

Report of the Head of Planning, Sport and Green Spaces

Address 37 THE DRIVE ICKENHAM

Development: Two storey, 7-bedroom, detached dwelling with basement/lower ground level and habitable roofspace and single storey detached garage with associated access and amenity space, involving demolition of existing dwelling

LBH Ref Nos: 24043/APP/2013/1738

Drawing Nos: Photographs
Location Plan to Scale 1:1250
Design and Access Statement
BAS114-06
BAS114-07 Rev. A
BAS114-08 Rev. A
BAS114-09 Rev. A
BAS114-02
BAS114-03 Rev. A
BAS114-04 Rev. A
BAS114-05 Rev. A
BAS114-01
BAS114-10
BAS114-11
BAS114-12
BAS114-13

Date Plans Received: 24/06/2013 **Date(s) of Amendment(s):**
Date Application Valid: 09/07/2013

1. SUMMARY

This application is for a larger replacement detached two-storey, 7-bedroom house with a basement/lower ground level and accommodation in the roof space.

The new house would be set further back on its plot but would have a similar alignment with that of its neighbours. The impact of the proposal upon the street scene and the amenities of neighbouring properties is considered acceptable.

The scheme is recommended for approval, subject to the recommended conditions and a S106 contribution for education, commensurate with the development.

2. RECOMMENDATION

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

1. That the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:

(i) A financial contribution of £13,728 for education facilities and places

2. That if any of the heads of terms set out above have not been agreed and the

S106 legal agreement has not been finalised within 6 months of the date of decision, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse the application for the following reason:

'The applicant has failed to provide contributions towards additional education places required as a consequence of the demands created by the proposed development. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

3. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

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

5. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

6. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers.

7. That if the application is approved, the following conditions be attached:-

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 BAS114-02, BAS114-03 Rev. A, BAS114-04 Rev. A, BAS114-05 Rev. A, BAS114-06, BAS114-07 Rev. A, BAS114-08 Rev. A, BAS114-09 Rev. A, BAS114-10, BAS114-11, BAS114-12 and BAS114-13 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 RES6 Levels

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

be carried out other than in accordance with the approved details.

REASON

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

4 RES7 Materials (Submission)

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

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

REASON

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

5 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

2.b Car Parking Layouts

2.c 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 surfing/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).

6 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 35a and 39 The Drive.

REASON

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

7 RES13 Obscure Glazing

The rearmost side drawing room ground floor and en-suite first floor window(s) facing 35a and windows facing 39 The Drive 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).

8 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

9 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.

10 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.

11 RES18 Lifetime Homes/Wheelchair Units

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

REASON

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

12 NONSC Non Standard Condition

The roof area of the orangery type conservatory adjoining the side boundary with No. 35a The Drive shall not be used as a roof garden or other type of amenity space.

REASON

To safeguard the privacy of the occupiers of the adjoining property, in accordance with Policies BE19 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

13 NONSC Non Standard Condition

Prior to the occupation of the replacement house, the existing house on site shall be demolished and the access arrangements, off-street car parking and landscaping works shown on Drw. No. BAS114-02 shall be implemented.

Reason:

To ensure that adequate amenities are provided and that adequate amenities are provided for occupiers of the proposal in accordance with Policies BE19, BE20, BE21, BE24 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

NONSC

Non Standard Condition
Prior to the commencement of ground investigation shall be undertaken to determine the risk of flooding to and from the new development. The investigation must be accompanied by appropriate mitigation if there is a risk of flooding to or from the proposed development. The investigation and mitigation details should be submitted to and approved in writing by the Local Planning Authority prior to works commencement. The development must then proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To minimise the risk of flooding to and from the proposed development in accordance with the NPPF and Policy 5.12 of the London Plan.

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.

NPPF1

NPPF6

NPPF7

NPPF10

LPP 3.4 (2011) Optimising housing potential

LPP 3.5 (2011) Quality and design of housing developments

LPP 3.8 (2011) Housing Choice

LPP 5.2 (2011) Minimising Carbon Dioxide Emissions

LPP 5.3 (2011) Sustainable design and construction

LPP 5.13 (2011) Sustainable drainage

LPP 5.15 (2011) Water use and supplies

LPP 6.3 (2011) Assessing effects of development on transport capacity

LPP 6.13 (2011) Parking

LPP 7.2 (2011) An inclusive environment

LPP 7.3 (2011) Designing out crime

LPP 7.4 (2011) Local character

LPP 7.6 (2011) Architecture

LPP 7.21 (2011) Trees and woodland

OL5 Development proposals adjacent to the Green Belt

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

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

BE20 Daylight and sunlight considerations.

BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
PO-EDU	Revised Chapter 4: Education Facilities of the Planning Obligations Supplementary Planning Document, adopted 23 September 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

3 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.

4 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).

5 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.

6 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.

7 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

8

You are advised that the development hereby approved represents chargeable development under the Mayor 's Community Infrastructure Levy. 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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the western side of The Drive and comprises a traditional large detached two storey house on an extensive plot, with large single storey

rear extensions/outbuildings and a detached garage at the side served by two vehicular accesses. The existing property is set forward on its plot compared to the adjoining properties (Nos. 35A and 39), although its siting does follow the closer original relationship of properties on this side of the road to the south of No. 35A.

No. 35A is an infill bungalow development which is sited close to the rear garden boundary of the application site. No. 39 is a modern re-development, as are adjoining properties to the north, comprising of very large two/three storey houses with large crown roofs and pastiche classical features which have a similar siting to No. 35A.

The site has an urban fringe location, with the Uxbridge Golf Club adjoining the site to the west which forms part of the Green Belt and the Colne Valley Regional Park. Ground levels fall away at the rear and also from the north to the south, allowing views over the adjoining golf course through the mature trees which mark the rear boundary. The site is covered by TPO 316.

3.2 Proposed Scheme

This application seeks permission to demolish the existing property and erect a large detached two storey 7 bedroom house, with a basement/lower ground level at the rear and accommodation in the roof space, together with a detached triple garage in the front garden and associated access and landscaping works.

The proposed replacement house would be set further back on its plot as compared to the existing house so that it would be set back approximately 50m from The Drive and occupy a similar position to that of its immediate neighbours. The house would have a two storey aspect at the front, and due to the ground levels which slope down towards the rear, a three storey aspect at the rear with the exposed basement/lower ground floor. With an overall width of 22.3m, the house would maintain minimum gaps of 2.1m and 2.5m to the side boundaries with Nos. 35a and 39 respectively.

The main house would have a depth of 12.4m and its design incorporates 3 projecting gables at the front, with the centrally sited gable having the greater projection of 1.75m and a large centrally sited gable at the rear projecting 3.1m from the main rear elevation to give an overall maximum depth to the house above the lower ground floor/basement level of 17.3m. A number of the rooms at the rear would have french doors and juliette balconies.

The roof would comprise a modest sized crown roof with side chimney, and have a maximum height of 10.1m (excluding the chimney) and an eaves height of 6.0m as measured on the front elevation. The roof would incorporate two small gabled dormers on the front and rear elevations with a recessed balcony area within the rear gable.

On the lower ground floor at the rear, to the side of the gable adjoining No. 35a would be a single storey orangery type addition with a clerestorey lantern light which would project some 2.5m from the main rear elevation of the house (so as not to project beyond the rear gable) and on the side adjoining No. 39 would be a single storey extension which would house a swimming pool and project 6.7m (3.6m beyond the rear gable). On the ground floor above the pool enclosure would be a similar orangery type conservatory structure with a lantern light which would align with the rear elevation of the gable and the roof of the pool enclosure would be used as a balcony area.

The front garden layout would retain the existing in and out access arrangements with a semi-circular drive, with a spur accessing the detached garage sited further to the rear

within the front garden on the boundary with No. 39. This would be 11.3m by 7.0m and have a hipped roof.

The basement/lower ground floor at the rear would involve the installation of retaining walls within the rear garden to align with the side elevations of the proposed house to maintain existing ground levels at the sides of the rear garden.

3.3 Relevant Planning History

Comment on Relevant Planning History

There have been two applications submitted for residential extensions to the existing house.

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.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.C11 (2012) Community Infrastructure Provision
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- NPPF1
- NPPF6
- NPPF7
- NPPF10
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.15 (2011) Water use and supplies
- LPP 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.13 (2011) Parking
- LPP 7.2 (2011) An inclusive environment
- LPP 7.3 (2011) Designing out crime

LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
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SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

4 neighbouring properties, the Residents' Association of the Drive and the Ickenham Residents' Association. A site notice was displayed on site on 30/7/13, with a closing date of 20/8/13. 1

response has been received, although this does not raise any material planning matters.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER:

Whilst the proposed house is of a large scale, it is not dissimilar in size to other recently approved developments within the immediate area. The frontage of the proposed house would be set well back from the road and would be of a fairly simple, traditionally inspired design, which with a careful choice of materials could be quite attractive within the local street scene. The rear elevation is less successful, but on balance no objections are raised to the proposal.

