

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJACENT TO 18 COLNEDEALE ROAD UXBRIDGE
Development: 3-bed detached dwelling (Outline application for access and scale)
LBH Ref Nos: 69634/APP/2013/3671
Drawing Nos: MB/2021/1 Rev. A
Date Plans Received: 10/12/2013 **Date(s) of Amendment(s):**
Date Application Valid: 11/02/2014

1. SUMMARY

Outline planning permission is sought for the erection of a two storey three bedroom dwelling adjacent to No. 18 Colnedale Road, with only access and scale considered (appearance, landscaping and layout reserved).

The application site comprises part of the extended garden of No. 5 West Common Road, the applicant's property, on the south side of Colnedale Road, a short road which rises from Harefield Road. The site would run parallel to No.18 Colnedale Road and would front onto this highway.

The proposed house, occupying a footprint area of 62.6 sq.m. (13.9m deep x 4.5m wide), would be accessed via an existing vehicle crossover which serves the gated hardstanding area to No. 5 West Common Road, the applicant's property, and would provide a small frontage within which there would be space to park two vehicles. A gap of 1.9 metres would be retained between the flank wall and the western side boundary (with No. 18) at the front reducing to one metre at the rear. The front elevation of the new dwelling would finish 4.8 metres in front of No. 18.

The front wall of the new dwelling would be set forward of the established building line on the south side of Colnedale Road. The application site, which forms part of the garden to No. 5 West Common Road, is also of much narrower plot width than typical of those in the immediate vicinity. As the surrounding residential area forms part of the North Uxbridge Area of Special Local Character, the proposal would not be in keeping with the general design and style of buildings predominant in the area, the character and identity of which is required to be preserved as part of any proposal. The development would thus be contrary to Hillingdon Local Plan Policies BE5, BE13 and BE19.

The position and proximity of the new two storey dwelling to the boundary would also result in an overdominant effect with associated loss of daylight and sunlight to the adjoining property to the west, No. 18 Colnedale Road. The proposal would thus be contrary to Hillingdon Local Plan Policies BE19, BE20 and BE21.

There is a protected Ash tree adjacent to the eastern boundary of the site within an adjoining garden which is close to the footprint of the proposed building. Given this relationship and as no impact assessment or details of tree protection have been submitted with the application, the retention of this landscape feature is not guaranteed whilst its potential effects on the living conditions of future occupiers are also not known.

The proposal would thus be contrary to Hillingdon Local Plan Policy BE38. Furthermore, the development site is located in close proximity to a wetland pond and the green nature of part of the site means that, in the absence of a Phase 1 ecological survey, it has not been demonstrated that the development would not result in harm or disturbance to a protected species.

It is considered that the proposal, notwithstanding that it is submitted in outline, could provide an adequate level of internal floorspace and standard of residential amenity for the future residents of the proposed house. The proposal would also provide sufficient off-street parking for both the existing and proposed dwellings.

For the reasons given above and assessed in more detail in the report below, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by virtue of the inappropriate development of garden land 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 Unitary Development Plan 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 proposal, by reason of its form, scale, width and position beyond the established building line would appear as an incongruous and cramped development out of character with the existing dwellings in Colnedale Road and the surrounding area to the detriment of the visual amenity of the street scene and the character and appearance of the wider North Uxbridge Area of Special Local Character. It would thus be contrary to Part One - Strategic Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposed two storey dwelling, by virtue of its size, scale, proximity, height and length adjacent to the boundary would be detrimental to the amenities of the adjoining occupiers No. 18 Colnedale Road, by reason of overdominance, loss of daylight, loss of sunlight, overshadowing and loss of outlook. The proposal would thus be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

In the absence of an arboricultural impact assessment or details of tree protection, the long term retention of the protected Ash within the adjacent garden of No. 5 West Common Road is not guaranteed as a result of the development. Furthermore, its future management and the potential effects on the living conditions of future occupants of the proposed dwelling are not known. The proposal is thus contrary to Policy BE38 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012).

