

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

**Address** GARAGE BLOCK SITE CULVERT LANE UXBRIDGE

**Development:** Demolition of existing garage block and construction of bungalow with associated parking and external works.

**LBH Ref Nos:** 69659/APP/2013/3796

**Drawing Nos:** Arboricultural Impact Survey (revised)  
Design & Access Statement  
Flood Risk Assessment  
Dates of Use of Garages  
2013-D119-P-06 Rev B Typical Section  
2013-D119-P-05 Rev B Proposed Elevations  
2013-D119-P-04 Rev B Proposed Floor & Roof Plan  
2013-D119-P-01 Rev A Site Location Plan  
2013-D119-P-02 Rev B Existing Site Plan Topographical and Tree Survey  
2013-D119-P-03 Rev D Proposed Site Plan

**Date Plans Received:** 19/12/2013      **Date(s) of Amendment(s):** 19/12/2013  
**Date Application Valid:** 19/12/2013      19/03/2014  
24/12/2013  
07/05/2014

### DEFERRED ON 25th March 2014 FOR SITE VISIT .

The application was deferred at the Major Applications Committee on 25th March 2014 to allow for a member site visit which took place on Friday 4th April and for officers to address two queries/concerns raised by the committee Members:

1. Concerns were raised relating to waste collection works in the area.

Officer Response: The Council's Waste Strategy Team has provided the following comments:

I have checked with the Refuse Supervisor and although Culvert Lane is narrow we do use a normal sized RCV for collections there.

Our suggestion would be for the resident of the proposed development to leave the waste and recycling at the top of their drive, near the access point from Culvert Lane. We are now asking for 'curtilage' collections (namely top of the drive abutting the road) as standard, so this is in line with our usual requirements/request.

To conclude, the proposal would not cause significant disruption to the current waste collection arrangements.

2. Concerns were raised over the ownership of the trees on the site.

Officer Response: The Council's Corporate Property & Construction Team have submitted a copy of the title deeds and revised plans confirming the locations and ownership of the trees. A Certificate B Notice has been served on the owners of the adjoining land.

The land is Bono Vacanta as it was previously in the ownership of a dissolved company

registered in England; accordingly the land is dealt with/under the control of the Treasury Solicitor. The Treasury Solicitor has written granting consent for the removal of trees which could be dangerous and this criteria applies to all trees shown for removal on the latest submission.

## 2. **RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990

#### **2 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

2013/D119/P/01 Rev A Site Location Plan

2013/D115/P/02 Rev B Existing Site Plan Topographical and Tree Survey

2013/D115/P/03 Rev D Proposed Site Plan

2013/D115/P/04 Rev B Proposed Floor & Roof Plan

2013/D115/P/05 Rev B Proposed Elevations

2013/D115/P/06 Rev B Typical Section

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

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

#### **3 RES7 Materials (Submission)**

No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:

i) Bricks

ii) Rooflight (conservation type)

iii) Roof and hip tiles

iv) Windows and doors

v) Paving stones

vi) Front boundary treatment (to include piers, gate and railings).

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

#### REASON

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

#### **4 RES9 Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
  
2. Details of Hard Landscaping
  - 2.a Means of enclosure/boundary treatments
  - 2.b Car Parking Layouts for two vehicles
  - 2.c Hard Surfacing Materials
  - 2.d External Lighting
  
3. Schedule for Implementation
  
4. Other
  - 4.a Existing and proposed functional services above and below ground
  - 4.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

#### **5 RES10 Tree to be retained**

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

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape

Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

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

### **6 RES14 Outbuildings, extensions and roof alterations**

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

#### REASON

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

### **7 NONSC Soil Contamination**

All soils used for 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.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### **8 RES15 Sustainable Water Management (changed from SUDS)**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable

water through water collection, reuse and recycling and will:  
iv. provide details of water collection facilities to capture excess rainwater;  
v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

#### **9 RES16 Code for Sustainable Homes**

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

#### REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

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

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

#### REASON

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

#### **11 NONSC Handrails**

Prior to occupation of the development, details of handrails for the access footpath (gradient 1:15) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter they shall be installed and retained in accordance with the approved details.

