

## Report of the Head of Planning, Sport and Green Spaces

**Address** GARAGES LAND ADJACENT TO 27 LEES AVENUE NORTHWOOD

**Development:** 2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages.

**LBH Ref Nos:** 69195/APP/2013/1310

**Drawing Nos:** 13005-001B  
13005-002D  
13005-003E  
13005-004D  
13005-005D  
13005-006E  
13005-007A  
13005-008A  
13005-009B  
13005-010  
13005-011  
13005-012B  
13005-013E  
Design and Access Statement  
CC/2013/1755/TS01  
2013/1755/001/A

**Date Plans Received:** 21/05/2013                      **Date(s) of Amendment(s):** 14/10/2013  
**Date Application Valid:** 05/06/2013                      21/05/2013

### 1. SUMMARY

Planning permission is sought for the erection of 2 No. two storey 4 bedroom dwellings with associated parking and amenity space. The proposed development is considered to be acceptable with regards to its impact on visual and neighbouring amenity. It would provide adequate amount of internal floorspace and is capable of fulfilling the requirements of the Lifetime Homes. Suitable parking arrangements would be provided.

Following previous consideration by the North Area Planning Committee on 28th August 2013 it was brought to Council's attention by the applicant during the course of preparing their legal agreement that there was a minor error in the site plan, which had included a small piece of land adjacent to the sports club site that was not in the ownership of the applicants.

Amended plans were received and were subject to a further public consultation. The width of the dwelling has been reduced and there has been a minor reduction in the distance separation of the dwellings to the side boundary lines of the site. Therefore, in light of these changes the application is being reported back to Committee for their consideration.

The proposed amendment to the scheme is considered to have an acceptable impact on the visual amenities of the surrounding area and, therefore, is recommended for approval, subject to a legal agreement for the education contribution.

## **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 of £25,593 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 13005/001/B, 13005/002/D, 13005/003/E, 13005/004/D, 13005/005/D, 13005/006/E, 13005/007A, 13005/008A, 13005/009/B, 13005/010, 13005/011, 13005/012B, 13005/013/E, 2013/1755/001/A & CC/2013/1755/TS01 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 RES7 Materials (Submission)**

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

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

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 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 27 Lees Avenue.

**REASON**

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

**5 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)

**6 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.

### **7 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 Means of enclosure/boundary treatments

2.b Hard Surfacing Materials

2.c External Lighting

#### 3. 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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### **8 RES8 Tree Protection**

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

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

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

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior

written consent of the Local Planning Authority.

#### REASON

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

#### **9 RES10 Tree to be retained**

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

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

#### REASON

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

#### **10 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.

**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 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.

**12 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:  
External Amenity Space [13005/003/C]

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 BE23 of the Hillingdon Local Plan (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**

The parking areas (including where appropriate, the marking out of parking spaces) including the garages shown on the approved plans, shall be constructed, designated and allocated for the sole use of parking of occupants or their visitors motor vehicles prior to the occupation of the development and thereafter be permanently retained and used

for no other purpose.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2007).

**15 NONSC Non Standard Condition**

The dwelling hereby permitted shall be built in accordance with 'Lifetime Homes' Standards, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'. No development shall take place until plans and/or details to demonstrate compliance with the standards have been submitted to an approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

**REASON**

To ensure the proposed development is accessible to all and comply with London Plan Policy 3.8.

**16 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

**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

**17 NONSC Non Standard Condition**

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

**REASON**

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

**INFORMATIVES**

**1 147 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).

**2 152 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).

### **3 153 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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
H5	Dwellings suitable for large families
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 6.13	(2011) Parking
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
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

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy to the sum of £6515.65 on commencement of this development (please note this amount may change on final calculation). A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The proposed site is located on the east side of Lees Avenue at the end of the road adjacent to the vehicle turning area. The site is currently occupied by a row of single storey garages on the south side of the site and a row of unmarked parking spaces on the north side. The site slopes slightly from east to west, resulting in a stepped ridgeline in the row of garages.

The wider area is characterised by two storey terrace housing to the north on Lees Avenue, constructed of part brick, part brown tile hang, with a shallow pitch tiled roof. The site is bounded to the south by a 2m metal security fence with hardstanding beyond leading to LA Fitness sports centre. To the east the site is bounded by mature trees and vegetation with a detached property, No.15 Chestnut Avenue and its garden adjacent to the site. To the west there is open land and mature vegetation and trees and a stream with properties on Knowle Crescent further west.

The site is located within the Developed Area as identified in the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

#### 3.2 Proposed Scheme

The proposed scheme comprises the demolition of the of the existng garages and an enlargement of the vehicle crossover to the front and the erection of 2 No. two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity spaces. The pair of semi detached houses provide an overall U shape with parking between the front sections. The houses would have a hipped roof.