5 NON2 Non Standard reason for refusal

In the absence of a Ecological Stage 1 Survey, the proposed development has failed to ensure that the site does not contain a protected species or fails to protect a protected species which may be present within the site. Therefore, the proposal is contrary to Policy EC2 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012).

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.

BE5	New development within areas of special local character
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.
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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 7.4	(2011) Local character

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 comprises part of the extended garden of No. 5 West Common Road, the applicant's property, on the south side of Colnedale Road, a short road which rises from Harefield Road.

The narrow plot of land outlined for the proposed dwelling rises gently from front to back and is enclosed on its western boundary by a fence to the boundary of No. 18 Colnedale Road, and to the east by the gardens of Nos. 1 to 5 West Common Road. The front part of the application site is gated and laid to hard standing for vehicles, with the back half comprising garden and soft landscaping with trees, hedges and shrubs along the side boundaries, including a large Ash (within No. 5's garden) which is protected under a Tree Preservation Order covering both Nos. 5 and 6 West Common Road.

The site is situated in an area of wholly residential character off Harefield Road, to the north of Uxbridge town centre, which is designated as part of the North Uxbridge Area of Special Local Character and comprises a mix of two storey dwellings, detached and semi-detached. It thus forms part of the Developed Area as identified in the Hillingdon Local Plan: Part Two - 'Saved UDP Policies' (November 2012).

3.2 Proposed Scheme

The application seeks planning permission to erect a detached two storey three bedroom dwelling in the garden to the east of No. 18 Colnedale Road. The application is submitted in outline with only the siting, scale and access to be considered.

The proposed house, occupying a footprint area of 62.6 square metres (13.9m deep x 4.5m wide x 8.13m high), would be accessed via an existing vehicle crossover which serves the gated hardstanding area to No. 5 West Common Road, the applicant's property, and would provide a small frontage within which there would be space for two parked vehicles. A gap of 1.9 metres would be retained between the flank wall and the western side boundary (with No. 18) at the front reducing to one metre at the rear. The front elevation of the new dwelling would finish 4.8 metres in front of No. 18.

A rear garden of approximately 67 square metres (12m x 5.6m) would be created parallel

to No. 18, taking up part of the existing rear garden of No. 5 West Common Road (not including the protected Ash tree), whilst retaining an external amenity area of some 350 sq.m for that property.

Internally the house would provide habitable accommodation including three bedrooms with a ground floor area of 52sq.m

3.3 Relevant Planning History

38289/A/86/0472 18 Colnedale Road Uxbridge
Householder dev. (small extension,garage etc) (P)

Decision: 30-04-1986 Approved

Comment on Relevant Planning History

No previous planning history for the application site.

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

Part 2 Policies:

- BE5 New development within areas of special local character
- 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.
- 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
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures

AM7	Consideration of traffic generated by proposed developments.
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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 7.4	(2011) Local character

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

9 neighbouring occupiers were consulted on 13.12.2013 (and 12.2.2014) and in addition a site notice was displayed from 30.12.2013. There have been six responses and one other representation received together with a petition (dated 27.1.2014 with 31 signatures) with the following objections/concerns (summarised):

1. Principle

- garden grabbing policy resists inappropriate development of residential gardens.

2. Impact on street scene/surrounding area (including Area of Special Local Character)

- narrow strip of land inappropriate and unacceptable in a designated Area of Special Local Character.
- unsympathetic infill of garden (damaging to the appearance and make-up of a residential area and the local environment);
- detrimental to the character and appearance of the area (if strips of land are used piecemeal to cram in some form of development);
- house would be significantly in front of a building line formed by adjacent houses in Colnedale Road (out of character for this location) plus built on a plot that is uphill from existing homes;
- proposed building is approx. 3 to 4 metres in front of the building line (would make the road look ugly/odd and out of keeping with the road whatever the proposed building may look like);
- narrow detached house would not harmonise with the design, style, height and architectural features of nearby homes (in an ASLC), or complement or improve the character and appearance of the area;
- incompatible with existing houses/detract from the street scene;
- house on that narrow plot could not blend in with existing homes and surroundings (an Area of Special Local Character) which are safeguarded from 'fill-in' development;
- position, size, density and appearance of proposed building would not be in keeping with neighbouring properties;
- in front of building line (will spoil view to front of homes);

- Victorian semis in West Common Road, which overlook the proposed plot, are Locally Listed Buildings.

