

Report of the Head of Planning, Sport and Green Spaces

Address R/O 57-59A (FRONTING SHALDON DRIVE) EXMOUTH ROAD RUISLIP

Development: Two storey, 2-bed, detached dwelling with associated parking and amenity space, installation of vehicular crossover and cycle store

LBH Ref Nos: 16124/APP/2013/3540

Drawing Nos: 13/3297/5 Rev A
Arboricultural Survey
Tree Constraints Plan
Design and Access Statement
Location Plan (1:1250)
13/3297/6
13/3297/7
13/3297/8

Date Plans Received: 28/11/2013 **Date(s) of Amendment(s):** 28/11/2013

Date Application Valid: 09/12/2013

1. SUMMARY

The application seeks permission to erect a detached dwelling on land to the rear of Nos. 57, 59 and 59a Exmouth Road, with a frontage on to Shaldon Drive, with associated parking and amenity space.

The proposal has been assessed against current policies and guidance for new housing development in terms of the effect on the character of the surrounding area, the potential impacts on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as vehicle access, traffic/pedestrian safety and parking in Shaldon Drive. The amenities of the future occupants of the dwellings have also been considered.

In conclusion, the proposals would fail to accord with the terms and objectives of all of the identified policies and the requirements of adopted standards or design criteria specifically those in respect of highways and parking matters, the design of the proposal, and the standard of accommodation for Lifetime Homes. It is recommended therefore that planning permission for the proposed development be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed development by virtue of the inappropriate development of gardens would erode the character, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (July 2011) and the National Planning Policy Framework.

2 NON2 **Non Standard reason for refusal**

The proposed development fails to demonstrate that sufficient off street parking provision

which meets the Council's approved parking standards to service the existing and proposed dwellings will be provided and would result in the loss of space currently available for on-street parking. The development would therefore lead to additional on street parking, in an area where such parking is at a premium, to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), the Council's adopted car parking standards and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal would fail to meet all of the Lifetime Homes standards, in particular with regard to parking, level access, the provision of at least one bathroom/en-suite laid out to standard or a entrance level WC for future use as a wet room. It is therefore contrary to Policy 3.8 of the London Plan (July 2011), the Supplementary Planning Document, the 'Hillingdon Design and Accessibility Statement - Accessible Hillingdon', Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy AM13 of the Local Plan: Part Two - Saved UDP Policies.

4 NON2 Non Standard reason for refusal

The proposed development by reason of its design, bulk and location would result in an incompatible and obtrusive form of development which would have an unacceptable detrimental impact upon the streetscene and the area in general. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (July 2011) and the National Planning Policy Framework.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

NPPF

LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H12	Tandem development of backland in residential areas

HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
BE13	New development must harmonise with the existing street scene.
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.
AM7	Consideration of traffic generated by proposed developments.
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.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies.

On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site relates to a 0.02 hectare rectangular plot of land currently forming part of the extended rear garden of No. 57 Exmouth Road which occupies a road frontage of 10.0 metres in Shaldon Drive. To the north boundary is an unsurfaced private access lane serving garages belonging to properties in Shaldon Drive, Exmouth Road and Barnstaple Road.

The site is enclosed by a close boarded fence on both sides and is heavily planted with

several fruit trees, a single Holly and a feature Palm.

The site is adjoined by the gardens of other properties to the rear of Exmouth Road, which is accessible from Shaldon Drive. The surrounding area is wholly residential and characterised by terraced rows of two storey dwellings with established suburban gardens typically on 30-35 metre plots.

The site is situated within a Developed Area as identified in the Policies of Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and has a Public Transport Accessibility Level (or PTAL) of 1a.

3.2 Proposed Scheme

The proposal is for the erection of a two storey, 2-bedroom three person detached dwelling house providing approximately 94 square metres of gross internal floor area.

The proposed dwelling would be finished with a hipped roof on all sides, extended to a cat slide roof on the south side elevation. It would have a width of 8.1 metres and an overall depth of 9.8 metres at ground floor (6.6m at first floor) and be set approximately 6.0 metres back from the public footpath to align with the established building line in Shaldon Drive. The flank wall of the dwelling would be approximately 12.8 metres from the rear boundary of No. 59a Exmouth Road at ground floor (15.1m at the upper eaves level) and have an apex height of approximately 7.45 metres.

