

Report of the Head of Planning, Sport and Green Spaces

Address LAND REAR OF 81-93 HILLIARD ROAD NORTHWOOD

Development: 2 x two storey, 3- bed detached dwellings with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

LBH Ref Nos: 64786/APP/2013/1434

Drawing Nos: 5069/01
1158/P2/1A
1158/P2/2
1158/P2/3
1158/P2/4
1158/P2/5
1158/P2/6
1158/P2/7
1158/P2/8
Renewable Energy Assessment and Statement
Design and Access Statement
Photographs x 15

Date Plans Received: 31/05/2013 **Date(s) of Amendment(s):** 31/05/2013

Date Application Valid: 06/06/2013

1. SUMMARY

This scheme proposes to erect 2 x two storey, 3- bed detached dwellings with associated parking and amenity space.

It is considered that the proposed development provides good quality accommodation, whilst harmonising with the Old Northwood Area of Special Local Character and does not unduly detract from the amenities of the surrounding residential occupiers.

2. RECOMMENDATION

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

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

a)A contribution towards capacity enhancements in local educational establishments made necessary by the development;

2.2 That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

2.3 That officers be authorised to negotiate and agree the detailed terms of the

proposed agreement.

2.4 That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this report, or any other period deemed appropriate by the Head of Planning, Culture and Green Spaces then delegated authority be granted to the Head of Planning, Culture and Green Spaces to refuse the application for the following reason:

'The development has failed to secure obligations relating to capacity enhancements in local educational establishments made necessary by the development. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD.'

2.5 That subject to the above, the application be deferred for determination by the Head of Planning, Culture and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

2.6 That if the application is approved, the following conditions be imposed:

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 5069/01, 1158/P2/1A, 1158/P2/2, 1158/P2/3, 1158/P2/4, 1158/P2/5, 1158/P2/6, 1158/P2/7, 1158/P2/8, Renewable Energy Assessment and Statement, Design and Access Statement & Photographs x 15 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 Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following facilities have been completed in accordance with the specified supporting plans and/or documents:

Amenity Spaces [1158/P2/1A]

Parking Spaces [1158/P2/1A]

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

REASON

To ensure that the development complies with the objectives of Policies AM14 and BE23 of the Hillingdon Local Plan (November 2012).

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

5 RES9 Landscaping (car parking & 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 Hard Surfacing Materials
- 2.e External Lighting

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

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

6 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

extension or roof 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

8 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.

9 RES18 Lifetime Homes/Wheelchair Units

No development shall take place until a scheme showing all residential units within the

development being built in accordance with 'Lifetime Homes' Standards, has been submitted to an approved in writing by the Local Planning Authority.

Thereafter, the scheme shall be completed and maintained in strict accordance with the approved plans for the lifetime of the development.

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

10 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan . (July 2011).

11 RES24 Secured by Design

The dwelling(s) 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.

12 RES26 Contaminated Land

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

13 RES6 Levels

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

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

14 NONSC Non Standard Condition

Notwithstanding the plans hereby approved, each of the dwellings shall be fitted with an external electrical socket or electric vehicle charging point prior to its occupation.

REASON

To ensure that the development provides facilities for the charging of electric vehicles in accordance with Policies 5.8 (Innovative energy Technologies) and 6.13 (Parking) of the London Plan (July 2011).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE5	New development within areas of special local character
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.
H4	Mix of housing units
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

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 September 2007), 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 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).

5 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

6 115 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.

7 121 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a 0.0653 hectares (653m²) rectangular shaped site located on the north-western side of Hilliard Road at the rear of Nos.81 to 93. The site abuts the rear boundaries (gardens) of Nos. 81 to 90 Hilliard Road to the east, rear boundaries of Nos. 58 to 68 High Road (predominantly commercial with 1st floor residential accommodation), the rear/side boundary of 79 Hilliard Road to the southwest and the rear/side boundary of Woodlodge Montessori School to the north.

The site is currently used as a builder's yard. There are various buildings on the site, predominantly single-storey, comprising office, workshop garage and covered storage. The site is infrequently used with some of its structures in a poor state of repair. Access to the site is via a 2.5m gap driveway between Nos.83 and 85.

