



#### 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 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)

### **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 Car Parking Layouts (providing 2 parking spaces)
- 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 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 RES10 Tree to be retained**

Hedges 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 hedge is removed or severely damaged during construction, or is found to be seriously diseased or dying another hedge shall be planted at the same place or, if planting in the same place would leave the new hedge 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **7 RES12 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing No.149 and No.153 Charville Lane.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**8 RES13 Obscure Glazing**

The first floor windows facing No.149 Charville Lane 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**9 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, shed or other outbuildings, nor extension or roof alteration to the approved house 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)

**10 RES16 Code for Sustainable Homes**

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

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

**REASON**

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

**11 RES18 Lifetime Homes/Wheelchair Units**

The residential unit hereby approved shall be built in accordance with 'Lifetime Homes' Standards, in accordance with the submitted document entitled 'Lifetime Homes Standards for Proposed New Bungalow at 151 Charville Lane, Hayes, Middlesex, UB4 8PB' and 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 RES22 Parking Allocation**

The house hereby approved shall not 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).

### **13 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 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.

## INFORMATIVES

### **1 I47 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).

### **2 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).

### **3 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.8	(2011) Housing Choice
LPP 7.16	(2011) Green Belt
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

#### **4            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.

#### **5            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.

#### **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](http://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 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.

**8 13 Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

**9 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).

**10 147 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).

## **11            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.

## **12            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.

## **13**

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 £4529.60 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](http://www.hillingdon.gov.uk/index.jsp?articleid=24738)

## **14**

You are advised that the council will not accept any increased in proposed site levels when discharging condition 3 due to the sites green belt location.

### **3.            CONSIDERATIONS**

#### **3.1        Site and Locality**

The application site is located on the northern side of Charville Lane and comprises a single storey detached bungalow which has a, low pitched, hipped roof. The property has not been extended. In addition, there was a detached single garage adjacent to the side and rear of the property. Due to structural problems the bungalow has been partially demolished though the shell is still in place. Similarly, the garage was in an unsafe state and had to be demolished though the concrete base is still in place on site

To the rear there is a substantial garden which backs onto an area of public open space which is also within the Metropolitan Green Belt and is designated as a Nature Conservation Site of Metropolitan Borough Grade I Importance. Within the rear garden there are several outbuildings which are in a poor state of repair. To the front of the



property, there is a large garden which is mainly covered in soft landscaping; however there is also a driveway to the side.

The street scene is residential in character and appearance comprising of predominantly detached bungalows of varying designs, however 147a, 147b and 149 Charville Lane are larger two storey detached houses.

### 3.2 Proposed Scheme

The proposal is for the erection of a 10.4m wide (max) and 13.7m deep (max) chalet bungalow. It would be set-in from the boundary with No. 149 to the south by 1.0m, and would be set-in from the neighbouring property to the north (No.153) by 2.7m. The property would have a maximum height of 6.6m to ridge (max) and 3.2m to eaves at the front elevation and 2.6m to eaves on side elevation. The property is broadly a hipped design with a gabled addition to the front and rear elevations.

There is a small side dormer window facing No.149 measuring. This provides space for the staircase.

The proposal would be level with the front and rear elevations of No. 149 and sited in approximately the same position as the existing property on the plot.

No off-street parking spaces are proposed within the site frontage however, there is sufficient space for at least 2 cars and a large garden would be retained at the rear. It is proposed that the existing outbuildings/structures within the rear garden would be demolished.

Internally the house would have a living room/kitchen, bedroom, lounge, utility room and cloakroom on the ground floor and four bedrooms and a bathroom on the first floor.

### 3.3 Relevant Planning History

1590/APP/2012/565      151 Charville Lane Hayes  
Two storey 4-bed detached dwelling involving demolition of existing detached dwelling

**Decision:** 14-05-2012    Refused                      **Appeal:** 04-01-2013    Dismissed

1590/APP/2013/450      151 Charville Lane Hayes  
Two storey 4-bed detached dwelling involving demolition of existing detached dwelling

**Decision:** 03-05-2013    Withdrawn

#### Comment on Relevant Planning History

Planning permission for a two storey 4-bed detached dwelling involving demolition of existing detached dwelling reference 1590/APP/2012/565, was refused on 14 May 2012 for the following reasons:

1. The proposed development, by reason of its overall size, bulk and scale would significantly increase the built up appearance of the site and would therefore constitute inappropriate development in the Green Belt to the detriment of the openness and visual amenities of the Green Belt, without any very special circumstances to justify the harm.

