS.

The proposed bedrooms would have windows that face the front and rear of the property and would therefore not be overlooked by adjoining properties.

It is also considered, that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy 5.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport.

A communal parking area would be provided within the front of the building to provide 8 car parking spaces. Additionally, 5 cycle parking spaces would be provided within the site, secured and undercover. The existing vehicle crossovers would be stopped up and a new crossover provided centrally along the boundary of the site, fronting on to the adjacent highway. Access to the site would be provided at 5.0m wide, which would enable two vehicles to pass side by side.

The Drive does not form part of the adopted highway network and is under private ownership. Additionally, it is noted that the PTAL index within the area is 1a, which is

classified as very poor. As a result, the maximum parking provision of 1.5 parking spaces per flat is acceptable.

Therefore, it is considered that the development proposals would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan and an objection in relation to the highway aspect of the proposals is not raised in this instance.

7.11 Urban design, access and security

ACCESS

The London Plan Policy 3.8 and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon require all new housing to be built to Lifetime Homes standards. This can be secured by means of a condition. The Access Officer has recommended a condition which requires level access into the building and this is incorporated.

SECURITY

Should the application be approved, a condition is also recommended to ensure that the scheme meets all Secured By Design Criteria.

7.12 Disabled access

See section 7.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are a number of small trees and shrubs along the front boundary to the site which form an effective green screen. The majority of these trees are to be retained. There is a large, protected Scots Pine and a protected Blue Spruce in the rear garden (T9 and T8 on TPO 287). The trees have a high amenity value and are to be retained. The submitted Tree Report recommends adequate protection for the high value trees on-site. There is a large, mature, protected Oak (T2 on TPO 297) in the front garden of the neighbouring front garden. The tree is situated far enough away to not be affected by the proposals.

It is considered that the proposal would comply with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), subject to appropriate conditions being imposed.

The site and adjacent land are given over to buildings, hard-standing and well maintained gardens. The proposed works would therefore not impact upon any habitats of ecological interest or conservation concerns.

7.15 Sustainable waste management

In the case of five or more households in a block of flats, the Council requires bulk bins to be provided with a 1,100 litre capacity. In this case, a communal covered refuse store is provided in close proximity to the car parking area and site entrance. Two Eurobins would be provided within a well ventilated weather protected enclosure (1 for general waste and 1 for recycling). This would be acceptable.

7.16 Renewable energy / Sustainability

The redevelopment of the site allows the opportunity to significantly improve the efficiency of the property and accordingly reduce energy demand and CO2 emissions. The application proposes solar panels to the roof with the possibility of increasing the number of solar panels in the future, subject to securing the appropriate planning permissions. A condition requiring that the development meets Level 4 of the Code for Sustainable Homes is recommended.

7.17 Flooding or Drainage Issues

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concerns relating to drainage and value of properties are not material planning considerations. Matters relating to drains would be addressed through the Building Regulations as appropriate.

Concerns raised over traffic, parking, character and appearance of the area, density, pollution, noise, the amenities of adjoining properties, and refuse are considered elsewhere in this report.

7.20 Planning Obligations

Policy R17 of the Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The proposed scheme has more than six habitable rooms and would result in a requirement for an education contribution of £23,599 if the application is recommended for approval. The applicant has agreed to pay this financial contribution.

The proposed development would exceed 100sq.m, therefore there would also be a requirement to make a CIL contribution.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for

example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

It is considered that the principle of flats on this site is acceptable, and that the proposed building and use would not be harmful to the character and appearance of the street scene, nor the amenities of nearby residents. Parking and highway safety matters are also satisfactory. The application accords with the Council's planning policies and is therefore recommended for approval, subject to appropriate conditions.