3. Impact on neighbours (residential amenities)

- habitable house on any part of this plot would be uncomfortably close to 18 Colnedale Road (policy states that there must be adequate space between old and new buildings to avoid spoiling the amenity and privacy of adjoining houses);
- loss of light to kitchen window (to No. 18) as the proposed building extends past both the primary side /secondary door windows plus building is "up the hill" and will be substantially higher than the single story kitchen extension;
- would overshadow gardens of houses in West Common Road, which are all uphill from its eastern boundary;
- site is far too small on which to build a house (would be very close to 18 Colnedale Road and would seriously impact on its privacy, as well as on the privacy of homes and gardens in West Common Road);
- visual impact of building here would be amplified by the inadequate size of the site/less than neighbourly proximity to surrounding homes;
- contrary to Supplementary Planning Guidance and Design Principles, which seek to ensure buildings do not unreasonably overshadow private gardens or overlook neighbouring windows;
- noise and activity generated by an extra household on such a cramped infill site are likely to be detrimental to adjoining and nearby residents;
- garden backs directly onto the proposed development (to be built up to boundary), meaning that the building will overlook garden, block light into garden and provide an unsightly outlook.

4. Traffic impact/pedestrian safety; car parking

- plans provide for two parking spaces, but there is bound to be pressure on residents' parking bays nearby (which have only a one-hour restriction);
- parking is also an issue for residents as we already have limited off street parking space, in particular on West Common Road, Gravel Hill and Colndale Road;
- Colnedale Road is a small road and more vehicles in the road will add to current problems with street parking/use of Colnedale Road as a traffic rat run to avoid peak hour congestion in Harefield Road/Park Road.

5. Other issues (including flooding, drainage, wildlife habitat, sewerage system, trees)

- flooding in adjoining gardens from underground stream/well made worse (new house also liable to flooding)/water already channels into nearby gardens from or through the proposed site;
- severe water table issues due to the underground streams and lakes going under the common lead to regular floods in gardens (if drains get blocked water has been known to rise and enter our house);
- garden becomes waterlogged particularly in the winter months and this building will cause significant problems with water draining away at all from this area (underground stream also causes water and drainage problems for a number of neighbouring properties);
- building on this piece of land we feel this will add to the water issues we have as it will block routes and force more water onto our land ie. footings would affect the water flows across back gardens thus more floods;
- placing a house here will adversely affect drainage, which has been a problem in the past;
- poor surface water drainage in area will be exacerbated during wet weather;
- Garden to "Thaxted" opposite is regularly under water in the winter and some summers;
- area that surrounds this land and part of the site is a habitat for birds and wildlife. To develop the site could seriously disrupt this habitat - frogs and newts (among them great crested newts, which are legally protected) can frequently be found in local gardens/plans do not show all existing hedging and trees;

- Uxbridge Common is a five acre site which has a pond a few metres away from the proposed building site (diverse array of nature in the vicinity/back gardens including various species of frogs and newts);
- building on this land will affect nature and wildlife through the loss of natural habitat. Frogs and great crested newts from Uxbridge Common and the nearby pond can frequently be found in gardens that adjoin the proposed site;
- any new household here would increase the burden on an elderly sewage system;
- Ash tree (TPO 489) and the roots of the tree will be affected;
- restrictive covenant on the plot of land adjacent to 18 Colnedale Road re. access across this land for the maintenance of the rears of Nos. 5/6 West Common Road.

Where possible these comments have been addressed under the relevant headings in the report below.