The development would thus be contrary to Policies OL1 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), Policy 7.16 of the London Plan (2011) and the National Planning Policy Framework.

2. The proposed development, by reason of its size, bulk, scale and design, would represent an incongruous and visually intrusive form of development that would be detrimental to the character and appearance of the street scene and the surrounding area, contrary to Policies OL4, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3. The proposal, by reason of its overall size and proximity to the side boundary, would result in a closing of the visually open gap between it and the neighbouring property, 149 Charville Lane, giving rise to a cramped form of development, that would be detrimental to the visual amenities of the street scene and the surrounding area generally. The proposal is therefore contrary to Policies BE13, BE19 and BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

4. The proposed development by reason of its size, scale, bulk, height and siting would result in a visually intrusive and overbearing form of development which would cause an unacceptable loss of daylight and outlook to 153 Charville Lane, harmful to the amenity of its occupants. The proposal is therefore contrary to Policies BE20 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Layouts.

5. The proposal results in additional parking in excess of the Council's maximum adopted parking standards. As such the proposal represents an unsustainable form of development, resulting in the unnecessary loss of landscaping to the front of the site and failing to reduce travel demand by the private car. By encouraging the use of the private car the proposal would contribute to increased congestion and pollution to the detriment of the area in general and would be contrary to Policy AM14 the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

6. Insufficient information has been provided to demonstrate that the development would meet all relevant Lifetime Home Standards. The proposal would therefore be contrary to Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 3.1, 3.8 and 7.2 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

This application was subsequently dismissed at appeal reference APP/R5510/A/12/2178655 on 4 January 2013 for the following reasons:

1. Effect on living conditions of neighbouring residential occupiers.
2. Insufficient information has been submitted to demonstrate to me that the proposal would comply with all 16 Lifetime Home Standards.
3. Effect on character and appearance of street scene and on the openness and visual amenities of the Metropolitan Green Belt.

It should be noted that the reasons particularly at appeal were scheme specific and not against the principle of development. The size and design were the key issues of concern.

An application for a two storey 4-bed detached dwelling involving demolition of existing detached dwelling, ref 1590/APP/2013/450 was submitted to address the above refusal however, this was subsequently withdrawn following discussions with Officers.

The applicant has then followed a formal pre application submission with the Council prior to submission of the current proposal. The development which has been substantially reduced in terms of scale/bulk and of a substantially different design to the appeal scheme is now considered to ensure adequate amenity for neighbouring occupiers, would comply with Lifetime Home Standards and would have an acceptable appearance within the locality.

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

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

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- AM14 New development and car parking standards.
- AM7 Consideration of traffic generated by proposed developments.
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
  
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
  
- LPP 3.8 (2011) Housing Choice
- LPP 7.16 (2011) Green Belt
- LPP 7.4 (2011) Local character

- LPP 7.6 (2011) Architecture  
 LPP 8.2 (2011) Planning obligations  
 HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## 5. Advertisement and Site Notice

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

## 6. Consultations

### External Consultees

2 letters were sent to adjoining occupiers on 28 August 2013 and the site notice was posted on 30 August 2013. No representations have been received in response to the public consultation.

### Internal Consultees

The trees and Landscape Officer commented as follows:

"This site is covered by TPO 24, however the Elm (T1) that was situated in the front garden has long since been removed. Significant trees / other vegetation of merit in terms of Saved Policy BE38 (on-site): There is a mature, boundary hedge along the front of the site. The hedge is a feature of merit and should be retained. Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): N/A Scope for new planting: There is scope for soft landscaping and a new tree (a field Maple would be appropriate) in the front garden to mitigate the visual impact of the proposed development. Recommendations: A landscaping scheme should be provided to support this application. The front boundary hedge should be shown as retained and it should also include a new Field Maple in the front garden. Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES9 (excluding section 3) and RES10 (hedge). Note: There was no access to the rear garden and therefore this report is based on an inspection from the front of the site and a desktop appraisal."

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The application would provide a dwelling on the site of the previous bungalow and garage, the site therefore constitutes previously developed land. The size of the plot would not result in an undue loss of external private amenity space for the existing dwelling.

Therefore, there is no objection to the principle of a residential development on the site.