#### REASON

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

#### **12 RES24 Secured by Design**

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

#### REASON

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

### **13 NONSC Access/Parking Layout**

Prior to commencement of works, details of the access and parking layout shall be submitted to and approved in writing by the Local Planning Authority.

#### **REASON**

In the interests of highway and pedestrian safety in accordance with policies AM7 and AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## **INFORMATIVES**

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

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

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

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
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.
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.
H4	Mix of housing units
LPP 3.5	(2011) Quality and design of housing developments
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
NPPF	

### **3 I6 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override

property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

#### **4 115 Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

#### **5 147 Damage to Verge**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

#### **6**

The Wildlife and Countryside Act 1981: Note that it is an offence under the Wildlife and Countryside Act 1981 to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

#### **7**

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require

further information please refer to the Council's Website, [www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738)

### **3. CONSIDERATIONS**

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

The application site comprises an existing garage block located at the rear of 31-35 Culvert Lane. The site is bordered to the east by the Grand Union Canal and to the south and south-west by the rear gardens of 19, 20 and 21 Church Close. Uxbridge Moor Conservation Area is located along the northern site boundary. The application site is located within Flood Zone 2.

#### **3.2 Proposed Scheme**

Planning permission is sought for the demolition of an existing garage block and construction of a bungalow with associated parking and external works. The dwelling would comprise of a kitchen, lounge/dining room, bathroom, two bedrooms and en-suite shower/WC. No additional floorspace is proposed within the roofspace. A gently sloping path with a 1:15 gradient would be provided to ensure level access into the dwelling. A covered driveway along the north elevation of the proposed dwelling would provide two on-site parking spaces.

#### **3.3 Relevant Planning History**

##### **Comment on Planning History**

There is no previous planning history on this site.

#### **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.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

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.

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.



H4	Mix of housing units
LPP 3.5	(2011) Quality and design of housing developments
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
NPPF	

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **5th February 2014**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Consultation letters were sent to 47 local owners/occupiers. Six responses were received:

- i) concern over access to rear of 19 Church Close
- ii) insufficient access/turning space from Culvert Lane
- iii) impact on access to canal towpath and public footpath
- iv) building is not in keeping with existing houses
- v) access and deliveries during construction - no turning space for large vehicles
- vi) overcrowding of the site
- vii) the access report is flawed and makes no account of the area in front of the garages being the only turning point
- viii) the tree report is incorrect - trees to be removed are not dead or dying as stated in tree report
- ix) applicant needs to consider and address impact on ecology/local wildlife
- x) consultation letter was received late, so had less time to respond
- xi) impact on rights of access to privately owned road leading to garages at rear of 31-33 Culvert Lane
- xii) access for ambulances

One petition of objection has been received with 20 signatures.

Canal & River Trust:  
No objection received.

RE-CONSULTATION dated 13 May 2014

Re-consultation letters were sent to 47 local owners/occupiers following the submission of revised plans. Two responses have been received at the time of this report:

- i) loss of turning space for vehicles during and after construction
- ii) how will rubbish be collected?
- iii) wall of garages form part of the boundary with property in Church Close

### Internal Consultees

Access Officer:

The Council's Access Officer provided detailed comments on the original submission. The applicant has submitted revised plans replacing the access ramp with a sloping path (gradient of 1:15) and the Access Officer's comments on the amended plans are set out below:

The design now is much better. To my mind, a gradient of 1:15 would require handrails for the

construction to be signed off by a building inspector.

Provided the provision of handrails is acceptable from a planning perspective, and does not detract from the principles of good design, the application is acceptable from an accessibility position.

Conservation Officer:

This is a backland site that is adjacent the Uxbridge Moor Conservation Area, but it also faces the Grand Union Canal. The immediate surrounding area is characterised by inter-war suburban housing laid out in regular layouts and the odd Victorian building relating to the canal. The position of the site means that any development will have an effect on the canalside location, but also the significance of the adjoining heritage asset. Therefore, it is important that any development sustains and enhances this significance. Currently, there are a number of single storey structures on the site of no special interest.