Internally, it would comprise of a kitchen/diner and lounge at ground floor, two bedrooms and a bathroom on the first floor. All habitable room windows would be in the front or rear elevations with no windows at first floor in either of the side elevation facing properties in Exmouth Road or Shaldon Drive.

The dwelling would be finished externally in brick, tile and upvc window/door openings. The proposed development would be served by a new vehicle crossover (3.2 metres wide at the kerbside) from Shaldon Drive with off road parking space within the front garden for one vehicle.

Approximately 64 square metres of private amenity space would be provided to the rear of the dwelling which would also contain a cycle store (1.3 metres x 1.75m) for two bicycles.

3.3 Relevant Planning History

16124/APP/2013/2459 Land Rear Of 57, 59 And 59a Exmouth Road Fronting Shaldon Drive
Two storey, 3-bed, detached dwelling with associated parking, amenity space and refuse storage

Decision: 21-11-2013 Withdrawn

16124/E/77/0449 R/O 57-59a Exmouth Road Fronting Shaldon Drive Ruislip
Residential development-1 units (Outline)(P)

Decision: 14-07-1977 Refused

16124/F/78/0207 R/O 57-59a Exmouth Road Fronting Shaldon Drive Ruislip
Householder dev. (small extension,garage etc) (P)

Decision: 31-03-1978 Approved

Comment on Relevant Planning History

None relevant but a proposal for a two storey, 3-bedroom detached dwelling with associated parking, amenity space and refuse storage (under ref. 16124/APP/2013/2459) on this site was withdrawn recently.

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.EM6 (2012) Flood Risk Management

Part 2 Policies:

NPPF

- LPP 3.3 (2011) Increasing housing supply
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments
- LPP 3.8 (2011) Housing Choice
- LPP 3.9 (2011) Mixed and Balanced Communities
- H3 Loss and replacement of residential accommodation
- H4 Mix of housing units
- H12 Tandem development of backland in residential areas
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- BE13 New development must harmonise with the existing street scene.
- 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.
- AM7 Consideration of traffic generated by proposed developments.

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.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

11no. neighbouring and nearby occupiers were consulted (on 10 & 24.12.2013) and in addition a site notice was displayed from 23.12.2013. There have been six responses received, including a petition (signed by 29 persons) with the following objections, issues and concerns raised (summarised):

Impact on the surrounding area:

- Over development of small plot in relation to rest of area;
- Out of character with terraced rows;
- Encroachment/closing of an open (green) area/loss of garden space;
- Over crowding/detrimental effect on local area;
- Loss of trees.

Size/scale:

- Footprint.

Amenities of neighbouring occupiers:

- Lower quality of life for the adjacent properties;
- Backs onto gardens/less than the minimum required separation distance of 15 metres;
- Overshadowing effect/loss of daylight (to kitchen and habitable rooms);
- Bulk, siting and overbearing presence;
- Loss of view (will be towards a featureless pebble dashed building);
- New trees will block sunlight to gardens;
- Overlooking of gardens possible from side window.

Parking, access and traffic:

- Parking already congested in this road/over saturated parking problems will be further complicated;
- Parking during the weekend or holidays that along both side of the end of Shaldon Drive are full

with cars from the over spill from Shaldon Drive and Exmouth Road residents;

- Additional street parking (1-3 cars);
- Loss of existing parking space(s) in Shaldon Drive (1/2 cars);
- Loss of garage parking space for No. 57 Exmouth Road.

Amenities of future occupants:

- Inadequate garden size.

Other:

- Precedent set (appeals quoted by applicant are not comparable);
- Pressure of additional residents on already overstretched local system;
- Disruption during building works;
- Destruction of habitats of wildlife (plus newts migrate annually from pond at No. 57).

South Ruislip Residents Association (10.12.2013) - no comments.

Internal Consultees

Principal Access Officer:

Comments that whilst plans demonstrate some compliance with London Plan (2011) Policy 3.8, and the Lifetime Homes Standards, an accessible entrance level WC should be incorporated. Revised plans should be requested as a pre-requisite to any planning approval as follows:

- details of level access to and into the proposed dwelling should be submitted;
- a fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress;
- in addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted;
- the scheme does not include provision of a downstairs WC, compliant with the Lifetime Home requirements. To this end, a minimum of 700 mm should be provided to one side of the toilet pan, with 1100 mm in front to any obstruction opposite;
- a minimum of one bathrooms/ensuite facility should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite;
- to allow the entrance level WC to be used as a wet room in future, a floor gully (trap) should also be provided in this space.