The properties would have a total width of approximately 18.52m. Due to the change in the site area this is reduced from the previous scheme, which had a width of 19.26m. There has also been a reduction in the distance separation between the proposed dwellings and No.27 Lees Avenue from 1.2 metres to 1 metre and a reduction to the side boundary line shared with the adjacent fitness centre of approximately 0.1 metres from 1 metre to 0.9 metres.

The depth of approximately 10.41m remains unchanged and there has been a 0.2 metre drop in the height, giving a height to the ridge level of 7.49m . The garden area measures approximately 120sq. m for each property.

The buildings would be constructed from brick and render beneath a tile roof. There are two parking spaces including one garage and two cycle spaces for each property.

### **3.3 Relevant Planning History**

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

There is no relevant planning history.

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

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

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

H5 Dwellings suitable for large families

LPP 3.1 (2011) Ensuring equal life chances for all

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 3.8 (2011) Housing Choice

LPP 5.3 (2011) Sustainable design and construction

LPP 7.2 (2011) An inclusive environment

LPP 7.3 (2011) Designing out crime

LPP 6.13 (2011) Parking

LPP 7.4 (2011) Local character

LPP 7.6 (2011) Architecture  
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**

Letters were sent to local residents and the Residents Association on 7 June 2013 and the site notice was posted on 11 June 2013. 7 representations were received, 6 objecting to the proposal and 1 making a comment. The objections are summarised as follows:

- Parking issues; insufficient parking in the area will lead to increased parking on verge and hammerhead
- Potential occupancy of the houses means proposed parking may be insufficient
- Increased population issues
- Need an alternative playing field as football played on land
- Stream needs proper fencing
- Trees are deciduous so only partially block development from Knowle Crescent.
- Encroaches onto land outside applicants ownership
- Stability of land after ground levelling
- Steps at rear of garden may harm amenity of properties to the rear.
- No site notice

A number of the above issues are addressed in the planning assessment however with regard to the site notice this was posted on the lamp post at the site. The use of land for football, need for a higher fence to the stream are not considered to be material planning considerations relevant to this particular application. Finally, the issue of land ownership was raised with the applicant's agent and correct amended plans were submitted to address this matter.

The amended plans were subject to further consultation on 14th October 2013 and one representation was received raising concern about the loss of a ramp to their house which the developer has agreed to retain. Whilst the concern is understood it is considered that this is a private consideration between the developer and the occupier of that property.

### **Internal Consultees**

The garages are in private ownership and rented out and therefore the loss could not justify a refusal and there is no planning history to indicate that the garages formed the original parking spaces for the adjacent residential dwellings. The vehicle crossover is larger than what is usually considered acceptable, but on balance no objection is raised, given the limited potential of pedestrian footfall across the application site. The garages should be retained solely for vehicle parking.

The Council's Access Officer has no objection to the proposed scheme.

It is considered that these comments remain valid for amended scheme.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The proposed site comprises hardstanding, parking spaces and garages and therefore constitutes 'previously developed land' i.e. 'brownfield land'. There is a presumption in favour of residential development on brownfield land subject to other material considerations including design and character of the area criteria.

The area is an established residential area and therefore the principle of residential development of the site is considered acceptable.

### **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**

Not Applicable.

### **7.04 Airport safeguarding**

Not Applicable.

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

Not Applicable

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Whilst the proposed dwellings are of a different design to the existing properties on Lees Avenue, being semi detached with hipped roof, they do respect the scale, bulk and mass of the established properties. The height of the proposed dwellings is also comparable to the established properties, therefore, maintaining the rhythm of the streetscene. With regard to the third party comment in relation to impact to Knowle Crescent, it is considered that the distance to these properties is sufficient to ensure the proposal is not harmful to the outlook of the occupiers of these properties. This assessment is considered valid for the amended scheme.

There has been a reduction in the distance to the side boundary line from the previous scheme with a separation of 1 metre being provide to the boundary line shared with No.27 Lees Avenue and 0.9 metres to the boundary line shared with the adjacent fitness centre. This is a nominal reduction in the distance separation and would not have such a harmful affect as to warrant a refusal of the application.

It is therefore considered that the proposal would complement the character of the surrounding area. The external materials are also considered acceptable and respect the character of the area. As such the proposal would comply with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies.

### **7.08 Impact on neighbours**

The application site is bounded by residential properties to the north on Lees Avenue, and

to the south is the curtilage of a LA Fitness sports centre. The Hillingdon Design and Accessibility Statement (HDAS) SPD: Residential Layouts, deals with Sunlight and Daylight, and suggests where a two or more storey building abuts a property or its boundary, adequate distance should be maintained to overcome possible domination. The SPD states that the distance provided will be dependent on the bulk and size of the building but generally, 15m will be the minimum acceptable distance. The SPD further states that as a guide, the distance between habitable room windows should not be less than 21m. In order to both protect the existing outlook from and to ensure that there is adequate daylight received to the habitable rooms, kitchens and gardens of adjacent dwellings, a minimum distance of 15m is required, as stated in HDAS.