North Uxbridge Residents Association: Support the petition raised to oppose for the following reasons:

- the site is considered an unsuitable plot, too narrow and cramped to be in keeping with the Area of Special Local Character;
- likely to result in an oppressive bulk of building and loss of privacy to No. 18 (un-neighbourly);
- poorly conceived; and
- could result in a further precedent.

Internal Consultees

Urban Design/Conservation Officer:

This site lies in the North Uxbridge Area of Special Local Character. The street, which rises to the east, comprises detached and semi detached houses of various styles and ages, set within good sized plots. As such has a interesting and spacious appearance.

The development site comprises a long narrow plot and the proposed house would almost fill its full width and would step forward of the existing adjacent properties. As such, the development would appear cramped and would create a prominent and discordant element in the street scene. The creation of two car parking spaces directly in front of the house would also contribute to the cramped appearance of the plot.

Access Officer:

No objection raised at outline stage subject to compliance with all 16 Lifetime Homes standards as required by Policy 3.8 (Housing Choice) of the London Plan (July 2011). Applicant's attention to be drawn also to Council's adopted Supplementary Planning Document, Accessible Hillingdon (May 2013).

Trees/Landscape Officer:

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.

- no trees or other landscape features of merit will be directly affected by the current layout. (however, it is noted that the current layout indicates a front elevation which is some metres forward of the adjacent building line in Colnedale Road. If the proposed building is set back within the site it will be closer to the protected ash tree);

- without a detailed proposal, accompanied by a tree survey and arboricultural impact assessment it is not known what affect a new building might have on the protected tree, or what affect the tree will have on the natural daylight and living conditions of future occupiers. It is possible that the relationship of trees and a new building will be unsustainable;
- if recommended for approval, a tree survey and arboricultural impact assessment should accompany a detailed layout proposal. Landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

Environmental Protection Officer:

No concerns other than the quality of soil in the landscaped area (amenity space on the application plan). The location has been used for orchards in the past, but unsure of the recent use of this vacant land next to the house that is to be used for the new house.

Advises that a condition to test the soil in the landscaped area could be applied stating that soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be inspected and tested for chemical contamination, and the results of this testing shall be submitted to and approved by the Local Planning Authority.

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".

The construction of one dwelling on this site would effectively however represent "garden grabbing" with a significant area of the existing garden to No. 5 West Common Road taken and which currently provides an undeveloped open/green space behind the rear of the adjoining dwellings in West Common Road that separates them from the return building frontage of the properties in Colnedale Road. 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 5 habitable rooms in suburban locations, a density of 150-200 habitable rooms/hectare (or 35-55 units/ha.) is sought.

The proposed development is submitted in outline, but it can be assumed to comprise of at four or five habitable rooms (three bedrooms plus a kitchen/part diner, a separate dining room or a lounge/dining room) on a site area of 0.02 hectare would thus result in a density of 200 to 250 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

The site lies within the North Uxbridge Area of Special Local Character. Policy BE5 states that within Areas of Special Local Character new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. These areas of the Borough are so designated because they contain certain elements of character and identity which the Local Planning Authority wishes to preserve.

Colnedale Road, which rises steeply to the east from Harefield Road to its junction with West Common Road facing Uxbridge Common, comprises of detached and semi detached houses of various styles and ages, set within good sized plots. As such the immediate surrounding area has a interesting and spacious appearance which is evident even on the hillside that tends to bring properties closer. The development would almost fill the full width of the plot and one third of its length would step forward of the established building line formed by the existing adjacent properties.

In the view of the Council's Conservation Officer, the development would appear cramped and would create a prominent and discordant element in the street scene whilst the creation of two car parking spaces directly in front of the house would also contribute to the cramped appearance of the plot.

It would thus be contrary to Part One - Strategic Policy BE1 and Part Two - Saved Unitary Development Plan Policy BE5 of the Hillingdon Local Plan (November 2012).

A further assessment of the impact of the proposal on the character and appearance of the locality, in particular the general street scene and plot widths in Colnedale Road is made below.

