

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

**Address** 209 SWAKELEYS ROAD ICKENHAM

**Development:** Two storey building with habitable roofspace to create 4 x 2-bedroom flats and 2 x 1-bedroom flat, with associated parking and amenity space involving demolition of existing dwelling

**LBH Ref Nos:** 38490/APP/2013/3223

**Drawing Nos:** SWAKELEYS/09 Rev A  
Street Scene Photographs  
Design and Access Statement  
Location Plan 1:1250  
SWAKELEYS/01 Rev H  
SWAKELEYS/02 Rev G  
SWAKELEYS/03 Rev H  
SWAKELEYS/04 Rev B  
SWAKELEYS/05 Rev C  
SWAKELEYS/06 Rev G  
SWAKELEYS/07 Rev F  
SWAKELEYS/08 Rev I  
VIS-4400-001  
VIS-4400-002 REV 0.3

<b>Date Plans Received:</b>	31/10/2013	<b>Date(s) of Amendment(s):</b>	17/12/2013
<b>Date Application Valid:</b>	05/11/2013		04/11/2013
			13/10/2013

### 1. SUMMARY

The application seeks planning permission for a two storey building with habitable roofspace to create 4 x 2-bedroom flats and 2 x 1-bedroom flats, with associated parking and amenity space involving demolition of the existing dwelling.

The application relates to an 885 square metre, rectangular plot of land located on the southern side of Swakeleys Road. Contained within the site is an existing, two storey, detached dwelling which is set approximately 20 metres back from the front boundary line at its closest point.

The proposed building would have a staggered s-shaped design, with a single storey section to the rear of the building. The development would be set 18 metres from the front boundary line at its closest point and would have a width of 14.5 metres and a maximum depth of 19.15 metres.

The proposal would provide 2 x 1 bedroom flats and 1 x 2 bedroom flat at ground floor level, 2 x 2 bedroom flats at first floor level and 1 x 2 bedroom flat at second floor level. A total of 9 parking spaces, including 1 disabled space, would be provided on the land in front of the principal elevation, with additional landscaping also being provided. To the rear of the site would be a terrace for each of the ground floor flats with a rear aspect and a shared amenity space. The amenity space would be set below the ground floor level and the proposal would require a small amount of cutting and filling of the land to accommodate the proposal.

The proposed building would have an acceptable impact on the visual amenities of the surrounding area and the residential amenity of the adjoining occupiers. An acceptable level of residential amenity would be provided for each flat within the development and the parking provision would comply with Council's adopted standards. Therefore, the application is recommended for approval.

## **2. RECOMMENDATION**

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

**A. 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:**

**i) A contribution of £3,550 for capacity enhancements in local schools;**

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal Agreement(s) and any abortive work as a result of the agreement not being completed.**

**C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.**

**D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised within 3 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture , then the application be refused for the following reason:**

**'The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).'**

**E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement with the applicant.**

**F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision.**

**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 SWAKELEYS/01 Rev H, SWAKELEYS/02 Rev G, SWAKELEYS/03 Rev H, SWAKELEYS/04 Rev B, SWAKELEYS/06 Rev G, SWAKELEYS/07 Rev F, SWAKELEYS/08 Rev I, SWAKELEYS/09 Rev A and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

**3 RES5 General compliance with supporting documentation**

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

Amenity Space [SWAKELEYS/04 Rev A]  
Parking Spaces [SWAKELEYS/04 Rev A]  
Cycle Stores [SWAKELEYS/04 Rev A]

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 AM9, AM14 and BE23 of the Hillingdon Local Plan (November 2012).

**4 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)

**5 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)

RES8

No site clearance or ~~Trees Protection~~ 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)

#### **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 Secure refuse and recycling storage
  - 2.b Means of enclosure/boundary treatments
  - 2.c Car Parking Layouts
  - 2.d Hard Surfacing Materials
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)

#### **8 RES10 Tree to be retained**

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

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

#### REASON

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

#### **9 RES13 Obscure Glazing**

The windows in the side elevations of the building facing No.207a Swakeleys Road and No.211 Swakeleys Road 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)

#### **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 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.

#### **12 RES18 Lifetime Homes/Wheelchair Units**

The residential building hereby approved shall be built in accordance with 'Lifetime Homes' Standards as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