SUSTAINABILITY OFFICER:

I have had a look at the application with respect to the probability of groundwater flooding. The site is in an area that is deemed to have a low probability of groundwater flooding. However, any basement development has inherent implications for and from sub surface flooding problems and ground conditions.

With regards to planning, the Council needs to consider the probability of the flooding impact alongside the ability for a basement to be constructed in a manner that would withstand groundwater flooding.

The Council accepts that it is entirely reasonable to believe there is a solution for this development given the relatively low probability of groundwater flooding. However, there is still a need to ensure that future occupiers of the dwelling are not exposed to a poorly designed development that does not adequately consider the flood risk. The following condition is therefore necessary:

Condition

Prior to the commencement of development a ground investigation shall be undertaken to determine the risk of flooding to and from the new development. The investigation must be accompanied by appropriate mitigation if there is a risk of flooding to or from the proposed development. The investigation and mitigation details should be submitted to and approved in writing by the Local Planning Authority prior to works commencement. The development must then proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To minimise the risk of flooding to and from the proposed development in accordance with the NPPF and Policy 5.12 of the London Plan.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site forms part of the 'developed area' and the proposal is for a replacement house, albeit a significantly larger one so that there is no objection in principle to the scheme.

7.02 Density of the proposed development

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

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The site is on the edge of the Green Belt, however given its distance from the boundary and that it is a replacement dwelling, the proposal would not impact unduly on the Green Belt.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

In terms of the impact upon the street scene, there would be no objection to siting the house further back on its plot as this would replicate the similar siting of the immediately adjoining properties.

The house would maintain undeveloped gaps of 2.1 to 3.5m and 2.5 to 2.7m with the side boundaries adjoining Nos. 35A and 39 respectively, which would satisfy Policy BE22 of the Hillingdon Local Plan - Part Two Saved UDP Policies (November 2012) and is comparable to the set back distances of surrounding properties.

In terms of the street scene, the front elevation of the replacement house would be well proportioned with a fairly traditional appearance. The spacing of the projecting gables and bay windows would assist with the breaking up of the wide frontage of the property. Furthermore, crown roofs and front dormer windows are characteristic on this part of The Drive.

The rear elevation of the property does appear somewhat unwieldy, mainly due to its three storey height and the level of fenestration. However, part of the lower ground/basement level would be below the adjoining ground level so that it would not appear unduly conspicuous. The Council's Conservation/Urban Design Officer considers that the scheme acceptable on design grounds.

The proposal therefore accords with Policies BE13 and BE19 of the Hillingdon Local Plan - Part Two Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The only residential properties that would potentially be materially affected by the proposed scheme are the two adjoining properties.

As regards the adjoining bungalow at No. 35A, this property is sited on lower ground and extends along a 35m depth of the side boundary. The front elevation of the proposed house would be sited approximately 4m forward of its front elevation. The nearest windows to the shared side boundary in the front elevation of the adjoining property serve a living room. The proposed siting of the new house would allow for a 45 degree line of sight to be maintained from this window. On the side elevation of No. 35a are a number of windows. The forwardmost side window facing the application site serves a wc, with the next openings being a door and window serving the laundry area. These are all obscure glazed and would have the main bulk of the new house immediately adjacent. The next openings along are two clear glazed windows which are the only external windows serving a dining room. These windows would be sited to the rear of the main rear elevation of the proposed house. The outlook from this habitable room is currently restricted, being within 1m of a 1.8m high boundary fence. It is considered that the outlook from this habitable room would not be made significantly worse to justify a refusal of permission, particularly as this room benefits from having internal glazed french doors and windows which open

up the room into the rest of the open plan bungalow. The next window along is clear glazed and serves a gymnasium area and the main bulk of the new house would have less of an impact upon the outlook from this room. This room also has a projecting skylight above. Next is a porthole window and two other windows, all of which are obscure glazed which serve a bathroom.

As regards privacy, the proposed house does not contain any main habitable room windows in its side elevation facing No. 35A. A condition is recommended to ensure the rearmost ground floor side window serving a drawing room and a first floor en-suite window would be obscure glazed and non-opening. A condition is also required to ensure that the roof above the orangery type conservatory on this boundary is not used as a roof garden/amenity space. The first floor balcony area would also be entirely enclosed by the gable and would not permit any greater overlooking of adjoining properties than a traditional window.