An additional condition re. level access should be attached to any planning permission.

Trees/Landscape Officer:

No objection subject to conditions RES9 (parts 1,2,5 and 6). Makes the following comments

Saved Policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. This garden has no protected species or trees/other significant landscape features which might constrain development.

The application is supported by Merewood's Arboricultural Survey to BS5837:2012. The survey assesses the condition and value of 8No. individual specimens. The report concludes that these are all grade 'C' trees which make a limited contribution to the visual amenity of the area. The development necessitates the removal of several garden shrubs and small trees. However, no trees or other landscape features of merit will be affected by the proposal.

The Design & Access Statement, Tree Survey, together with WJ Macleod drawing No. 13/3297/1

confirm that there is space and opportunity within the proposed site layout to secure replacement planting as part of a landscape scheme for the site. If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

Environmental Protection Unit:

No objection subject to standard informative re. control of environmental nuisance from construction work.

Highways (Traffic/Transportation) Officer:

Objection on grounds of inadequate parking provision for the new dwelling and loss of existing parking (both on-street and to No. 57 Exmouth Road) contrary to Policies AM7 and AM14.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 53 of the National Planning Policy Framework advises that 'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

The London Plan (July 2011) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure.

In terms of new housing supply, the Borough of Hillingdon has been allocated a minimum target of 4,250 in the period from 2011-2021. The form of such housing should provide a mix of dwelling types in different locations with those at higher densities providing for smaller households focused on areas with good public transport accessibility.

London Plan Policy 3.5 (Quality and design of housing developments) states that "housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the Plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified".

The London Plan comments (in Paragraph 3.34) that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern. This Plan therefore supports development plan-led presumptions against development on back gardens where locally justified by a sound local evidence base..."

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that "new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable area".

Policy H12 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) refers to proposals for tandem development of backland in residential areas. However, this form of development consists of one house immediately behind another and sharing the same access therefore is not applicable to the current application proposal.

The construction of one dwelling on this site would effectively however represent "garden grabbing" with a significant area of the existing garden to No. 57 Exmouth Road taken and which currently provides an undeveloped open /green space between the rear of the adjoining dwellings in Exmouth Road and the next row in Shaldon Drive. As this land is not otherwise previously developed, the proposal should be considered as an inappropriate form of development in this locality and is thus contrary to the objectives of the NPPF, London Plan Policy 3.5 and Hillingdon Local Plan Policy BE1.

7.02 Density of the proposed development

The density of residential development on this site should be in accordance with Policy 3.4 of the London Plan (July 2011). Thus for dwellings of 4 habitable rooms in suburban locations, a density of 150-200 habitable rooms/hectare (or 35-55 units/ha.) is sought.

The proposed development, comprising of four habitable rooms (two bedrooms plus a kitchen/diner and lounge) on a site area of 0.02 hectare would thus result in a density of 200 habitable rooms/hectare (approx.) or 50 units per hectare, which would be at the top of the acceptable density range for a site in a suburban location with a PTAL score of 1a.

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

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) requires developments to harmonise with the existing streetscene or other features in the area.

Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area in which it is situated.

The application site is wholly visible from Shaldon Drive the immediate surrounding area to which comprises of mostly two storey terraced rows. The proposed house would occupy a smaller plot in terms of front to back depth than those. Given the detached nature, the lower eaves and ridge height, and the overall roof form of the proposed dwelling, it is considered that the proposal would be incongruous with the existing built features in the street scene.

Policy BE22 of the Hillingdon Local Plan requires a gap between a two storey building and the side boundary line of at least one metre. Whilst the site backs on to the gardens of properties in Exmouth Road and adjoins a private access lane, this has nonetheless been achieved in the proposal. However, the design and layout of the proposed is considered to be out of keeping with the design and layout of the adjoining terraced properties.

Accordingly, the proposal is not considered to comply with the objectives of Policies BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies in this regard.

7.08 Impact on neighbours

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that "planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity."

The Council's Supplementary Planning Document - the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) sets down a minimum of 15 metres separation distance between adjoining dwellings.

Policy BE20 of the Local Plan requires new buildings to provide for adequate daylight and sunlight to be able to penetrate into and between them and the amenities of the existing houses to be safeguarded.