Hilliard Road is characterised by a mixture of semi-detached and terraced houses. Nos.81 and 83 are semi-detached houses while Nos.85 to 93 are terraced houses. The road is in the Old Northwood Area of Special Local Character and lies within the 'developed area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposed development comprises 2 x two storey, 3- bed detached dwellings with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

Plot 1 and 2 would both comprise a two-storey detached property with a traditional barn hipped roof profile, measuring 7.178m and 6.650m high respectively, 9m wide and 7.2m deep. The front elevations of the properties would include a front dormer roof addition, a ground to ceiling height window, chimney features and a porch. On the rear elevation three dormer roof additions are proposed and bi-fold doors at ground floor level. The property would be finished in white render and soft stock brickwork.

The total internal floor area would be 108 square metres. The amenity space would be between 98 and 100 square metres.

Four parking spaces are provided on a communal hardstanding area in front of the properties.

As noted in the planning history section in more detail, the main issues in relation to the previous submission(s) related to the following:

1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the character of the area
2. Poor levels of outlook from ground floor windows of Plot 1.
3. Inadequate internal floor area
4. Inadequate amenity space
5. Lack of Education Contribution
6. Failure to meet Lifetime Homes standards

The applicant seeks to address the above issues through the following amendments:

- Reducing the density and number of units from 3 units to 2 units
- Increasing the amount of landscaping and depth of the garden, reorganising the ground floor layout to increase outlook from Plot 1 ground floor windows
- Increasing the floor areas of bedrooms to meet minimum standards
- Increasing the amenity garden areas to exceed minimum standards
- Agreeing to pay educational contributions
- Meeting lifetime home standards
- Removing the front 'gated' entrance to the development

3.3 Relevant Planning History

64786/APP/2008/2373 Land Rear Of 81-93 Hilliard Road Northwood

TWO STOREY BUILDING COMPRISING 4 TWO-BEDROOM FLATS, WITH ASSOCIATED CAR PARKING, CYCLE STORE AND BIN STORE INVOLVING DEMOLITION OF EXISTING BUILDINGS

Decision: 15-12-2008 Refused

64786/APP/2009/452 Land Rear Of 81-93 Hilliard Road Northwood

ERECTION OF 2 TWO STOREY BUILDINGS EACH COMPRISING OF TWO 2-BEDROOM MAISONETTE FLATS, WITH ASSOCIATED CAR PARKING, CYCLE STORE AND BIN STORE INVOLVING DEMOLITION OF EXISTING BUILDINGS.

Decision: 21-07-2009 Refused

Appeal: 04-03-2010 Dismissed

64786/APP/2012/2421 Land Rear Of 81-93 Hilliard Road Northwood

2 x two storey, 3- bed semi detached dwellings and 1 x two storey, 3- bed detached dwelling with associated parking and amenity space, involving demolition of existing material shed, office building and material storage shelter.

Decision: 07-03-2013 Withdrawn

Comment on Relevant Planning History

Application ref. 64786/APP/2012/2421 for a similar development comprising 3 houses was recommended for refusal and due to be heard at Planning committee on the 7 March 2013, however the application was withdrawn shortly before Planning Committee. However the potential reasons for refusal at the time are listed below:

1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the established character of the surrounding area to the detriment of the character and appearance of the Old Northwood Area of Special Character. The proposal is therefore contrary to Policies BE15, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Supplementary Planning Document HDAS: 'Residential Layouts'.
2. The proposal by reason of its siting and layout would result in a poor level of outlook from the ground floor windows to the detriment of the future occupiers of Plot 1, contrary to Policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 4.0 of the Council's HDAS "Residential Layouts".
3. The proposed units fail to provide an adequate amount of internal floor space for individual bedrooms, and therefore would fail to afford an adequate standard of residential amenity for their future occupiers. The proposal is therefore contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the Mayor of London's adopted Housing Supplementary Design Guide (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.
4. The proposed development fails to afford an adequate standard of residential amenity space for future occupiers by virtue of the layout and size of the amenity space. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan:

Part Two - Saved UDP Policies (November 2012), the Mayor of London's adopted Housing Supplementary Design Guide (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5. The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document (July 2008) and updated Education Chapter 4 (August 2010).

6. The proposed dwellings, by reason of failing to provide units which would be easily adaptable for use by a wheelchair disabled person, or to Lifetime Home standards, fails to meet the needs of people with disabilities, contrary to Policy 3A.4 of the London Plan and the adopted Supplementary Planning Document HDAS: "Accessible Hillingdon."

An appeal (ref. APP/R5510/A/09/211540) was dismissed with regards to application 64786/APP/2009/452 FUL, detailed below. However, the Inspector considered that the proposed use of the existing vehicular crossover and access was acceptable.

