

Report of the Head of Planning, Sport and Green Spaces

Address 56 THE DRIVE ICKENHAM

Development: Two storey six-bedroom detached dwelling with habitable basement and roofspace involving the demolition of existing dwelling.

LBH Ref Nos: 4496/APP/2013/2358

Drawing Nos: 08/38/3
08/38/02 Rev G
D&A
LOCATION PLAN

Date Plans Received: 16/08/2013 **Date(s) of Amendment(s):** 16/08/0013
Date Application Valid: 05/09/2013 06/09/0013

1. SUMMARY

The proposal is for the demolition of the existing house and garage and erection of a two storey six-bedroom detached dwelling with attached side garage, habitable basement and roofspace and associated parking in the front garden.

A scheme for a replacement house at the site(4496/APP/2008/2544) was initially refused on the 15th October 2008. A subsequent revised application (4496/APP/2009/1285) for the erection of a two storey five bedroom house, with basement accommodation and habitable roofspace and associated parking spaces at the front, involving the demolition of the existing dwelling was considered to have overcome all the original reasons for refusal and was approved on 10th August 2009. A further revised application (4496/APP/2009/2765) was approved. The current application is very similar to the refused application in 2008, with the main amendment to the refused scheme being a reduction in the size of the dormers above the garage block.

The proposed dwelling, by reason of its overall size, siting, bulk, height and design of the dormer windows would represent an obtrusive form of development that would be out of keeping with the general scale and character of other detached dwellings in the area to the detriment of the visual amenities of the streetscene and character and appearance of the area. The proposal would result in the overshadowing of and loss of light to the neighbouring property at number 58 The Drive and would result in an overdominant/visually obtrusive development in relation to the neighbouring properties, resulting in an un-neighbourly form of development. Furthermore, the applicant has failed to demonstrate that the proposal does not impact on flood risk. As such, the proposal is considered contrary to policies in the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the SPD HDAS: Residential Layouts: and The London Plan (2011).

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dwelling by reason of its overall size, siting, bulk and height would represent an obtrusive form of development that would be out of keeping with the general

scale and character of other detached dwellings in the area to the detriment of the visual amenities of the streetscene and character and appearance of the area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposed development by reason of its overall size, height, siting and length of projection would result in the overshadowing of and loss of light to the neighbouring property at number 58 The Drive and would result in an overdominant/visually obtrusive development in relation to the neighbouring properties and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential layouts.

3 NON2 Non Standard reason for refusal

The application has failed to demonstrate that the proposal does not impact on flood risk, contrary to Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy 5.12 of the London Plan (2011).

INFORMATIVES

1 I59 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.

2 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE 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.

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|------|---|
| AM14 | New development and car parking standards. |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |

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| 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. |
| R16 | Accessibility for elderly people, people with disabilities, women and children |
| H4 | Mix of housing units |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.1 | (2011) Ensuring equal life chances for all |
| LPP 3.3 | (2011) Increasing housing supply |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.3 | (2011) Sustainable design and construction |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.7 | (2011) Renewable energy |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 7.4 | (2011) Local character |

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a detached two storey dwelling, with a detached garage on the side boundary with No. 58, attached to the house by a car port canopy. The dwelling has also been extended to the rear with a single storey rear extension. There are a number of trees on and close to site, and although none of them are protected by TPO or conservation area designation, they do contribute to the overall character of the area.

Dwellings are located on either side of the application site, while the rear boundary abuts the garden of No. 2 Highfield Drive. It is noted that part of this garden adjoining the application site has full planning permission for the erection of a detached house.

The Drive and Highfield Drive are characterised by substantial detached houses of varying size and design on predominately large plots. The houses within The Drive have a variety of footprints but conform to a loose building line set well back from the road screened by hedges and low fences with generous driveways between.

The subject site lies within the 'developed area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposal is for the demolition of the existing house and garage and erection of a two storey six-bedroom detached dwelling with attached side garage, habitable basement and roofspace and associated parking in the front garden.