As regards the impact upon No. 39, this property towards the rear is sited on slightly higher ground as compared to the application property. The front elevation of the proposed new house would not contain any side windows above ground floor level and be set slightly behind the front elevation of No. 39 with the main rear elevation of the house aligning with that of No. 39. The neighbouring property only contains non-habitable room windows above ground floor level in its side elevation which are obscure glazed and secondary windows at ground floor which face the boundary fence. As the ground floor orangery type conservatory on this boundary would only project some 3.1m from the main rear elevation of the house and the basement/lower ground floor pool enclosure which although it would project further into the rear garden, would only have a height of some 1.25m above existing ground levels, these elements of the proposal would not breach a 45 degree angle of sight from the nearest rear facing windows on the neighbouring property. A condition would ensure that the roof area of the ground floor orangery type conservatory would not be used as a roof garden/amenity area.

As regards the proposed garage in the front garden, this would be sited approximately 9m forward of the neighbouring properties front elevation, immediately adjacent to their detached garage so that it would not have any significant adverse impacts upon this property.

As such, it is considered that subject to the recommended conditions, there would be no significant adverse impacts upon the neighbouring properties.

7.09 Living conditions for future occupiers

This is a very large house with an internal floor area in excess of 1,130sqm which satisfies the Mayor's relevant standards. Furthermore, all habitable rooms would have an adequate outlook and natural lighting.

Even with setting the house further back on its plot, a rear garden area of 1,500sqm would be retained which would easily satisfy the Council's 100sqm standard for 4 or more bedroomed houses and would be commensurate with the character of the area.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal is for a replacement house that would utilise the existing access arrangements. As such, the proposal would not result in any significant increase in traffic generation or be prejudicial to highway and pedestrian safety as compared to the current situation, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2012).

The proposed access and car parking layout is acceptable. Although the triple garage would provide an additional car parking space as compared to the Mayor's maximum standards, the proposal is for a very large property within an area with a low PTAL score (1b). Given that the existing layout could already allow very many cars to park on the driveway, the triple garage is not so significant as to justify a refusal of the scheme.

7.11 Urban design, access and security

These issues are covered in other sections of the report.

7.12 Disabled access

A Lifetime homes condition is recommended.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are no existing trees that would be affected on this part of the site and the proposed plans would make suitable provision for a landscaping scheme, which has been conditioned for subsequent approval.

The proposal involves a replacement house sited further back on its plot which would allow space for an appropriate landscaping scheme to enhance the street scene.

The site has negligible importance for ecology.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

A condition requiring the development to meet Level 4 of the Code for Sustainable Homes is recommended.

7.17 Flooding or Drainage Issues

The site is within Flood Zone 1, which is the lowest level of risk and would not require the submission of a flood risk assessment.

There is an issue relating to the probability of the flooding impact alongside the ability for a basement to be constructed in a manner that would withstand groundwater flooding. However, the Council accepts that it is entirely reasonable to believe there is a solution for this development given the relatively low probability of groundwater flooding and thus a condition as recommended by the Sustainability Officer, is recommended.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Should the application be approved, planning obligations should be sought to mitigate the impact of the development of education provision.

The applicant has agreed to these proposed Heads of Terms, which are to be secured by

way of the S106 Agreement. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the saved UDP.

The development would also be liable for the Mayoral CIL.

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 would be set further back on its plot but would have a similar alignment with that of its neighbours. The impact of the proposal upon the street scene and the amenities of neighbouring properties is considered acceptable. The scheme is therefore recommended for approval.

11. Reference Documents

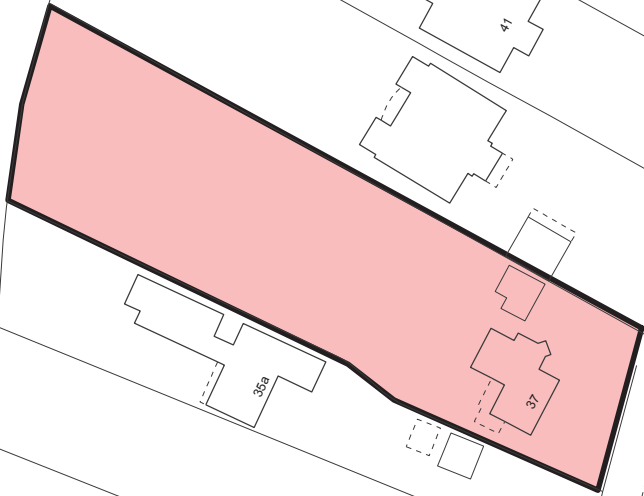
NPPF (March 2012)
London Plan (July 2011)

Hillingdon Local Plan (November 2012)
HDAS: Residential Layouts
HDAS: Accessible Hillingdon
Consultation responses

Contact Officer: Richard Phillips

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irse



Notes

 Site boundary

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Planning Application Ref:
24043/APP/2013/1738

Scale
1:1,250

Planning Committee
North Application

Date
February 2014



HILLINGDON
LONDON