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

Hillingdon Local Plan: Part Two Policies BE13 and BE19 seek to resist any development

which would fail to harmonise with the existing street scene or would not complement the character and amenity of the residential area in which it is situated. Policy BE22 states a requirement for all new buildings of two or more storeys to be set back a minimum of one metre from the side boundary for its full height.

The street scene in this locality is characterised in the main by large detached two storey properties positioned on generous plots which although individually different nonetheless merge visually due to their general design, style, height and scale etc. and most crucially on this rise, due to the established front building lines in Colnedale Road.

In the proposal, a space of between 1.0 and 1.9 metres is kept to the side boundary with No. 18. However, the outline footprint shown indicates that the front of the new two storey dwelling proposed would be in front of the existing building alignment on this side of the road by approximately 4.8 metres. This would make the new dwelling highly visible from within this part of Colnedale Road and thus visually prominent in the immediate locality.

Its general design style, with a pitched roof (hipped at the rear), ridge height, eaves and window heights would match those of No. 18. Nonetheless its overall scale in terms of length and width, would fail to satisfactorily retain the general appearance in keeping with the existing dwellings in Colnedale Road.

Furthermore, due to the narrowness of the plot width (approx. 6 metres), the result would be a dwelling which appears cramped and out of character with the detached dwellings of its immediate surroundings, which occupy plots with typical road frontages of between 9.5 and 10.0 metres wide.

For these reasons therefore, the proposed development is considered unacceptable in terms of Part One - Strategic Policy BE1 and Part Two - Saved Unitary Development Plan Policies BE13 & BE19 of the Hillingdon Local Plan (November 2012).

7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21m overlooking distance should be maintained.

In this respect, the proposed dwelling would be separated by over 30 metres (approx.) from the rear of Nos. 1 to 6 West Common Road, which are on a higher ground level. The proposal is in outline but it can be assumed that there would be no habitable room window openings formed on the side elevation of the new dwelling, at first floor level. Furthermore, due to the separation and the upwards slope of the land towards the properties in West Common Road there should be no significant effect on these neighbouring occupiers in terms of potential overshadowing (loss of sunlight) or of being overbearing (with loss of

daylight/outlook).

The effect on the residential amenities of No. 18 Colnedale Road, on lower ground to the west would be more marked. Despite the spacing retained to the boundary, the depth of the two storey projection beyond the front of this property would be likely to be oppressive by its presence. As a result there is likely to be a significant loss of sunlight experienced especially in the afternoons, and in the quality of natural daylight received to the front room windows, together with a loss of the general outlook towards the street that these occupants currently enjoy. It is noted that the 45 degree guideline has been shown on this application. However, this is only an indicator of acceptability and compliance with this guidance doesn't always make the impact to neighbouring properties acceptable, as in this case for the reasons stated above.

The rear elevation of the proposed house would align with the upper floor of No. 18 and any side facing, first floor windows inserted could thus be fitted with obscure glazing/high level. There is however a rear facing kitchen window opening in the return wall of the ground floor extension to No. 18 which, although below the height of the adjacent boundary fence, would suffer from a loss of light and loss of outlook due to the two storey flank wall of the proposal on higher ground to the east.

In conclusion, it is considered that the proposal would undoubtedly have a significant impact upon the amenities of adjoining residents of No. 18 Colnedale Road and thus would conflict with the objectives of Local Plan: Part Two Policies BE20 and BE21 of the Hillingdon Local Plan (November 2012) in this regard.

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 three bedroom dwelling, with an estimated gross internal floor area of at least 100 square metres. The standard set down for three bedroom, 4/5 person dwellings is 87/96 sq.m. respectively therefore the floorspace provided would achieve the minimum gross internal floor area set down in the London Plan (July 2011) and provide a good standard of residential amenity for its future occupants.

Given the relatively narrow width of the proposed dwelling, it can be assumed that an adequate level of outlook and daylight throughout the proposed house could be provided by the use of full height openings to habitable rooms on the ground floor and similarly the incorporation of high level side lights/obscure glazed windows (to prevent overlooking) to the upper floor.