#### **13 RES23 Visibility Splays - Pedestrian**

The access for the proposed car parking shall be provided with those parts of 2.4m x



2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

#### REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **14 RES24 Secured by Design**

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

#### **15 RES22 Parking Allocation**

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

#### REASON

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

### **INFORMATIVES**

#### **1 I52 Compulsory Informative (1)**

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

#### **2 I53 Compulsory Informative (2)**

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

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and

	implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture

### **3            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.

#### **4**

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 £16,027.80 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)

#### **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.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application relates to an 885 square metre, rectangular plot of land located on the southern side of Swakeleys Road. The site is situated approximately 55 metres to the southwest of the roundabout junction between Swakeleys Road and Harvil Road. Directly to the northeast of the site is the ingress to a slip road which contains 8 residential properties, Nos. 197 - 207a Swakeleys Road.

Contained within the site is an existing, two storey, detached dwelling which is set approximately 20 metres back from the front boundary line at its closest point. The ground levels within the site are sloped running down hill from front to rear, with a drop in ground levels of approximately 2.5 metres towards the rear of the site and an overall drop of around 5 metres between the front and rear of the site.

Situated on the front boundary line of the site are two significant trees, which are set at a slightly higher ground level than the existing parking area and soft landscaping in front of the principal elevation of the building. To the rear of the building is a garden area which provides the private amenity space for the occupiers of the property.

To the southwest of the application is No.211 Swakeleys Road, a two storey detached dwelling. The dwellings to the southwest of the application site have a stepped building line, with each property being set forward of the dwelling to the east. To the northeast of the application site is a two storey, detached dwelling, No.207a Swakeleys Road, whose front building line is behind that of the application property. This neighbouring dwelling is set on the adjacent slip road and there is a pedestrian passageway between its curtilage and the curtilage of the application site.

The western strip of the curtilage of the site is covered by Tree Protection Order 1 and the site is situated within a Developed Area as identified in the policies of the Hillingdon Local Plan (November 2012).

#### **3.2 Proposed Scheme**

The application seeks planning permission for a two storey building with habitable roofspace to create 4 x 2-bedroom flats and 2 x 1-bedroom flats, with associated parking and amenity space involving demolition of the existing dwelling.

The proposed building would have a staggered s-shaped design, with a single storey section to the rear of the building. The development would be set 18 metres from the front boundary line at its closet point and would have a width of 14.5 metres and a maximum depth of 19.15 metres.

The proposal would provide 2 x 1 bedroom flats and 1 x 2 bedroom flat at ground floor level, 2 x 2 bedroom flats at first floor level and 1 x 2 bedroom flat at second floor level. A total of 9 parking spaces, including 1 disabled space, would be provided on the land in front of the principal elevation, with additional landscaping also being provided. To the

rear of the site would be a terrace for each of the ground floor flats with a rear aspect and a shared amenity space. The amenity space would be set below the ground floor level and the proposal would require a small amount of cutting and filling of the land to accommodate the proposal.

### 3.3 Relevant Planning History

38490/A/86/0768          209 Swakeleys Road Ickenham  
Householder dev. (small extension,garage etc) (P)

**Decision:** 20-06-1986    Approved

38490/APP/2013/1009    209 Swakeleys Road Ickenham  
Two storey building with habitable roofspace to create 5 x 2-bedroom flats and 1 x 1-bedroom flat, with associated parking and amenity space, involving demolition of existing dwelling.

**Decision:** 17-06-2013    Withdrawn

38490/APP/2013/676    209 Swakeleys Road Ickenham  
Demolition of exisisting 3 bedroom property.Erection of 5 two bedroom flats and 1 one bedroom flat including associated car park and communal garden.

**Decision:** 15-04-2013    NFA

#### Comment on Relevant Planning History

The application is a resubmission after a similar proposal was applied for earlier in 2013. Since the withdrawal the applicant has entered into pre-application discussions with the Council, relating to the proposed development.

## 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:

AM2              Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7              Consideration of traffic generated by proposed developments.

AM8              Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM9              Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture

## **5. Advertisement and Site Notice**

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

## **6. Consultations**

### **External Consultees**

5 neighbouring occupiers and the Ickenham Residents Association were notified of the proposed development on 7th November 2013 and a site notice was also erected at the site.