Furthermore, in order to protect privacy, the design of the dwelling should avoid creating significant opportunities for direct overlooking from any upper floor windows into the private garden, kitchen or any habitable room windows of the neighbouring properties.

The proposed dwellings would be more than 21 metres from the rear elevations of dwellings to the east on Chestnut Avenue and, therefore, would have no significant detrimental impact on the residential amenities of occupiers of these properties. The proposed development would also have no significant detrimental impact on the residential amenities of occupiers of the dwellings on Lees Avenue, as the front and rear walls of the proposed dwelling would not project beyond the front and rear walls of the adjacent dwelling, except for the small section in the middle of the proposed dwellings at ground floor level which is part of the garage space. The proposal would therefore maintain the current outlook, levels of privacy and levels of daylight received by the occupiers of neighbouring dwellings. The amended scheme will not increase any harm on adjoining occupiers. It is therefore considered that the proposal would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the advice in sections 4.9 to 4.12 of the HDAS Residential Layouts

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

The Council's HDAS SPD Residential Layouts states that a 2 storey, 4 bedroom house should have a minimum floor area of 92 sq.m. London Plan Policy 3.5 requires dwellings with 4 bedrooms and 5 person occupancy to have a minimum internal floorspace of 100 sq.m. The proposal would have a floor area of approximately 150sq.m for each dwelling, which is in accordance with the Council's and the London requirements. As such considered acceptable, resulting in adequate living conditions for future occupiers.

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 4 bedroom house is 100sq.m. The proposed individual private amenity space provision for the proposed unit would be around 120 sq.m. As such, the proposal would provide an acceptable standard of residential amenity for its future occupiers in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts. Whilst there is a small reduction to the width of the houses due to the amended site area. The scheme is still considered acceptable.

It is considered that all the proposed habitable rooms would have an adequate outlook and source of natural light, and therefore comply with HDAS Residential Layouts Section 4.9 and Policy 5.3 of the London Plan (2011).

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

The applicants have submitted details showing that the turning area is sufficient for refuse and other vehicles and no objection has been raised by the Council's Highway Officer to these details. There have been third party concerns raised in relation to the loss of

parking, however as identified previously the Highways Officer considers that as these garages are privately owned and rented out there is no justifiable objection to their loss. Therefore, it is considered that the proposed minimal material impact on traffic flows on the adjoining road system is acceptable and in compliance with Policy AM2 & AM7 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012). The amended scheme does not change the previous parking and traffic arrangements.

The vehicle crossover is larger than usually required but is considered acceptable, given the end of cul-de-sac location and the lack of pedestrian footfall across the application site. Therefore, the development would comply with Policy AM9 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

The proposed development has provided two car parking spaces and two cycles spaces in line with the Council's HDAS: Residential Layouts. The proposal is therefore, subject to a condition to retain the use of the garages for parking of vehicles, would comply with policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

These issues have been considered in previous sections of this report.

#### **7.12 Disabled access**

The 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. No Objection has been raised by the Council's Access Officer, however, it is considered appropriate that a suitable condition be imposed to ensure these standards are met.

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

The proposal is below the threshold at which the Council requires provision of affordable housing.

#### **7.14 Trees, Landscaping and Ecology**

There are no trees on the site but there a number of trees on the edge of the site at the boundary with Chestnut Avenue. It is considered the development would not harm these trees however, a suitable condition should be imposed to safeguard the trees and their roots.

While landscape design details have been specified, the layout plans indicate that there is sufficient space and opportunity to provide attractive and functional external amenity space, this should include details for the protection of trees adjacent to the site as shown on the proposed plans by the root protection area. The 25% landscaping requirement for front gardens would be met. The proposal is considered acceptable in principle and suitable landscaping conditions are recommended. The proposal would be in compliance with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP 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 further comments for consideration.

#### **7.20 Planning Obligations**

The proposed development equates to 7 habitable rooms per unit, 14 in total. In line with policy R17 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) an education contribution of £25,593 is required. A draft obligation has been submitted and is being considered by the Council.

The development would result in an increase in floorspace and thus would be CIL liable. A total of £6515.65 would be sought towards CIL.

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

Not Applicable.

#### **7.22 Other Issues**

The proposals do not show an indicative area for refuse storage, however, it is considered that there is ample space within the rear curtilage to provide refuse and recycling facilities on collection days. A condition is to be imposed requiring full details of secure and covered refuse storage arrangements.