The proposal would maintain a separation of 12.8 metres from the rear elevation of No. 59a Exmouth Road at ground floor but achieve 15.1 metres at the upper eaves level. The cat slide roof section facing this and other properties in Exmouth Road would effectively reduce the physical bulk at the boundary and allow natural light to penetrate whilst sunlight from the south would be unaffected.

For these reasons therefore, it is considered that the proposal would be unlikely to reduce the residential amenities of the occupiers of Nos. 55 to 59a Exmouth Road and No. 68 Shaldon Drive by reason of bulk and proximity or loss of natural light/sunlight and as such complies with the objectives of both Policies BE20 and BE21.

Policy BE24 of the Local Plan requires the design of new buildings to protect the privacy of neighbouring dwellings. Paragraph 4.12 of the Hillingdon Design and Access Statement: Residential Layouts (or HDAS) requires a minimum of 21 metres between properties (taken at 45 degrees from the centre of the upper floor habitable room windows in the new dwellings) to ensure no loss of privacy would occur.

In this regard, there are no habitable room windows proposed to the upper floors of the new dwelling that would create overlooking to any of the existing dwellings or the nearest part of their gardens in either Exmouth Road or Shaldon Drive (as measured by a 45 degree taken either side of the centre of the rear windows) or to the rear in Barnstaple Road which are over 50 metres away.

7.09 Living conditions for future occupiers

Policy 3.5 of the London Plan (July 2011) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. In order to achieve this, the new dwelling would be required to meet the minimum gross internal floor space standards set out under this policy, and in the GLA's Supplementary Planning Guidance - Housing (November 2012).

The proposed development would provide a two bedroom dwelling, with a gross internal floor area of 94 square metres (approximately). The front bedroom is capable of being occupied in the future as a double or twin room [12 sq.m. or more], and therefore a total of up to three persons could be accommodated in total.

The standard set down for a 2-bedroom, 3 person dwelling is 74 sq.m. therefore the floorspace provided would achieve the minimum gross internal floor area set down in the London Plan (July 2011). The proposal would thus provide an adequate layout standard of living accommodation for its occupants and complies with the London Plan and HDAS standards in this regard.

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states: "New residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and the surrounding buildings, and which is useable in terms

of its shape and siting."

The Council's Supplementary Planning Document - the Hillingdon Design and Accessibility Statement - Residential Layout (July 2006) states that the garden space standards which for a two bedroom dwelling is 40 square metres. The proposal provides 64 square metres of private garden space and therefore also complies with Local Plan Policy BE23 and HDAS in this regard.

The amenity space of the existing dwellings at Nos. 59 and 59a Exmouth Road, the rear boundaries of which would be adjoined, 70/80 sq.m. respectively would be unchanged. The dwelling at 57 Exmouth Road, which has been extended at the rear, would retain approximately 62.5 square metres of its current extended garden of over 230 sq.m. sufficient for a two bedroom property.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of two off-street parking spaces for each dwelling.

The application site has a low PTAL score of 1a, so the maximum two parking spaces standard is required to be adhered to in this instance. The spaces should each measure 2.4 metres x 4.8 metres and allow for turning/manoeuvring in order that vehicles leave the site in a forward gear.

The proposal indicates the provision of an area for off-street parking for the dwelling, which would be serviced by a proposed new single vehicle width crossover from the Shaldon Drive. The applicant has commented that as the proposed house is two bedroom, a single space in the front garden may be considered more appropriate for this area in addition to which a greater amount of land at the front could be devoted to soft landscaping. Furthermore, this new vehicular access on to Shaldon Drive is preferable to using the side access (as in the previous withdrawn application) as the appropriate pedestrian visibility splays to the pavement would be within the applicant's control on both sides.

In considering alternatives, whilst a tandem parking arrangement for two vehicles is not possible on this depth of frontage, a single width crossover should also retain an upstanding at the kerb of at least 1.2 metres between this and the existing crossovers on either side in Shaldon Drive and any other internal parking layout for two cars could result in running across the raised kerb. The position of the proposed cross-over is currently available for parking although visibility for vehicles leaving the rear service lane can be severely restricted and thus having a new crossover here may even be considered as a gain to highway safety.