11. Reference Documents

Hillingdon Local Plan (November 2012)

London Plan (July 2011)

National Planning Policy Framework

HDAS: Residential Layouts

Council's Supplementary Planning Guidance - Community Safety by Design

Council's Supplementary Planning Guidance - Noise

Council's Supplementary Planning Guidance - Air Quality

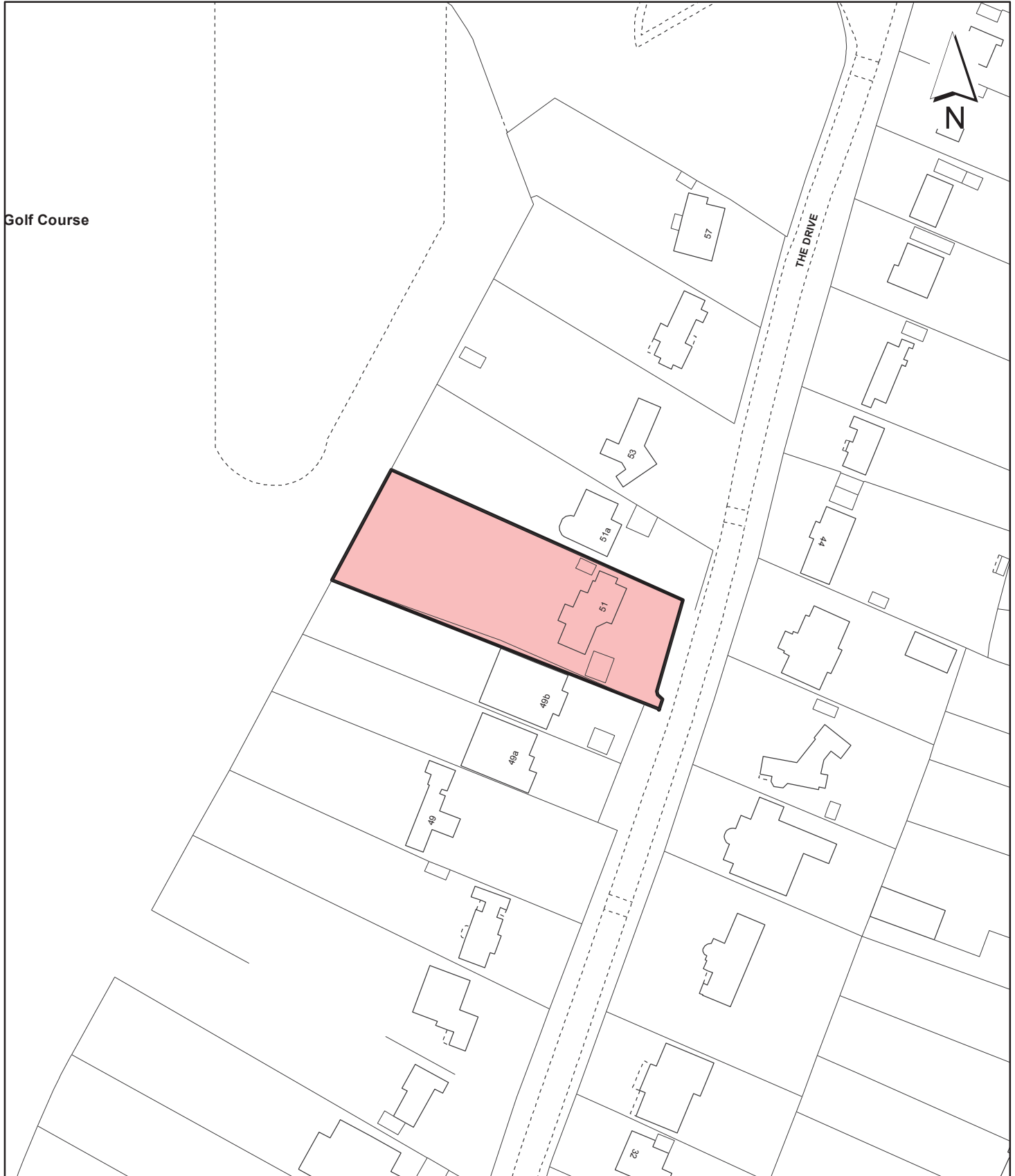
HDAS: Accessible Hillingdon

Hillingdon Planning Obligations Supplementary Planning Document July(2008) and updated chapter 4 Education (August 2010).

Contact Officer: Mandeep Chaggar

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Golf Course



Notes

 Site boundary

For identification purposes only.

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**LONDON BOROUGH
OF HILLINGDON
Residents Services**

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Telephone No.: Uxbridge 250111

Planning Application Ref:

21977/APP/2012/2194

Scale

1:1,250

Planning Committee

North

Date

**November
2012**



HILLINGDON
LONDON