### **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 proposed, amended development makes best use of previously developed land and would provide an appropriate form of residential development. The proposal would not be harmful to the character of the area, amenity of adjoining occupiers or interests of highways safety. The scheme is considered to comply with adopted planning policy in the NPPF, London Plan 2011 and the Hillingdon Local Plan Part 1 2012 and Part Saved Policies (November 2012). Accordingly the application is recommended for approval, subject to the agreement of a legal agreement for the collection of the required education sum.

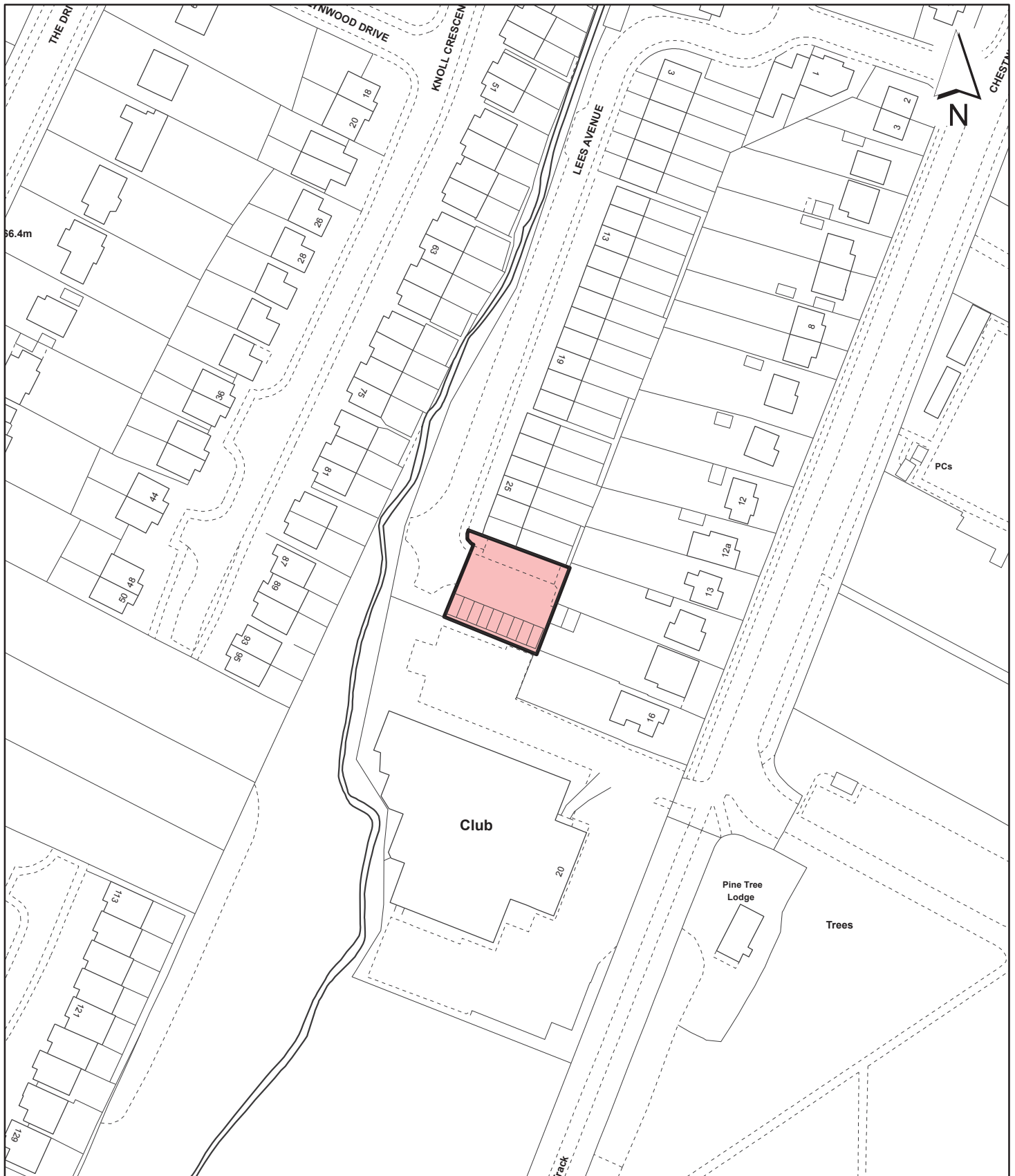
## **11. Reference Documents**



National Planning Policy Framework.  
London Plan (July 2011).  
Hillingdon Local Plan Part 1 2012.  
Hillingdon Local Plan Part 2 Saved Policies (November 2012).  
HDAS : Residential Layouts

**Contact Officer:** Mark Jones

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<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Garages Adjacent 27 Lees Avenue Northwood</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>69195/APP/2013/1310</b></p>	<p>Scale</p> <p><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p><b>North</b></p>	<p>Date</p> <p><b>November 2013</b></p>	