These practical considerations apart, there is a potential deficiency of one parking space provided on the site for the new dwelling and the loss of two other parking spaces in the vicinity. One of these, in the former garage for No. 57 Exmouth Road (which has never been used for vehicle parking by the current owner in 19 years) which is to be removed but which the Council's Highways Officer considers could easily be brought back into use

by construction of a ramp. The other lost space would be the on-street space described on Shaldon Drive. In these circumstances therefore, up to three additional vehicles could at any time need to be parked on the surrounding roads, which are already at capacity especially in the evenings and at weekends.

For this reason, on balance the proposal is likely to have a detrimental impact on general highway safety and traffic flow as vehicle drivers look for parking spaces which are already limited and at times may be at full capacity in the vicinity of the application site. This may also encourage parking in potentially dangerous positions. The proposal is thus contrary to the objectives of Local Plan Policies AM7 and AM14 and the adopted car parking standards in this regard.

In addition to the car parking requirements, any proposal should provide a covered, screened and secure cycle store with space for three bicycles within the site of the new dwellings. This provision has been made in the proposal with a cycle store for two bicycles in the rear garden.

Access for emergency and other vehicles to this site would be good and unlikely to give rise to highway and pedestrian safety problems in the immediate vicinity of the site entrance.

7.11 Urban design, access and security

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. They should be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. They should also create safe and secure environments.

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) also sets out, in Chapter 4, the site specific and general design guidance for new residential development.

Thus elevations should be in harmony with the surroundings and complement and/or improve the area, contributing to the street scene and environment generally. Building lines should relate to the the street pattern whilst car parking should not result in a reduction in residential amenity as a result of noise, emissions and increased activity. Where parking is to the front, careful consideration must be given to boundary treatment, retention of trees and the use of walls, fences etc. Bicycle parking facilities should be safe and accessible.

As discussed elsewhere in this report, the bulk and scale, siting and design of the proposed dwelling has been considered in terms its effect on the amenity and character of the surrounding residential area, and it is considered to be unacceptable in the context of the local built environment.

7.12 Disabled access

All housing development schemes must be constructed to a design that is in accordance with the Lifetime Homes Standards as outlined in the SPD, the Hillingdon Design and Accessibility Statement (HDAS) - Accessible Hillingdon' and Policy 3.8 of the London Plan 2011.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) also states that housing should be designed to include Lifetime Homes principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly.

The basic objective of these policies is that any new dwelling should be accessible and capable of future occupation by disabled person(s). This may include where appropriate such design features as external access ramps, level entrance thresholds for wheelchairs, minimum door widths and bathroom dimensions including a practical WC/washbasin arrangement, a layout that enable one bathroom facility at entry level to be used in the future as a wet room (with shower gulley drainage) and an identified location for a future through the ceiling wheelchair lift.

The Council's Principal Access Officer has advised that the proposal would fail to meet all of the Lifetime Homes standards, in particular with regard to level access, at least one bathroom/en-suite laid out to standard or a entrance level WC for future use as a wet room. These should be included in the final layout and made the subject of conditions but in so far as they have not been incorporated here, the proposal would be contrary to Policy 3.8 and HDAS.

Policy AM13 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) seeks to ensure that proposals for development increase the ease and spontaneity of movement for elderly people, the frail and people with disabilities. With regard to Lifetime Homes standards, there is no such parking bay provided (this should be 3.6 wide) and strictly therefore this policy objective has not been met by the proposal.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved Policies Unitary Development Plan Policies (November 2012) requires new developments to retain and utilise landscape features of merit.

The development necessitates the removal of several garden shrubs and small trees specimens, all of which make only a limited contribution to the visual amenity of the area. No trees or other landscape features of merit will be affected by the proposal.

There is however space and opportunity within the proposed site layout to secure replacement planting as part of a landscape scheme for the whole site including the site frontage in Shaldon Drive, which can be sought by means of conditions on any approval granted.

The Council's Trees & Landscape Officer has confirmed that there is no objection on this basis. The proposal would thus achieve the specific landscape aims of Local Plan Policy BE38 in this regard and also to Local Plan: Part One Policy BE1 which seeks to protect the amenity of surrounding land and buildings, particularly residential properties.

7.15 Sustainable waste management

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement - Residential Layouts, in Chapter 4 states that adequate and appropriate space for waste and recycling facilities should be incorporated in to new developments, which integrates with the buildings they serve and minimises the impact on local amenity.