The construction of a single storey property on the site is acceptable in principle. The existing garages are obtrusive, and the proposed bungalow is on a smaller plan. This is a sensitive location, facing the Grand Union Canal, and I am therefore keen that it enhances and contributes positively to the appearance of the area. The proposed property aligns with the neighbouring garages/housing facing the canal and it will be constructed of traditional materials. It has good proportions and the positioning of the dwelling within the plot gives adequate (if limited) garden space. It provides a quality residential environment.

However, it could be let down by poor quality materials/detailed design. I would therefore suggest that the following are conditioned:

Bricks, rooflight (conservation type), roof tiles, hip tiles, a window and door schedule, paving stones and a detail of the front boundary treatment (to include piers, gate and railings).

**CONCLUSION:** Acceptable as proposed. The proposal will sustain the significance of the adjoining heritage asset.

Highways:

Further to undertaking the assessment of the above planning application, I can confirm Highways has no objection to the proposal, on condition the applicant provides scaled detail drawings of the access and parking layout in compliance with Hillingdon's highway design standards for approval prior to commencement of works.

Trees/Landscape Officer:

The site is occupied by a garage court with 6No. garages situated immediately to the west of the Grand Union Canal, south of Culvert Lane and to the north of the rear gardens of 19-21 Church Close. The court lies immediately to the south of the Uxbridge Moor Conservation Area. Its northern boundary is defined by a low tree-lined embankment. The vehicle access from Culvert Lane enters the site along the east boundary, which also provides a right of way to the rear garden of 19 Church Lane.

The proposal is to demolish the existing garage block and construct a bungalow with associated parking and external works.

**LANDSCAPE CONSIDERATIONS:**

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.

· The Design & Access Statement briefly describes the existing landscape and proposals for the

site at 3.5.

- An Arboricultural Impact Survey has been carried out with reference to BS5837:2005. This BS was amended and re-published in 2012. However, in this case, the analysis of the trees and conclusions reached are relevant.
- The survey confirms that the 3No Leyland Cypress are very poor specimens, which are not worthy of retention. The (off-site) sycamore and on-site group of ash are rated 'B' (fair quality and value) whose retention can be justified.
- Hillingdon drawing No. 2013/D115/P/03, Proposed Site Plan, indicates the retention of the off-site sycamore on the northern boundary. All other trees within the site on this boundary are to be removed to facilitate the development.
- By way of mitigation the soft landscape layout shows 2No. new/replacement trees. These will need to be carefully selected so that they do not become too large/dominant within the small space available.
- 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.

#### RECOMMENDATIONS:

No objection subject to the above observations and conditions RES9 (parts 1, 2, 5 and 6).

#### INFORMATIVE:

The Wildlife and Countryside Act 1981: Note that it is an offence under the Wildlife and Countryside Act 1981 to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

#### Sustainability/Flood Risk Officer:

The applicant has submitted a Flood Risk Assessment as part of this application. The Flood Risk Assessment is robust and concludes that the site is actually located within Flood Zone 1 and at a lower risk of flooding (1 in 1000 years flood event). Accordingly, adequate mitigation of flood risk can be provided by the use of normal sustainable drainage techniques and adequate methods of surface water management would be provided at detailed design stage. This can be secured by way of a drainage condition attached to any consent granted.

## **7. MAIN PLANNING ISSUES**

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

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the principle of new residential development can therefore be considered acceptable in the context of Policy H4 which encourages the provision of a mix of housing unit sizes, including one bedroom units. Both London Plan policies and the National Planning Policy Framework (NPPF) encourage the delivery of new homes and the use of previously developed land.

The proposed scheme would demolish an existing block of garages located at the end of Culvert Lane which would be replaced with a two-bed bungalow. There is no objection in principle to the demolition of the existing garages and redevelopment of the site for residential purposes, subject to compliance with all other relevant policies and guidance. This would include the impact of the proposal upon the character and appearance of the street scene and the neighbouring Uxbridge Moor Conservation Area, the amenity of nearby residents and the future occupiers of the proposed dwelling as well as parking provision, access arrangements and the provision of adequate waste and recycle facilities. These issues will be discussed in the remaining sections of the report.