The proposed house would be 11.70m wide (15.35m including the attached side garage)

and 15.66m deep. A 4.05m wide, two storey front gable feature would project forward by 1m from the main front elevation of the house. A small crown roof is proposed, 5.7m high to eaves and 8.9m high to its ridge with two flat roofed rear dormers, 1.4m wide and 1.55m high. A basement is also proposed, extending the full width and depth of the house and garage, served by a 3.8m deep x 7.2m wide rear light well, with external stairs giving access to the rear garden.

The house would comprise a games room, cinema, wine store, WC and plant room in the basement, a kitchen/breakfast room, lounge, dining room, study, utility room and garage on the ground floor, 5 bedrooms (2 with en-suite) and bathroom on the first floor and a sixth bedroom with en-suite in the roof space. Two off-street car parking spaces are shown on the drive outside the garage.

The main differences between this scheme and the previously approved scheme (ref. 4496/APP/2009/2765) is a half-hipped roof space with front and rear dormers above the garage is proposed. This element of the proposal was previously refused under planning application ref. 4496/APP/2008/2544.

3.3 Relevant Planning History

4496/APP/2008/2544 56 The Drive Ickenham

Two storey six-bedroom dwelling, with basement accommodation and rooms in roof, associated parking spaces at front, involving demolition of existing dwelling.

Decision: 14-10-2008 Refused

4496/APP/2009/1285 56 The Drive Ickenham

Erection of two-storey five-bedroom dwelling, with basement accommodation and habitable roofspace and associated parking spaces at front, involving demolition of existing dwelling.

Decision: 10-08-2009 Approved

4496/APP/2009/2765 56 The Drive Ickenham

Two storey six-bedroom detached dwelling with basement level and habitable roofspace with detached garage to front, involving the demolition of existing dwelling.

Decision: 22-02-2011 Approved

4496/C/76/1256 56 The Drive Ickenham

Householder development - residential extension(P)

Decision: 11-10-1976 Approved

4496/D/84/1877 56 The Drive Ickenham

Householder dev. (small extension,garage etc) (P)

Decision: 10-01-1985 Approved

Comment on Relevant Planning History

A scheme for a replacement house (4496/APP/2008/2544) was initially refused on the 15th October 2008 due to: 1) the house being an obtrusive form of development that would be out of keeping with the general scale and character of other detached dwellings in the area, 2) overdevelopment of the site with excessive site coverage of buildings and hard surfaces, 3) overshadowing of and loss of light to the neighbouring property at No. 58 The Drive and would result in an overdominant/visually obtrusive development in relation to the neighbouring properties, and 4) the dormer windows would represent a visually intrusive form of development detrimental to the appearance of the neighbouring properties and character and appearance of the street scene.

A subsequent revised application (4496/APP/2009/1285) for the erection of a two storey five bedroom house, with basement accommodation and habitable roofspace and associated parking spaces at the front, involving the demolition of the existing dwelling was considered to have overcome all the original reasons for refusal and was approved on 10th August 2009. A further revised application (4496/APP/2009/2765) was approved and differed from the previous application by increasing the depth of the main house by 1.25m from 8.85m to 10.1m, the overall height of the crown roof has increased by 0.3m to 8.9m, the single storey side garage has been set back from the rear elevation of the house, the depth of the rear lightwell has been increased from 3.3m to 3.8m which would result in an overall 1.75m further projection into the rear garden. an additional side rooflight facing No. 58 The Drive and minor elevational alterations, including brickwork on the ground floor and quoins omitted from first floor.

Also of relevance to the consideration of this application are two applications that relate to adjoining land at No. 2 Highfield Drive, namely:-

19210/APP/2006/1619 - Renewal of outline permission for a detached dwellinghouse - Approved 28th July 2006.

65653/APP/2009/1146 - Full planning application for a two storey six-bedroom house with habitable roofspace and associated parking and vehicular crossover, Approved 24th July 2009.

65653/APP/2012/1193 - Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation, reference 65653/APP/2009/1146 dated 24/07/2009 (Erection of two-storey six-bedroom dwelling with habitable roofspace and associated parking and vehicular crossover). Approved 11th July 2012.