Planning permission (reference 64786/APP/2009/452 FUL) was refused for the erection of 2 two storey buildings each comprising of two 2-bedroom maisonette flats, with associated car parking, cycle store and bin store, and involving the demolition of the existing buildings. The application was refused on the following grounds:

1. The proposal by reason of its siting, overall layout, size and site coverage, would result in a development that fails to harmonise with the established character of the surrounding area. The proposal would result in a scale of buildings and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. This would also be to the detriment of the character and appearance of the Old Northwood Area of Special Character. The proposal is therefore contrary to Policies BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: 'Residential Layouts'

2. The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19, BE23 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

3. The proposal by reason of its siting would result in the provision of a poor level of outlook to the detriment of the future occupiers of the ground floor dwelling units, contrary to Policies BE19 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and Section 4.0 of the Council's HDAS "Residential Layouts".

4. The proposed development by reason of the restricted width of the vehicular access represents a significant threat to highway and pedestrian safety, as it is likely to result in vehicles needing to wait in the road until the access way is clear. As such, the proposal is contrary to Policies AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5. The proposal fails to provide adequate refuse collection facilities, including its collection point, which would be in excess of the travel distance of refuse operators. The proposal would therefore be likely to create a poor quality of environment, result in refuse vehicles stopping up the free flow of traffic on the public highway and be contrary to the Council's recycling policies. The proposal is contrary to Policy AM7(ii) of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and policy 4.A3 of the London Plan.

6. The proposed dwellings, by reason of failing to provide units which would be easily adaptable for use by a wheelchair disabled person, or to Lifetime Home standards, fails to meet the needs of people with disabilities, contrary to Policy 3A.4 of the London Plan and the adopted Supplementary Planning Document HDAS: "Accessible Hillingdon."

Planning permission (reference 64786/APP/2008/2373) for the erection of a two storey building comprising 4 two-bedroom flats, with associated car parking, cycle store and bin store involving the demolition of existing buildings was refused in December 2008 for the following reasons:

1. The proposal by reason of its siting, design, overall layout, size, bulk, site coverage and excessive density, would result in a cramped overdevelopment of the site and an incongruous form of development which would detract from the character and appearance of the surrounding area and the Old Northwood Area of Special Local Character therefore failing to harmonise with the established character of the surrounding area. The proposal would result in a scale of building and hard surfacing that is inappropriate for the plot and would compromise residential development standards to the detriment of the living conditions of prospective occupiers. The proposal is therefore contrary to Policies BE5, BE13, BE19 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), the Supplementary Planning Document HDAS: Residential Layouts and Policy 3A.3 of the London Plan.

2. The proposal, by reason of overlooking and loss of privacy of the ground floor rear habitable rooms from the shared communal garden, would fail to afford an acceptable standard of residential accommodation for future occupiers. The proposal is therefore contrary to Policies BE19 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

3. The floor area of the proposed dwellings is below the minimum 63m² internal floor area required for a two-bedroom flat. As such the proposal fails to provide a satisfactory residential environment for future occupiers, contrary to Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Supplementary Planning Document HDAS: Residential Layouts.

4. The development is estimated to give rise to a significant number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE5	New development within areas of special local character
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.
H4	Mix of housing units
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

32 neighbours were consulted and a site notice was erected adjacent the site, expiring on 11 November 2012. 11 individual letters were received and a petition with 32 signatories as follows:

2 individual letters of objection on the following grounds:

- i. Design and Layout
- ii. Cramped
- iii. Dominance
- iv. Traffic

- v. Parking
- vi. Poor Aspect
- vii. Height
- viii. Gate causing a nuisance to road safety and wheelchair users

A Petition with 25 signatories objects on the following grounds:

- i. Over-dominant design, size and proportions
- ii. Poor outlook
- iii. Density
- iv. Negative impact on open, light and airy verdant rear garden
- v. Detrimental to amenities of adjoining occupiers
- vi. Detrimental to the Old Northwood ASLC
- vii. Detrimental to highway and pedestrian safety

Northwood Hills Residents Association object on the following grounds:

- i. Layout and appearance
- ii. Out of character with ASLC
- iii. Traffic and congestion

Internal Consultees

Environmental Protection Unit:

As a number of sensitive receptors are being introduced and a works is indicated adjacent to the site it may be advisable to include the standard contaminated land condition and imported soils condition.

Highways Officer

NO OBJECTION.

When undertaking assessment of the development it is noted that the PTAL index within the area is 1a/1b, which is classified as very poor. Therefore, it is considered that the maximum parking provision of 2 car parking spaces per dwelling is acceptable.