By the close of the public consultation period no consultation responses had been received from any neighbouring occupier.

### **Internal Consultees**

#### **HIGHWAYS OFFICER**

Previous highway concerns have been addressed. 9 car parking spaces and 6 cycle spaces have been provided for the 6 flats, 2 of which are 1 bed. The access now proposed caters for 2 way traffic.

Refuse bins have been located close to the highway and if bins are collected during peak hours the refuse lorry can wait in the adjoining service road by the side boundary of No 209.

#### **TREES AND LANDSCAPING OFFICER:**

Tree Preservation Order (TPO) / Conservation Area: This site is partly covered by TPO 1.

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (on-site): There is a group of Oak and Elm on the front boundary of the site. The trees are situated in a raised planted bed. The group contributes to the amenity and arboreal character of the area and has a high amenity value. The trees appear to be retained as part of the scheme. The proposed parking spaces (4, 5 & 6) have been shown close to the group. If there is a requirement to level the ground to facilitate these parking spaces, then it is highly likely that the trees' roots will be damaged. These spaces should either be re-located, or it should be shown how the 'expected' change in levels will be accomplished without damaging the trees' roots.

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): N/A

Scope for new planting (yes/no): There is scope for some soft landscaping within the front garden. This matter can be dealt with by condition.

Does scheme conform to HDAS (yes/no) : The majority of the front garden appears to be set aside for car parking. However, HDAS requires 25% of soft landscaping.

#### **Recommendations:**

If the three proposed parking spaces shown closest to the trees requires a change in levels, then they should either be relocated away from the trees, or an arboricultural method statement should be provided to show how the levels will be altered without damaging the trees. This matter requires clarification. The layout of the front garden should be amended to show at least 25% soft landscaping.

Conclusion (in terms of Saved Policy BE38): Please re-consult when the requested information has been provided.

CASE OFFICER COMMENT: The applicant has now submitted amended plans, as the plans incorrectly showed the location of the trees on the front boundary line of the site. The applicant has shown that the area around the trees would be a no dig zone to ensure the protection of the trees.

## **7. MAIN PLANNING ISSUES**

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

Paragraph 17 of the National Planning Policy Framework states that one of the core principles of the document is the "effective use of land by reusing land that has been



previously developed (brownfield land)."

Policy H3 of the Hillingdon Local Plan states that the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site. An increase in residential accommodation will be sought.

The development proposes the demolition of the existing family dwelling and the erection of a three storey building containing 6 flats. The development is considered an acceptable reuse of a brownfield site and would represent an increase in residential accommodation, in accordance with the NPPF and Policy H3 of the Hillingdon Local Plan (November 2012). Therefore, the development is considered acceptable in principle.

#### **7.02 Density of the proposed development**

The proposed development would have density scores of 67.8 units per hectare and 248 habitable rooms per hectares. Policy 3.4 of the London Plan (July 2011) requires developments in suburban areas with a PTAL score of 1 to have density scores of between 40 - 65 units per hectare and 150 - 200 habitable rooms per hectare. The proposed development is slightly above the requirement for units per hectare and 25% above the maximum threshold for habitable rooms. However, density is only on indicator for the acceptance of the scheme and other considerations such as impact to the character of the area, internal floor areas and external amenity space would carry far more weight.

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

The site is not within a Conservation Area, Area of Special Local Character or archaeological priority area and the building is not Listed or Locally Listed.

#### **7.04 Airport safeguarding**

There would be no airport safeguarding concerns relating to the proposed development.

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

Not applicable to this application.

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

The design of the proposed development has evolved during the pre-application process. The proposed building now consists of an s-shaped building which has allowed for traditional roof forms to be used over the building and resulted in the removal of any crown roof section. The stepped building line has also reduced the overall bulk of the building and the recessed section has been set away from the northern side of the site, so that the overall bulk of the building is less prominent when viewed from the footway of the slip road adjacent to the site. The building has maintained a distance separation of 1.5 metres to the side boundary lines of the site to meet the requirements of Policy BE22 of the Hillingdon Local Plan (November 2012). Whilst the width of the building has increased significantly compared to the existing at property at the site, the overall width of the building would be in keeping with the dwellings to the southwest, especially No.213 which is 15 metres in width for the full two storeys and No.217, which is 18.5 metres in width. The overall height of the building has been shown on the plans to be no higher than the adjoining neighbours and the depth of the building is also considered acceptable in this instance. A number of other buildings have been approved with front dormers and high roof pitches along Swakeleys Road, ensuring that these would not have an unacceptable impact on the appearance of the surrounding area.