### 7.02 Density of the proposed development

The proposed scheme provides a density of 10 dwellings per hectare. This is comparable to the existing situation and also to surrounding form of development. Therefore, this is acceptable to ensure an appropriate level of development that makes best use of the previously developed land and respects the character of the area.

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

Not Applicable

### 7.04 Airport safeguarding

Not Applicable.

### 7.05 Impact on the green belt

The proposal will need to comply with policies OL2 and OL4 in the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and also guidance in the National Planning Policy Framework (NPPF). In addition, regard will need to be had to the conclusions of the Planning Inspector in the previous dismissed appeal. The policies allow for replacement dwellings and similar to the extension policies there is a requirement that the new dwelling should not be disproportionately larger than the existing building

The proposed building has a footprint of 124sq. m which compares with approximately 106 sq.m of the existing property and outbuildings that will be removed. This provides an increase of approximately 45% in footprint. The original property could in fact be extended under permitted development rights further than 124sq.m although this would be subject to height restrictions. The current proposal does incorporate accommodation in the roofspace. It is therefore the height increase which is more important than the floorspace as far as green belt impact for this revised proposal.

The current proposal has sought to revise the design of the property in light of the previous refusal. The current building is more of a chalet bungalow design rather than a two storey property. The height of the buildings and the width has been reduced. The current proposal has a height of 6.9m as compared to the height of the existing being 4.8m. The width of the proposal is 10.2m which is only 2m wider than the existing building. The proposed building therefore has removed a significant amount of the bulk on the front elevation.

The building has been re-sited so that with regards to No. 153 and the proposed house now occupies the same position as the original dwelling retaining the existing gap of approximately 3m.

Therefore, with regard to the Inspector's decision that it is not the increase in floorspace alone that is the deciding factor regarding the impact upon the Green Belt, the building height and width has been reduced leading to a reduction in floorspace and it is now sited with sufficient space to No. 153. Therefore, it is considered that taking the development as a whole the proposed house will not have a detrimental impact upon the openness of the Green Belt and therefore does not constitute inappropriate development in the Green Belt.

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

Any proposal would need to accord with the design policies set out within the Built Environment section of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and relevant design standards contained within the Supplementary Planning Document (SPD) HDAS: Residential Layouts. In particular Policy BE13 requires that the layout and appearance of developments harmonise with the existing street scene and other features of the area.

The proposed development for the four bedroom chalet bungalow is not out of keeping with the other properties in the locality. No. 149 is a larger house, being a replacement of a similar sized bungalow as No.151. The proposed house steps down on the other side to reflect the character of the bungalow at No.153. The side dormer has been reduced in size and is the minimum size needed to achieve a staircase to the first floor.

The ridge height of the proposed house, is lower than that at No. 149 and ensures that there is a transition from the larger bulkier house at No.149 and the bungalow at No.153.

With regard to the position of the house within the site, it is noted, as mentioned previously that the proposed dwelling has now been set further away from the bungalow at

153 Charville Lane. The current siting in a similar position to the existing property is considered acceptable.

Materials would complement the existing properties adjacent to the application site but should be subject to a suitable planning condition for approval.

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

Policy BE20 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) requires new development to be laid out so that adequate daylight and sunlight can pass between the new building and the neighbouring properties. This would be required to ensure the protection of the residential amenity of both the owners of the proposed development and the neighbouring occupiers.

Policy BE24 requires new development to protect the privacy of occupiers and their neighbours.

There are no neighbouring properties to the rear of the proposed dwelling and it would thus comply with the standard set out in the SPD HDAS: Residential Layouts. The adjacent dwelling, No.149 Charville Lane has no windows on the side elevation serving habitable rooms and the windows that are in this elevation are obscured glazed. There would be no breach of the 45 degree line from the rear habitable room windows at No.149. With regard to No.153 Charville Road the current proposal does not provide any windows at first floor level and the ground floor windows are in a similar position to the ground floor windows in the original property. There are windows in the side elevation of No.153 but as the side elevation is in the same position as the original house this is not considered to be harmful. There would be no breach of the 45 degree line from the rear habitable room windows at No.153. Therefore the proposal is not considered to be harmful to the amenity of adjoining occupiers due to overlooking, loss of light or loss of outlook and therefore addresses the concerns raised by the Inspector in the previous planning appeal.

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

##### Amenity Space

Policy BE23 of the Hillingdon Local Plan Part 2 Saved Policies states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting.