4. Planning Policies and Standards

In November 2012, the Hillingdon Local Plan: Part 1- Strategic Policies was introduced and a new flood risk policy. Policy EM6 Flood Risk Management states the Council will require new development to be directed away from Flood Zones 2 and 3 in accordance with the principles of the National Planning Policy Framework (NPPF).

Paragraph 8.88 of the Hillingdon Local Plan highlights that the impacts of climate change will add to the pressure on the drainage systems and it is therefore essential that all new development is managed to minimise the problems.

The Council will require all development across the borough to use sustainable urban drainage systems (SUDS) unless demonstrated that it is not viable. Given the updated Local Plan Policy on Flood Risk, the Council now requires basement development to be

supported by a hydrological and geotechnical surveys to establish and additional drainage or flooding risk associated with basement developments. The applicant has failed to provide such information and the potential flood risk and drainage issues have not been addressed as part of the proposed development.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

R16 Accessibility for elderly people, people with disabilities, women and children

H4 Mix of housing units

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LPP 3.1 (2011) Ensuring equal life chances for all

LPP 3.3 (2011) Increasing housing supply

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 5.3 (2011) Sustainable design and construction

LPP 5.13 (2011) Sustainable drainage

LPP 5.7 (2011) Renewable energy

LPP 7.2 (2011) An inclusive environment

LPP 7.4 (2011) Local character

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbouring properties have been consulted on 9th September 2013 and a site notice displayed on 17th September 2013. A petition with 24 signatories has been received, together with individual responses from 2 properties.

The petition states:

'We, the undersigned, fully support Mr & Mrs Alexander in their objective of ensuring that their wishes are heard and understood by the London Borough of Hillingdon's North Planning Committee, when considering the proposal, by voicing concerns, and asking the North Planning Committee to refuse the application.'

The individual responses raise the following concerns:

- (i) Proximity and problematic sight line of this new application in relation to planning application (ref.56563/APP/2012/1193) at adjoining site.
- (ii) The proposed house is overwhelming in size and structure and that the applicant once again seems to seek approval for a design, shape and size that has previously been lawfully refused (ref.4496/APP/2008/2544).
- (iii) A first floor is now proposed over the garage (albeit it does not extend level with the entrance hall as previous), and would also extend to a point level with the rear of the proposed house (i.e. further than currently permitted). This would impact on No.58 by reducing the amount of light, and could appear overbearing.
- (iv) The proposed revision to create a first floor extension over the garage would make the proposed house appear out of balance, and the proposed dormer window facing the street, and portico entrance would add to the mishmash of styles, which would inevitably harm the areas character and streetscene.
- (v) For the sake of consistency, the Council should review the original decision, and if nothing has materially changed make the same decision (ie. refuse the application).
- (vi) The planning application is gross over development of the site; underground diggings will affect the water table and the neighbouring properties.

(Officer comment: The above issues are addressed in the main body of the report).

RESIDENTS ASSOCIATION OF THE DRIVE: No comments received.

ICKENHAM RESIDENTS ASSOCIATION:

This latest application goes back to the original proposal 2008/2544 for a two-storey six-bedroom dwelling which was refused on 15.10.08 on the grounds of its overall size, siting, bulk and height, thus representing an obtrusive form of development out of keeping with the general scale and character of other detached dwellings in the area.

The Association had also submitted a letter of objection dt. 20.09.08 and we agreed with your decision, which we trust you will uphold.

Two more subsequent applications 2009/1285 and 2009/2765 proposed single-storey side extensions, which were both approved by you.

The site map submitted does not show the correct outline of the way the plot is situated, and we would ask you to look at 65653/APP/2009/1146 and 2012/1193 for Land forming part of 2 Highfield Drive for clarification.

We object to this new proposal and are completely in the hands of your Planning Team with their greater expertise and facilities and trust they will arrive at the correct decision.