Overall the proposed development is considered to have an acceptable impact on the surrounding area and would comply with Part 1 Policy BE1 and Part 2 Policies BE13, BE15, BE19 & BE22 of the Hillingdon Local Plan (November 2012).

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

## LIGHT AND OUTLOOK

To the southwest of the application site is No.211 Swakeleys Road, a two storey detached dwelling which is set forward of the location of the proposed building. The proposed two storey elements of the building would not breach the 45 degree guideline when taken from this neighbouring occupier, as the neighbouring dwelling is set 2.5 metres from the shared boundary line. The applicant has provided a side elevation to show the levels of cut and fill which needs to be undertaken to complete the development. The existing ground level does not drop significantly until after the rear elevation of the proposed building. Therefore, the single storey element would not be built on higher ground than the neighbouring dwelling. Whilst the single storey element would extend past the rear elevation of the neighbouring occupier, the proposed development would be sufficiently distance to ensure no significant harm would occur to this neighbouring occupier. It should also be noted that the proposed development would be due north of No.211 Swakeleys Road, ensuring it would never block the daylight received into this neighbouring dwelling.

The proposed development would not extend past the rear elevation of the single storey rear extension on No.207a Swakeleys Road and would not breach the 45 degree guideline from this neighbouring occupier. Therefore, no significant loss of residential amenity would occur to the occupiers of this neighbouring dwelling through loss of light or loss of outlook and the proposed development would comply with Policy BE20 & BE21 of the Hillingdon Local Plan (November 2012).

## PRIVACY

The first floor windows in the side elevations of the site facing Nos.207a & 211 Swakeleys Road service non habitable rooms or are secondary light sources. Therefore, these could be obscure glazed to ensure no significant overlooking of these neighbouring occupiers would occur. The rear elevation of the proposed building would be in excess of 29 metres from the side elevation of No.21 Roker Park Avenue and views into this neighbouring site are obscured by the large trees on the rear boundary line of the site. The development would include the creation of terraces for the ground floor flats at the rear of these buildings. The terraces would be screened with privacy screens to the side to ensure no overlooking of any adjacent occupier would occur. Therefore, the proposed development would comply with Policy BE24 of the Hillingdon Local Plan (November 2012).

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

#### INTERNAL FLOOR AREAS

Policy 3.5 of the Hillingdon Local Plan (November 2012) requires a 1 bedroom 2 person flat to be provided with 50 square metres of internal floor area. The smallest of the 1 bedroom flat would have 57 square metres of internal floor area and would comply with this requirement. The same policy requires 61 square metres and 70 square metres of floor area for 2 bedroom flats for 3 and 4 people, respectively. All of the 2 bedroom flats would be for 4 person occupancy and the smallest would be 82 square metres. Therefore, all of the flats would be provided with sufficient internal floor area and would provide an acceptable living condition for future occupiers.

#### EXTERNAL AMENITY SPACE

The HDAS Residential Layouts requires a 1 bedroom flat and 2 bedroom flat to be provided with 20 and 25 square metres of communal amenity space, respectively. A communal garden area of 207 square metres would be provided with a further 44 square metres provided in the form of private terraces. Therefore, more than the required 140 square metres of external amenity space would be provided, in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012).

## PRIVACY

The ground floor habitable room windows at the front of the building would be provided with defensive planting to ensure the protection of privacy is maintained. The ground floor windows to the rear would have private terraces and be set at a higher ground level than the ground floor amenity space, ensuring no loss of privacy would occur and the windows in the side elevation would be obscure glazed.

## LIGHT AND OUTLOOK

It is considered that all the proposed habitable rooms, and those altered by the development, would have an adequate outlook and source of natural light, therefore complying with Policy BE20 of the Hillingdon Local Plan (November 2012) and Policy 3.5 the London Plan (2011).