The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' require residential developments to provide a minimum of 100 sq metres of amenity space for a four bedroom house. The proposal provides approximately 600 sq metres of useable private amenity space in the form of a rear garden. The proposed scheme thus meets the minimum requirements of amenity space for a three bedroom house and would be acceptable.

##### Internal Floor Space

In terms of internal space standards and the quality of accommodation provided, the Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires all new residential units to be built to lifetime home standards. Furthermore all units must comply with the minimum floor space standards as set out in the London Plan (July 2011). For 2 storey houses these are set out below:

4 bed 5 person house = 100sq m  
4 bed 6 person house = 107sq m

The proposed house would have a floor area of approximately 195sq metres, which meets the standards of the London Plan.

#### Outlook

In terms of outlook for future residents, Policy BE21 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) seeks to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

In this regard, it is considered that the proposed site layout would afford the future occupiers with a sufficient level of outlook.

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

The current proposal does not show the number of parking spaces proposed, however, the previous application showed space for at least 3 cars which was considered unsatisfactory, due this provision being above the maximum parking standard for a single dwelling. Therefore, reduced parking could be provided with an appropriate level of soft landscaping, subject to a suitable planning condition.

It is therefore considered the proposal will comply with policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

London Plan Policy 3.8 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards.

The applicant has provided a detailed schedule which confirm that the development would comply with all 16 of the Lifetime Homes Standards and it is clear that subject to an appropriate condition the development would comply with these standards.

#### **7.12 Disabled access**

It is considered that the scheme, subject to the planning condition mentioned previously, would meet the appropriate requirements for disabled access.

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

Not Applicable

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

The site occupies a semi rural position with a large garden containing mature trees and shrubs. As outlined previously the Council's Trees and Landscape Officer has no objections to the proposed scheme subject to the provision of a landscaping scheme of the front and rear of the site.

Therefore, it is considered that the proposed scheme complies with policy BE38 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

Not Applicable

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

The application has not identified specific means of ensuring sustainability of the development. However, it is felt that the imposition of a suitable condition to require the

scheme meets code level 4 of the Code for Sustainable Homes would address this matter.

**7.17 Flooding or Drainage Issues**

Not Applicable

**7.18 Noise or Air Quality Issues**

Not Applicable

**7.19 Comments on Public Consultations**

No representations were received in response to the public consultation.

**7.20 Planning obligations**

The proposed development equates to 7 habitable rooms however, the existing house had 4 rooms therefore there is only a net gain of 3 habitable rooms. In line with policy R17 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) no education contribution is required.

The development would however require a contribution towards the Mayoral CIL of £4529.60.

**7.21 Expediency of enforcement action**

Not Applicable

**7.22 Other Issues**

Refuse facilities have not been provided however, this could be secured by way of a suitable planning condition, in accordance with policy BE19 of the adopted Hillingdon Unitary Development Plan (November 2012) and paragraphs 4.40 of the Hillingdon Design & Accessibility Statement: Residential Layout.

**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

## 10. CONCLUSION

The internal size of the proposed house would be approximately 195sq.m, which would meet the requirements of paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts for four or more bedroom houses.

The size of the proposed house is not a disproportionate increase on the size of the original dwelling and is not considered to be inappropriate development in the Green Belt. Accordingly the proposed scheme would not harm the objectives and purposes of the Green Belt.

With regard to amenity space, some 600sq.m would be retained for the proposed house which would meet the recommended standards of 100sq.m for four (or more) bedroom houses as advised at paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

It is therefore considered that the proposal would provide an adequate standard of accommodation for future occupiers, in accordance with London Plan Policy 3.5 policies BE19 and BE23 of the adopted Hillingdon Local Plan (November 2012) and paragraphs 4.6 and 4.15 of the of the Hillingdon Design & Accessibility Statement: Residential Layouts.

Refuse facilities could be secured by way of a suitable planning condition, in accordance with policy BE19 of the adopted Hillingdon Local Plan (November 2012) and paragraphs 4.40 of the Hillingdon Design & Accessibility Statement: Residential Layout.

The proposal would not result in a net increase of 6 habitable rooms and therefore would not fall within the threshold for seeking a contribution towards school places.