Internal Consultees

TREES AND LANDSCAPE:

Scope for new planting: There is scope for new planting and a basic plan has been provided. More details should be requested by condition.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions RES9 (1, 2, 6).

EPU:

No objection, please add site construction informative.

HIGHWAYS:

The development is for the demolition of the existing dwelling and the construction of a new dwelling within the site. As part of the proposals the existing vehicular crossover that serves the site will be retained to provide access, alongside 3 No. car parking spaces that will serve the new dwelling.

When reviewing the proposals, it is noted that there is no change to the means of access to the site or the amount of car parking. Therefore, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan and an objection in relation to the highway aspect of the proposals is not raised in this instance.

FLOODWATER MANAGEMENT:

The site lies in Flood Zone 1, however surface water mapping in our Surface Water Management Plan indicates there is surface water ponding in this area. We are also aware of groundwater issues in this area, and the proposal includes a basement.

When determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that their proposals:

- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) avoid cumulative impacts upon structural stability or the water environment in the local area;

The Council requires assessments, including ground survey, geotechnical, structural engineering and hydrological investigations and modelling, from applicants to demonstrate that basement developments do not harm the built and natural environment or local amenity. The level of information required will be commensurate with the scale and location of the scheme. Such reports should consider the structural requirements for the development itself as well as mitigation for any potential wider impacts of basement schemes.

RECOMMENDATIONS:

I recommend refusal of the application as appropriate assessments have not been provided to demonstrate that the proposal does not impact on flood risk, as required by Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk

Management of the London Plan (July 2011).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is not located in a conservation area and the building is not listed. There are no policies which prevent the demolition of the existing building, in principle.

7.02 Density of the proposed development

It should be noted that on a development of the scale proposed, density in itself is of limited use in assessing such applications and more site specific considerations are more relevant.

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

The property lies within a Developed area and does not fall within a Conservation Area or ASLC and is not a Listed Building.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

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

Local Plan Policies BE13 and BE15 resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

It was previously considered that the character of this part of The Drive is derived from large detached houses of varying scale, proportion and design which are set well back on their substantial plots to provide a spacious open character with informal front garden areas. This proposal would have a siting similar to that of the existing house so that the existing front garden area and the general informal front building line would be maintained. The two storey house would be sited 1.5m from the side boundary with No. 54 and 1.5m from the side boundary with No. 58, in accordance with policy BE22 of the Local Plan.

The overall size and width of the proposed new house would be larger than the existing dwelling. The previously approved scheme introduced a formal symmetrical design with a single storey attached garage. The current scheme proposes a first floor above the garage with a half-hipped roof adding more bulk to the proposed dwelling. The design of this element of the proposal with its half hipped roof, set down from the main ridge of the house and including dormer windows to the front and rear would not relate well to the proposed main dwelling. As such, the proposed scheme represents an obtrusive form of development that would be out of keeping with the general scale and character of other detached dwellings in the area to the detriment of the visual amenities of the streetscene and character and appearance of the area. The proposal is therefore contrary to policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The height of the new house would be approximately 900mm higher than the existing building. It was previously considered that given the detached nature of the house and in the context of the large plots, the increase in roof height would not appear unduly discordant. Furthermore, it was previously considered that the flat roof element of the crown roof was not extensive, so that the general impression was of a more traditional roof. This scheme has a similar extent of flat roof, whilst the extent of pitched roof has been increased.

With respect to the rear dormers in the main roof of the dwelling, the Council's HDAS Design Guide: Residential Layouts does not deal with these features. However, although not strictly relevant to new build, paragraph 7.8 of the Council's HDAS (SPD) Residential Extensions states that rear dormers are acceptable, provided they are set-in 1m from the roof margins on larger properties. The proposed rear dormers would be set in 800mm from the roof ridge, 700mm from the eaves and 400mm from the sides of the roof. Although they are not fully compliant with design guidance for extensions, the dormers are sufficiently small scale and have been designed to appear subordinate within the main roof. The proposed dormer windows on the front and rear of the first floor element above the garage would have flat roofs and would be more in keeping with the first floor windows on the proposed house. The dormer windows are therefore considered to be acceptable.