When considering the proposed means of vehicle access, it is noted that this measures approximately 2.5m in width for a distance of approximately 20.0m into the site from the adjacent highway. The adequacy of this access arrangement was a concern which was raised within the refusal reasons of previous applications.

However, it is noted that there has been a previous planning appeal at the site (planning application Ref: 64786/APP/2009/452), where the Planning Inspector considered access to be acceptable even though 2 vehicles could not pass side by side. The Inspector considered visibility along the access to be good and with sufficient room for on-site manoeuvring and given the modest size of the proposed scheme, occupants would likely generate less traffic than the existing use at the site. As a result, the scheme was not considered to be prejudicial to highway safety.

When considering the location of the refuse collection point, it is noted that the Manual for Streets quotes Schedule 1, Part H of the Building regulations, which specifies that residents should not be required to carry waste more than 30.0m. Also refuse vehicles should be able access the storage point from within 25.0m. From the submitted plans, it is considered that both criteria can be met by the development proposals.

Therefore having considered the development and the Planning Inspector's comments, it is considered that the proposals are acceptable and an objection is not raised in this instance.

CONSERVATION & URBAN DESIGN
NO OBJECTION

ACCESSIBILITY OFFICER

Whilst the development demonstrates that many of the lifetime home Standards full compliance should be secured by condition should the application be recommended for approval.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection in principle to the demolition of the existing buildings and the change of use to residential use as Hilliard Road is predominantly residential. Although the site is located to the rear of existing gardens on Hilliard Road, it comprises previously developed land and does not constitute back garden development. Furthermore, the Inspector stated in Paragraph 4 of his decision that 'in principle there is no objection to the redevelopment of the site for residential purposes'.

7.02 Density of the proposed development

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

See considerations in section 7.07 below in relation to the impact on the Area of Special Character.

The proposal is not located in proximity to any Listed Buildings or within a Conservation Area. Nor is it considered that the proposal would have any adverse impacts on archaeological remains.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 requires new developments within Areas of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area. Policy BE22 requires a minimum of 1m separation distance to the side boundary for the full height of a two storey building to maintain a degree of openness in residential developments.

The design of the proposed development incorporates elements of arts and crafts design, which would harmonise with the overall appearance and character of the area and as such infuse more interest and character to the new group of buildings. Chimney features, mock tudor cladding, render and soft facing brickwork reflect the architectural detailing and materials prevalent within the locality.

The omission of a residential unit has now enhanced the overall layout, size and site coverage of the properties, which is reflected in the increase in amenity space provision

and landscaping, an increase in separation distances to the rear boundaries and a internal floor areas which meet minimum standards. The properties maintain the specified 1m gap to the boundary of the site. Overall, it is considered that the proposed scheme provides an improved layout and would now harmonise with the prevailing open and verdant rear garden environment.

Overall, the proposed development would now provide a good quality of urban design and would be in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) Policies 3.5 and 7.4 of the London Plan (2011) and the Supplementary Planning Document (SPD) HDAS Residential Layouts.

7.08 Impact on neighbours

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy.

The proposed dwellings would not affect the 45-degree line of sight nor would they project beyond the rear of the nearest adjoining properties. Plot 1 and Plot 2 would be 22.3 metres away from the nearest adjoining properties to the south-east (Plot 1 to No.85 Hilliard Road). In addition, the proposed properties would be approximately 2.0m lower in height than the properties in Hilliard Road. As such, the proposed development would maintain adequate separation distances from the adjoining properties and would not cause an undue loss of daylight, sunlight, visual intrusion or loss of privacy. It is therefore considered that overall the proposed development would not constitute an un-neighbourly form of development in accordance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 4.0 of HDAS Residential Layouts.

7.09 Living conditions for future occupiers

HDAS Paragraph 4.7 indicates that consideration will be given to the ability of residential developments to provide satisfactory indoor living spaces and amenities. Paragraphs 4.6 to 4.8 and Table 2 of the Council's SPD HDAS: Residential Layouts advises that 3 bedroom units should have a minimum floor area of 81 square metres. Furthermore, London Plan Policy 3.5 and Table 3.3 states that a 3 bedroom, 4-person house should have a minimum size of 87 square metres. On this basis, the proposed units provide 108 square metres which exceeds the policy requirement.

The Mayor's Housing Supplementary Planning Guidance (November 2012) requires the minimum area for a single bedroom to be 8 square metres and a minimum floor area for a double bedroom to be 12 square metres. Furthermore, each home for two or more people should contain at least one double bedroom/twin room. The proposed development accords with guidance, each plot providing three bedrooms, comprising a single bedroom providing 8.5 square metres of internal floor area, and two double bedrooms providing between 12-13 square metres of floor area.