The floor layout and elevation detail is not part of the application currently for consideration, but on the basis that the habitable floorspace proposed exceeds that required by London Plan Policy 3.5, the proposal is considered acceptable in this regard. 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 Layouts states that the garden space standards which for a three bedroom dwelling is 60 square metres. The proposal would provide 67 square metres of private garden space for the new dwelling whilst the reduced amenity space of the existing dwelling at No. 5 West Common Road, the rear boundary of which would be truncated by the development, would still exceed 350 sq.m. thus more than sufficient for a dwelling of four or more bedrooms.

Both of these therefore meet the Council's standards and the proposal would provide an adequate layout and size of the garden space for both existing and proposed dwellings in accordance with Local Plan Policy BE23 and HDAS standards in this regard.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Hillingdon Local Plan: Part Two Policy AM7 considers the traffic generation of proposals and will not permit development that is likely to prejudice the free flow of traffic or pedestrian safety generally.

The application site is within a controlled parking zone where a Residents' Parking Permit Scheme operates but there are a limited number of spaces for non-residents (outside the hours of 1100-1200) towards the West Common Road end. In general, due to the blind bend halfway along and the rise/fall in Colnedale Road, traffic movements are relatively low speed. Many, but not all of the dwellings have off-street parking spaces within their curtilages.

The access and off-street parking arrangements for two vehicles in association the proposed dwelling are thus considered to be adequate for this location and in terms of the layout which would utilise an existing vehicular crossover serving the gated driveway belonging to No. 5 West Common Road.

In this context therefore, the proposal would neither inconvenience or endanger pedestrians, as the crossover exists at the site current, nor reduce the on-street kerb parking space in Colnedale Road. As such, it would be unlikely to give rise to any significant concerns in these regards and the proposal is thus considered to be in accordance with the aims of Policy AM7.

Hillingdon Local Plan: Part Two Policy AM14 states the need for all development to comply with the Council's adopted parking standards. The Council's maximum parking requirement for off street parking (ie. within the curtilages of the properties) would require two parking spaces for both the existing house and the proposed house - a total of four. The PTAL score for the site is 1b (poor) and as a result it is considered that the maximum level of spaces could be sought in this location.

There are two parking spaces within the application site currently available to No. 5 West Common Road and thus the proposal would thus reduce the amount of off-street parking available to its occupants. That property is also currently provided with one, albeit inadequate, space within its curtilage. Given the parking permit available to its occupants, the controlled parking area and the number of dwellings which have no off street parking at all, the perceived shortfall of one parking space for No. 5 should not be significant in the vicinity of Colnedale Road or West Common Road.

The proposed development would achieve the standard provision of two space for the new dwelling, as set out in the Council's parking standards. As such it is considered that the proposal should not result in a significant increase in the demand for on-street parking, space for which is limited in any case, or thus any additional parking manoeuvres or blocking in of driveways etc. It would not therefore be prejudicial to pedestrian and highway safety, and complies with Local Plan Policy AM14 in this regard.

7.11 Urban design, access and security

The internal floorspace, layout and external amenity space standards are discussed elsewhere in this report.

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013 both of which require all new housing to be built to 'Lifetime Homes' standards.

The Council's Access Officer has confirmed that as the proposal is submitted in outline and the floor layouts and entrances (etc.) are not known there is no objection raised at this stage.

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 as the proposal is submitted in outline, it is not possible to demonstrate that these requirements have been met. These Lifetime Homes requirements could however be made the subject of appropriate conditions on any consent granted.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Hillingdon Local Plan Part Two Policy BE38 seeks the protection and retention of existing trees and landscape features of merit and considers where appropriate the provision of additional landscaping as part of a proposed development.

The Council's Tree Officer has advised that in the absence of a detailed proposal, accompanied by a tree survey and arboricultural impact assessment it is not known what affect a new building might have on the protected Ash tree which would be adjacent to the site. Similarly, what effects the continued healthy growth of this tree (and thus its

management) or of other trees and established boundary planting will have on the natural daylight and living conditions of future occupiers of the new dwelling are also not clear. It is highly possible therefore that the relationship of this tree - the crown spread of which is bound to overshadow the garden to the new dwelling - will be unsustainable in the long term.