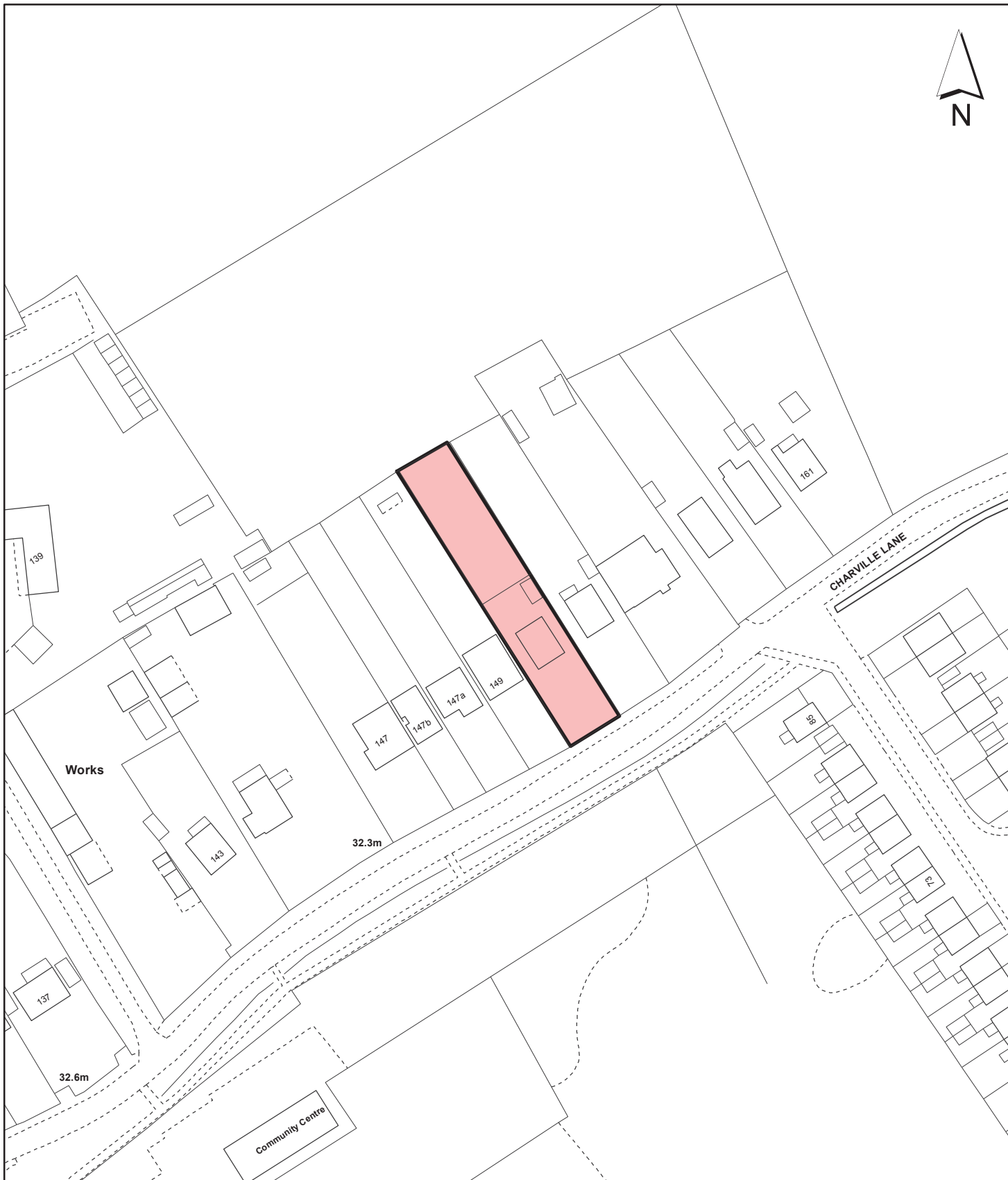
Accordingly the application is recommended for approval.

## 11. Reference Documents

Hillingdon Local Plan Part 1 (November 2012).  
Hillingdon Local Plan Part 2 Saved Policies (November 2012)  
Hillingdon Design and Access Statement 'Residential Layouts'  
The London Plan 2011.  
Supplementary Planning Document 'Accessible Hillingdon'.  
National Planning Policy Framework.

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**Notes**

 Site boundary

For identification purposes only.

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Planning Application Ref:

**1590/APP/2013/2369**

Scale

**1:1,250**

Planning Committee

**Central & South**

Date

**November  
2013**



**HILLINGDON**  
LONDON