HDAS advises in Paragraph 4.15 that 3 bedroom houses should have a minimum private amenity area of 60 square metres. Plot 1 would provide 98 square metres of amenity space and Plot 2 would provide 100 square metres of amenity space, exceeding minimum requirements.

In terms of outlook, a ground living room and landing windows on Plot 1 directly face and would be 1m away from a 1.8m high brick wall to the side, however as this living room window is a secondary living room window and the landing window would not serve a habitable room the development would have adequate outlook and light. The distance from the ground floor windows to the rear boundary has now been increased from 5.25m (in the refused scheme) to 6.25m (in the withdrawn scheme) to 9.0m from the single storey structure which measures 3.1 metres in height, which would provide adequate light and outlook from the windows.

The proposed habitable room windows of plots 2 face away from neighbouring properties to the rear of the garden. Although there is a 2.0m high wall to the side boundary and a 2.5m high wall to the rear, it is considered that the separation distance of 8.73m would be appropriate. Notably, this relationship would not be contrary to the recommendations of the Residential Layouts SPD and would be improvement to the previously refused scheme which provided a separation distance to the rear boundary of 6.0m.

Overall, it is considered that the proposed development would provide good accommodation for future occupiers in terms of internal floor area, amenity space provision and outlook, and addresses the previous concerns and reasons for refusal. It is therefore considered that the proposed development would accord with Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 and Table 3.3 of the London Plan (2011), the adopted SPD HDAS Residential Layouts and the Mayor's Housing Supplementary Planning Guidance (November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Although the previous scheme (ref. 64786/APP/2009/452) was refused on highway grounds, the Planning Inspector considered the existing access to be acceptable even though 2 vehicles could not pass side by side. The Inspector considered that visibility along the access was good and with sufficient room for on-site maneuvering and given the modest size of the proposed scheme and the occupants would likely generate less traffic than the existing use at the site. As a result, the scheme was not considered to be prejudicial to highway safety.

The location of the refuse collection point would allow residents not to carry waste for more than 30m and vehicles to access the point within 25m in accordance with Manual for Streets. Therefore having considered the development and the Planning Inspector's comments, it is considered that the proposals are acceptable and an objection is not raised in this instance from Council's Highway Officer.

7.11 Urban design, access and security

Please refer to section 7.09 and 7.12.

7.12 Disabled access

All new development is expected to meet Lifetime Home Standard in accordance with London Plan Policy 3.8 and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon. The proposed development would be conditioned to ensure it complies with Lifetime Home Standards, in line with the requirements of the Accessibility Officer.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

No trees are present on the site and the site is considered to be of no significant ecological value, however a landscaping scheme has been conditioned.

7.15 Sustainable waste management

The application has shown a suitable location for the bin stores at the entrance to the site, which are acceptably located for the refuse lorry on collection days.

7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan requires the highest standards of sustainable design and construction in all developments to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. The proposal seeks to achieve Code for Sustainable Homes Level 4 and this would be conditioned.

7.17 Flooding or Drainage Issues

The application site is not within a Flood Risk Area and the issue of sustainable water management has been conditioned.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The comments made by the individual responses are noted and are considered within the main report.

7.20 Planning Obligations

The proposed development is CIL liable, however as the proposed floorspace is less than the existing there is no charge (i.e. 267.40 of existing floorspace would be demolished, the proposed floor area is 221 square metres, therefore the net additional gross internal floor area is -46.40 square metres).

The proposed development would provide a total of 16 habitable rooms which would trigger the requirement for Educational Contributions. The sum of £25,953 is sought which has been agreed by the applicant in accordance with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Not applicable to this application.

8. Observations of the Borough Solicitor

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

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

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

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of

these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

It is considered that overall the scheme has addressed all of the previous concerns and reasons for refusal upheld in the Inspector's decision. As such the scheme is now recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
HDAS: Residential Layouts
The London Plan 2011
The Mayor's Housing Supplementary Planning Guidance (November 2012)
HDAS: Accessible Hillingdon
National Planning Policy Framework

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Land rear of
81 - 93 Hilliard Road
Northwood**

**LONDON BOROUGH
OF HILLINGDON
Residents Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:

64786/APP/2013/1434

Scale

1:1,250

Planning Committee

North

Date

**August
2013**



HILLINGDON
LONDON