The proposal, as previously, does involve the creation of a basement floor, but this would not be seen from the road, with only a rear lightwell suggesting its presence.

Overall, the proposed dwelling, by reason of its size and design would be out of keeping with the streetscene, contrary to policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 7.0 of the Council's HDAS 'Residential Extensions'.

7.08 Impact on neighbours

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss in residential amenity. Likewise Policies BE20 and BE24 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

The adjoining property to the south, No. 54 The Drive has been extended with a two storey side and rear extension which does not contain any side windows facing the application site. The rear elevation of the proposed house would not project beyond the extended two storey rear elevation of No. 54. It would however project forward of the adjoining front elevation of No. 54 by approximately 2.4m, set back 1.5m from the side boundary. With such a relationship, the proposed house would not breach a 45° line of sight from the nearest adjoining first floor windows in the front elevation of this property (the nearest ground floor opening being an integral garage door). As such, there would be no adverse impact upon this property by reason of dominance or loss of sunlight.

The first floor and rooflight windows facing No. 54 would only face a blank side wall and the one rooflight windows facing No. 58 serve non-habitable room and could be conditioned to be obscure glazed and non-opening 1.8m above finished floor height so as to safeguard the privacy of neighbouring properties.

In terms of the proposed new house on an adjoining plot of land at No. 2 Highfield Drive (Ref. 65653/APP/2012/1193), as full planning permission has now been granted, it is a

material consideration in the determination of this scheme. The house at its nearest point would be sited approximately 15.5m from the new proposed rear elevation of No. 56 and the nearest part of its main rear elevation would be sited approximately 18m away. As part of the planning permission for this house, the first floor side windows facing No. 56 have been conditioned to be obscure glazed and the ground floor windows would be sited sufficiently close to the side boundary so that any overlooking would be prevented by the boundary fencing. The rear facing windows would look down the garden and although the nearest ground floor kitchen and first floor bedroom windows would be within 21m of the rear elevation of the proposed house, the windows would be at near right angles to the proposed house so that they would afford adequate privacy to the rooms they would serve. Although an area of the rear patio would be overlooked within a 21m distance, the area affected is relatively small, equating to the 5m width abutting the side boundary which would have the greatest benefit from the screening afforded by the boundary fencing and landscaping, leaving the remaining 13m width of the rear garden more than 21m from the rear elevation of the new house. Furthermore, it is considered that the potential for overlooking by the proposed development is not significantly greater than that which would be experienced from the existing house as to justify a reason for refusal on this ground as the main rear elevation of the proposed house would only move approximately 2.7m further to the rear.

With regards to No. 58, the proposed house would project by approximately 6.7m beyond the nearest part of the rear elevation of No. 58 The Drive, attached to which at this point is an attached open canopy structure. The proposed two storey house would be set back some 1.5m from the side boundary and No. 58 itself is over 2m from this boundary. In such a relationship, the proposed two storey house, specifically the first floor above the garage would breach a 45° line of sight taken from the nearest ground floor window in the rear elevation of No. 58 which serves a lounge and it is considered that the house would appear unduly dominant. The height of the first floor above the garage, the size, siting and the length of projections would result in the overshadowing of and loss of light to the neighbouring property at number 58 The Drive given its southerly orientation and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. The proposal is therefore contrary to policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS 'New Residential layouts'.

7.09 Living conditions for future occupiers

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

The London Plan sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. Table 3.3 requires a 3 storey, 4 bedroom, 6 person dwelling, which is the closest to the one proposed by this application, to have a minimum size of 113 sq.m. Furthermore, Policy 3.5 states when designing new homes for more than six persons/bedspaces, developers should allow approximately 10sq.metres per extra bedspace/person. The proposed new dwellings would be approximately 505sq.m and would comply with the required standard resulting in a satisfactory residential environment for future occupiers, in compliance with Policy 3.5 and Table 3.3 of the London Plan and Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation

to the dwellings they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The minimum level of amenity space required for a six bedroom house is 100sq.m of amenity space to meet the standard. The scheme provides some 280sq. metres each and would thus far exceed these standards.