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

The proposed development would provide 9 parking spaces for the 6 flats, which would comply with the Council's adopted car parking standards. The access has been widened to ensure that sufficient space is provided for cars to exit and enter the site at the same time, to avoid traffic waiting on the highway. The increase in the number of units would not materially harm the traffic flows in the surrounding area. Therefore, the proposed development is considered to comply with Policies AM2, AM7 & AM14 of the Hillingdon Local Plan (November 2012).

The proposed development would provide a cycle store with space for 6 cycles in the rear garden of the site in accordance with the Council's standards and Policy AM9 of the Hillingdon Local Plan (November 2012).

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

No urban design, access or security issues for consideration.

### **7.12 Disabled access**

Given the ground levels at the site, it would not be possible to provide a development which would allow step free access into the amenity area of the site. The building itself has been design in accordance with the Lifetime Homes Standards and a condition requiring compliance with this would be added to any approval. Furthermore, one disabled parking space has been provided within the site. Therefore, the proposed development is considered to comply with Policy 3.8 of the London Plan (July 2011).

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

Less than 10 dwellings are being proposed and no requirement toward affordable housing in necessary.

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

The proposed development would retain the two significant trees situated on the front boundary line of the site. These trees enhance the green appearance of Swakeley Road and their retention is welcomed. The Trees and Landscaping Officer has raised no objection to the proposed parking layout, subject to confirmation that the ground level would not be reduced around these trees. The applicant has indicated a no dig zone around these trees, ensuring the provision of parking would not cause them any unacceptable harm. In addition, the applicant has provided amended plans to show the correct location. The Trees and Landscaping Officer has objected to the landscaping provision not meeting the 25% requirement. The plans show 71 square metres of soft landscaping provision against a total area of 329 square metres. Which equates to 22% of the area to the front of the building, whilst this is below the 25% requirement, the retained trees on the frontage would ensure the site is well screened from view and planting would be provided along the front and side boundary lines. Therefore, given that a large area of the existing site is covered in hardstanding (more than shown on the existing block plan)

no objection is raised in this regard, subject to further details by condition.

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

The applicant has shown the location of the bin store to the front of the site which would be well screened by the change in ground levels and foliage to the front boundary line. This would be in suitable location for collections, as confirmed by the Highways Officer.

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

The applicant has provided no details as to the sustainable design of the building. However, this information could be secured by way of a condition requiring the scheme to comply with Code for Sustainable Homes Level 4. With this condition attached, the proposed development is considered to comply with Policy 5.1, 5.2 & 5.3 of the London Plan (July 2011).

#### **7.17 Flooding or Drainage Issues**

The level of cutting into the ground to alter the ground levels would not require a full hydrological or geotechnical assessment to be completed. The site does not fall within a flood zone and the proposed development is considered to comply with Policy OE7 of the Hillingdon Local Plan (November 2012).

#### **7.18 Noise or Air Quality Issues**

No noise or air quality issues for consideration.

#### **7.19 Comments on Public Consultations**

No further comments required.

#### **7.20 Planning Obligations**

The proposed development would increase the number of habitable rooms by more than 6. Therefore a financial sum towards the improvement of educational facilities in the area has been sought and calculated at £3,550.

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

None required

#### **7.22 Other Issues**

No further issues for consideration.

### **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in "Probity in Planning, 2009".

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal.

Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have "due regard" to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different "protected characteristics". The "protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have "due regard" to the above goals means that members should consider whether persons with particular "protected characteristics" would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances."

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

None received.

#### **10. CONCLUSION**

The proposed building would have an acceptable impact on the visual amenities of the surrounding area and the residential amenity of the adjoining occupiers. An acceptable level of residential amenity would be provided for each flat within the development and the parking provision would comply with Council's adopted standards. Therefore, the application is recommended for approval.