Waste disposal facilities should be located on private land with solid, well ventilated bin stores that are discreetly sited and screened but easily and safely accessible from the highway/collection point. The maximum distance for refuse to be carried by residents is 25 metres or 30m from the highway where these are to be collected. In accordance with HDAS therefore, the dwellings would be required to be provided with a screened storage area for refuse awaiting collection.

The proposed site layout makes provision for a hardstanding for bins within the application site, the details of which can be made the subject of an appropriate condition, but are otherwise considered to be in a suitably discreet position which would not be highly visible beyond the site boundaries. The carrying distance from the highway of less than 10 metres would provide an acceptable arrangement for refuse collection.

7.16 Renewable energy / Sustainability

The proposed development would be required to be built to the Code for Sustainable Homes Level 4. A condition could be attached to any planning permission granted requiring the provision of a design stage certificate prior to the commencement of works to show that the designed dwellings would meet this standard.

7.17 Flooding or Drainage Issues

In accordance with Policy EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), the principles of sustainable drainage should also be used in any development of this site which should seek to manage storm water as close to its source as possible.

Policy OE8 of the Local Plan states that permission will not be granted for redevelopment of existing urban areas which would result in an increased flood risk due to additional surface water run-off, unless the proposed development includes appropriate measures.

A suitable condition is therefore necessary and could be attached to any planning permission granted requiring details of appropriate surface water management measures for the development of this site, which is to be fully enclosed on all boundaries except that part left open for the new vehicular access in Shaldon Drive.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

A number of concerns and issues have been raised in response to the statutory consultation exercise, many of which have referred to in the report.

The primary objections to the proposal relate to the impact on the surrounding area, parking and loss of amenities of the immediately adjoining neighbours. The concerns raised on these specific issues relate to the small size of the plot, the loss of garden/trees and type of dwelling proposed.

Another concern is the potential loss of daylight to properties in Exmouth Road due to overbearing proximity whilst the main objection refers to the parking congestion in the area, which would be made worse by the lack of space provided for the new occupants and loss of existing spaces (including the garage).

7.20 Planning Obligations

Policy R17 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that the Local Planning Authority will, where appropriate, seek a contribution towards Educational facilities through planning obligations.

The Supplementary Planning Document Planning Obligations (July 2008) and Revised Chapter 4: Educational Facilities (September 2010) states that where a development provides an additional six or more habitable rooms to a residential development (kitchens are included for these purposes and rooms of more than 20 square metres may be counted as two rooms), a financial contribution towards education facilities will be sought.

The proposal would result in five such habitable rooms being created in the development (two bedrooms, a lounge, 24.2 sq.m. and a kitchen/dining room). Therefore, the proposed development is not liable to a contribution being sought towards future educational facilities in the Borough.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

Not applicable to this application.

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

None received.

10. CONCLUSION

The proposal represents an inappropriate form of development known as garden grabbing and therefore in principle, given the location of the application site, it is not accepted.

The design, bulk and location of the proposed development would result in an incompatible and obtrusive form of development which would have an unacceptable detrimental impact upon the streetscene and the area in general.

The amenity space provision for future occupants of the development is also adequate and no significant landscape features would be removed, and the proposal would have an acceptable impact on the amenities of the adjoining residential occupiers.

The access arrangement is considered satisfactory and would not result in highways related problems at the site entrance. However, the deficiency of one parking space and loss of two other spaces in the vicinity, including the garage belonging to No. 57 Exmouth Road would be likely to lead to additional on street parking, in an area where such parking is at a premium, to the detriment of public and highway safety.

The living accommodation floorspace, whilst adequate in size would fail to meet all of the Lifetime Homes standards, in particular with regard to level access, at least one bathroom/en-suite laid out to standard or a entrance level WC for future use as a wet room.

In conclusion, the proposal would thus fail to accord with the terms and objectives of the identified policies, and requirements and adopted standards in these respects. It is recommended therefore that planning permission for the proposed development be refused.

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: Daniel Murkin

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>R/O 57-59A (fronting SHALDON DRIVE)</p> <p>Exmouth Road</p> <p>Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>16124/APP/2013/3540</p>	<p>Scale</p> <p>1:1,250</p>	 <p>HILLINGDON</p> <p>LONDON</p>
	<p>Planning Committee</p> <p>North Application</p>	<p>Date</p> <p>March 2014</p>	