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

It is also considered, that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal would utilise the existing vehicular crossover and provide a car parking space within the proposed garage and at least two spaces on the drive. The proposal replicates the existing parking arrangements made on site and no objections are raised in terms of Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

SECURITY

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

7.12 Disabled access

The proposed dwelling is of a sufficient size, internally to ensure that it could easily meet lifetime homes standards. As such it is recommended that a condition is attached requiring this.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that topographical and landscape features of merit should be retained and utilised and new planting and landscaping should be provided where appropriate.

The Council's Tree Officer advises that there are no landscape features of merit on the site that would constrain the proposed development and the scheme is acceptable, subject to landscape conditions.

7.15 Sustainable waste management

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. No details have been provided with regard to this issue, however it is considered this could be dealt with by a suitable condition.

7.16 Renewable energy / Sustainability

The redevelopment of the site allows the opportunity to significantly improve the energy efficiency of the property and accordingly reduce energy demand and CO2 emissions. A condition requiring that the development meets Level 4 of the Code for Sustainable Homes could ensure the necessary standards were the application considered acceptable in other regards.

7.17 Flooding or Drainage Issues

The site lies in Flood Zone 1, however surface water mapping in our Surface Water

Management Plan indicates there is surface water ponding in this area. There are also groundwater issues in this area, and the proposal includes a basement.

The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. The Council require developers to demonstrate by methodologies appropriate to the site that their proposals:

- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) avoid cumulative impacts upon structural stability or the water environment in the local area.

In November 2012, the Hillingdon Local Plan: Part 1- Strategic Policies was introduced and a new flood risk policy. Paragraph 8.88 of the Hillingdon Local Plan highlights that the impacts of climate change will add to the pressure on the drainage systems and it is therefore essential that all new development is managed to minimise the problems.

In the absence of hydrological or geotechnical surveys, the application has failed to demonstrate that the proposal does not impact on flood risk, contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies OL7 of the Hillingdon Local Plan (November 2012) and Policy 5.12 Flood Risk Management of the London Plan (July 2011).

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concerns raised over the size of the building and impact on neighbours are considered in the main body of the report.

7.20 Planning Obligations

Presently S106 contributions for education are sought for developments when the net gain of habitable rooms exceeds six, in such cases the levy of contribution should be calculated in accordance with the Planning Obligations SPD. In this case the increase in habitable rooms is greater than 6, however the detailed calculation indicates that the proposal would not result in a predicted increase in child yield and as such no education contribution is required in this instance.

Community Infrastructure Levy:

The proposed scheme represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £8,015.00.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