#### **11. Reference Documents**

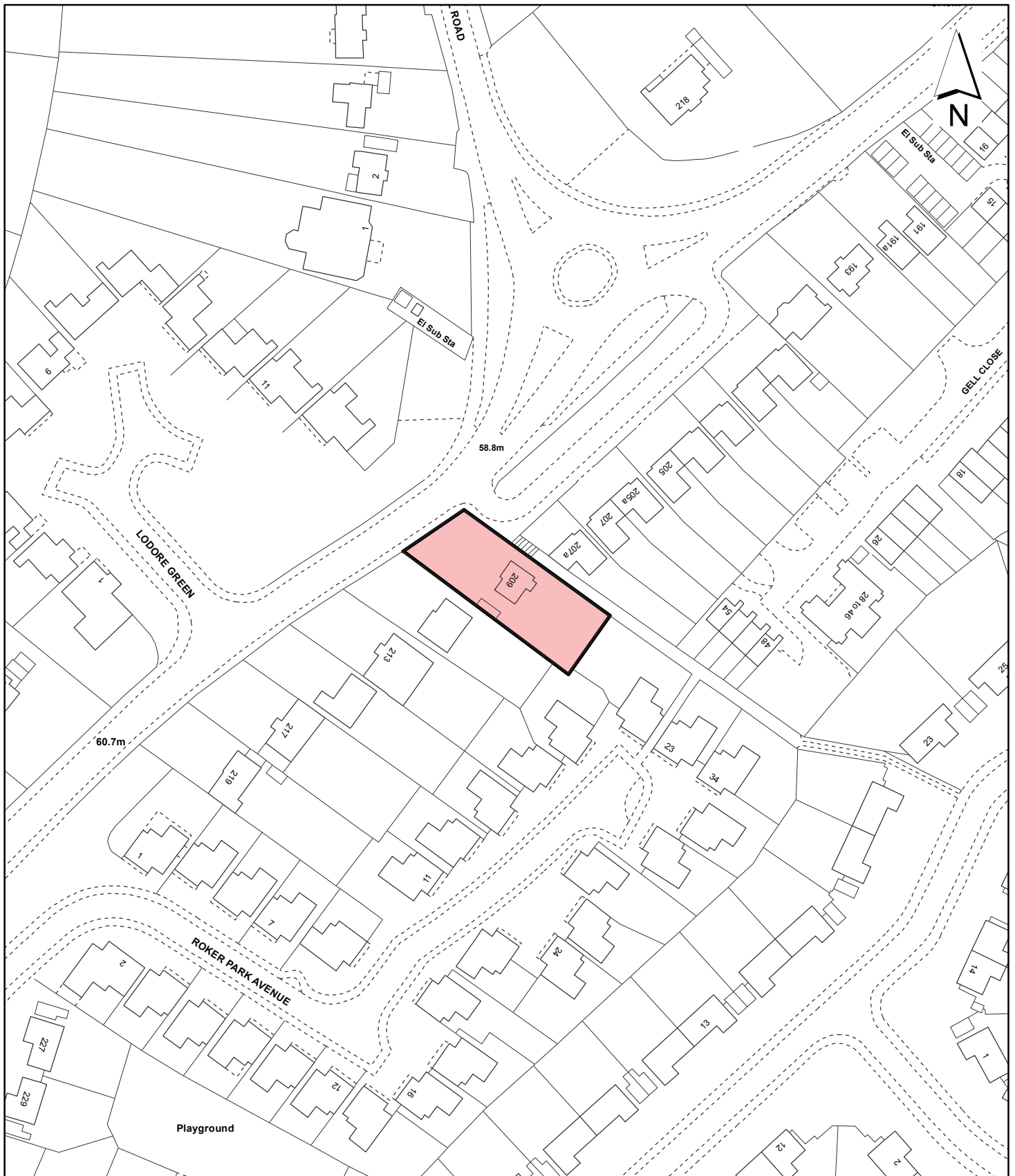
Hillingdon Local Plan (November 2012);  
The London Plan (July 2011);  
National Planning Policy Framework;  
Hillingdon Supplementary Planning Document: Planning Obligations (July 2008) and Revised Chapter 4 (September 2010)  
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006)  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (May 2013)


GLA's Supplementary Planning Guidance - Housing;

**Contact Officer:** Alex Smith

**Telephone No:** 01895 250230





<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). 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 align="center"><b>209 Swakeleys Road Ickenham</b></p>		<p align="center"><b>LONDON BOROUGH OF HILLINGDON</b></p> <p align="center"><b>Residents Services</b></p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center"><b>38490/APP/2013/3223</b></p>	<p>Scale</p> <p align="center"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p align="center"><b>Central &amp; South</b></p>	<p>Date</p> <p align="center"><b>January 2014</b></p>	