On this basis of its potential impacts either way, due to the lack of information on which to base a proper assessment, the proposal can therefore be refused as being contrary to Policy BE38.

A number of neighbouring occupiers have objected to the proposed development due to potential harm to protected species resulting from the loss of the lane. Given the close proximity to the pond on Uxbridge Common, the Council's Sustainability Officer considered that in the absence of a Stage 1 Ecological Survey, the applicant has failed to demonstrate that no harm would occur to a protected species, contrary to Policy EC2 of the Hillingdon Local Plan.

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 no provision for a hardstanding for bins within the application site, but at this outline stage such details can be made the subject of an appropriate condition on any outline permission granted.

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 outline 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 planning permission will not be granted for new development which would result in an increased flood risk due to additional surface water run-off unless the proposed development includes appropriate attenuation measures to a standard satisfactory to the Council, in consultation with the Environment Agency and where appropriate, other drainage bodies.

There is plentiful evidence from local residents regarding the source, frequency of occurrences and the consequences of the surface water flooding problem in this area

which is below Uxbridge Common. However, the site is not in a Flood Zone or an area reconigned by the Council to be at risk from increased surface water flooding due to ground levels or the composition of the land around the area. Therefore, no objection is raised in relation to Flood Risk and no requirement for a Flood Risk Assessment in this instance.

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 objection to the proposal relates to the impact it would have on the character of the surrounding area, in particular by infilling on a plot that is too narrow, thus resulting in a dwelling of cramped appearance and by its proposed forward projection beyond the established building line of the existing properties.

The principle of taking garden land is considered inappropriate and there are other concerns relating to the potential loss of amenities for occupiers of the immediately adjoining dwelling, No. 18, whose daylight and sunlight would be likely to be reduced by the proximity of the new dwelling sited on higher ground to the east.

The other general concerns identified relate to the pressure another dwelling could place on the limited parking availability, or by exacerbating regular and local surface water flooding and poor drainage and the potential detrimental impacts on wildlife and trees.

As the application is submitted in outline however, full details of the proposed dwelling have not been considered and therefore some of these potential impacts could be sought to be addressed and controlled by the use of appropriate conditions on any outline permission granted, rather than forming a reason for refusal as such.

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

The Council's Environmental Protection Unit has advised that in order to ensure that the occupants of the development are not subject to any risks from soil contamination, and in accordance with Policy OE11 of the Local Plan, a condition be attached to any permission granted relating to the cleanliness and testing of derived soils to be used on the site for

relaying the garden and landscaping purposes.

Subject to the final layout, the development would however exceed 100sq.m and therefore there would be a CIL requirement if approval were to be granted.

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

Not applicable to this application.

10. CONCLUSION

The proposal represents an inappropriate development of garden land would erode the character, appearance and local distinctiveness of the site and surroundings which, given the location of the application site, is not acceptable.

The proposal, in form, scale, width and position beyond the established building line would appear as an incongruous and cramped development out of character with the existing dwellings in Colnedale Road and the surrounding area which forms part of the North Uxbridge Area of Special Local Character.

The proposal would have an unacceptable impact due to its proximity, height and length adjacent to the boundary would have an overdominant effect, with associated loss of daylight and sunlight (with overshadowing), on the amenities of the adjoining residential occupiers, at No. 18 Colnedale Road,

Furthermore, the future effects of the protected Ash within the adjacent garden of No. 5 West Common Road, if its retention can be guaranteed, on the living conditions of future occupants of the proposed dwelling are not known.

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;

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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>Land Adjacent To 18 Colnedale Road Uxbridge</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>69634/app/2013/3671</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>Central & South</p>	<p>Date</p> <p>April 2014</p>	
		 <p>HILLINGDON LONDON</p>	