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

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

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

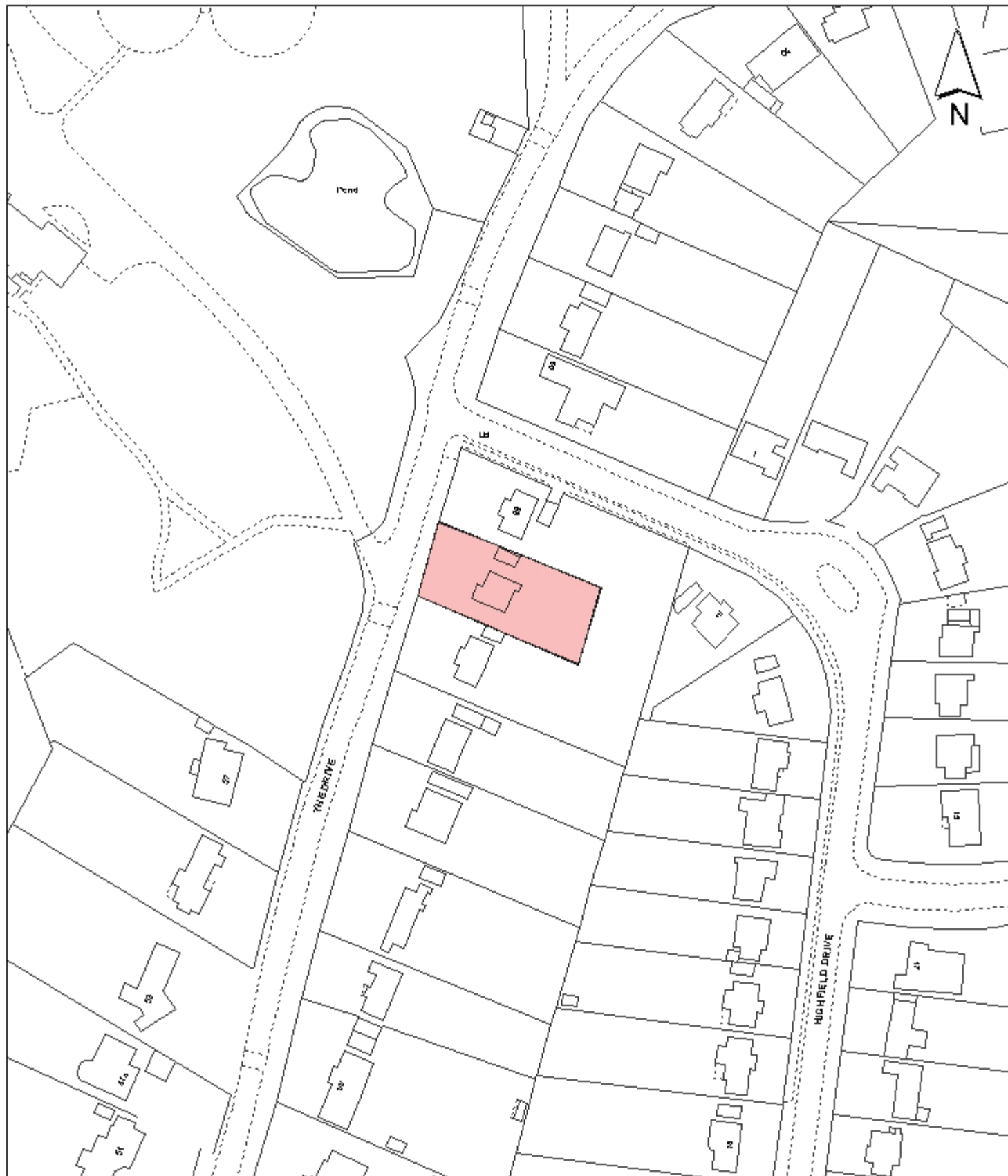
The proposed dwelling, by reason of its overall size, siting, bulk, height and design of the dormer windows would represent an obtrusive form of development that would be out of keeping with the general scale and character of other detached dwellings in the area to the detriment of the visual amenities of the streetscene and character and appearance of the area. The proposal would result in the overshadowing of and loss of light to the neighbouring property at number 58 The Drive and would result in an overdominant/visually obtrusive development in relation to the neighbouring properties, resulting in an un-neighbourly form of development. Furthermore, the applicant has failed to demonstrate that the proposal does not impact on flood risk. As such, the proposal is considered contrary to policies in the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the SPD HDAS: Residential Layouts: and The London Plan (2011).



11. Reference Documents

Hillingdon Local Plan (November 2012)
London Plan (July 2011)
National Planning Policy Framework
HDAS: Residential Layouts
Supplementary Planning Guidance - Community Safety by Design
Supplementary Planning Guidance - Noise
Supplementary Planning Guidance - Air Quality
HDAS: Accessible Hillingdon
Hillingdon Planning Obligations Supplementary Planning Document July (2008) and updated chapter 4 Education (August 2010).

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| | <p>Planning Application Ref:</p> <p style="text-align: center;">4496/APP/2013/2358</p> | <p>Scale</p> <p style="text-align: center;">1:1,250</p> |  |
| | <p>Planning Committee</p> <p style="text-align: center;">North</p> | <p>Date</p> <p style="text-align: center;">December 2013</p> | |