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

Not applicable to this application.

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

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect Conservation Areas from inappropriate developments. The Uxbridge Moor Conservation Area is located along the northern site boundary. The scale and design of the proposed bungalow is considered to be acceptable and would not have a detrimental impact on the character and appearance of the neighbouring Uxbridge Moor Conservation Area. The Council's Conservation Officer raises no objection to the proposed scheme.

#### **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 UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE19 seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area. Policy 7.4 of the London Plan (July 2011) requires developments to contribute towards the character and appearance of the surrounding buildings.

The street scene comprises of two-storey detached and semi-detached dwellings to the north and south. The proposed dwelling would be single storey and so would not appear dominant in its scale. It is considered that the proposed dwelling would be of an acceptable design and would not be visually intrusive. As such, it is considered that the proposed dwelling would not have a detrimental impact on the character and appearance of the surrounding area.

The proposed scheme is therefore considered to comply with Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved Policies (November 2012) and Policy 7.4 of the London Plan (July 2011).

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

Under Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), planning permission would not be granted for new buildings which would result in a significant loss of residential amenity by reason of their siting, bulk and proximity, whilst Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect the privacy of occupiers and neighbours.

The proposed bungalow would not provide rooms in the roof and so would not result in overlooking of the rear gardens of adjacent properties. The existing 1.8m high brick wall along the southern boundary with 19, 20 and 21 Church Close shall be retained as part of the proposed scheme along with a 1.8m high close boarded fence on the northern boundary. As such it is considered that adequate privacy would be provided to future occupiers and neighbouring properties, and would not result in a significant loss of amenity for residents.

The proposed scheme is therefore considered to comply with Policies BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved Policies (November 2012).

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

Policy 3.5 of the London Plan (July 2011) states that developments should reflect the internal floor space standards set out in Table 3.3; Single storey 2 bed, 4 persons dwellings should have a minimum floorspace of 70 sq.m. The proposal would provide 86.5 sq.m of internal floorspace and so would provide an acceptable amount of living space, in

compliance with Policy 3.5 of the London Plan (July 2011).

In relation to external amenity space, Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires residential developments to provide or maintain sufficient external amenity space to protect the amenity of residents, and for the amenity space to be usable in terms of its shape and siting. The proposed scheme would provide 71 sq.m of external amenity space. This is considered to be an acceptable amount of external amenity space for the dwelling, thereby complying with Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that developments do not result in unacceptable levels of traffic or detrimental impact on highway and pedestrian safety.

The application site comprises a council owned block of garages located at the end of Culvert Lane next to a public footpath to Church Close. The garages have been vacant for over 6 months and are no longer required by the Council. As such, there is no objection to the loss of the vacant garages.

Concerns were raised during the public consultation over the impact the proposal would have on vehicular access to and from Culvert Lane, particularly in regards to space for turning. The Council's Highways Engineer has assessed the proposed scheme and considers the application to be acceptable in terms of access and the amount of traffic generated by the proposed dwelling. It is considered that adequate turning space would be retained. The proposal is not considered to cause harm to users of the canal towpath and the public footpath to Church Close.

It is therefore considered that the proposed scheme complies with Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved Policies (November 2012).

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to provide acceptable levels of parking. Two on-site parking spaces would be provided within a covered driveway along the north elevation, which would be located behind a 1.8m high close boarded gate. Storage for one bicycle would be provided in a secure cycle store within the rear garden. As such, the proposal would provide an adequate level of parking in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed development would not raise any urban design or access issues. A condition is recommended to ensure the scheme complies with the principles of Secure By Design.

#### **7.12 Disabled access**

The applicant's design and access statement confirms that the proposed development would comply with Lifetime Homes Standards and part M of the Building regulations. Relevant conditions would be attached should approval be granted to ensure the criteria are met.

Due to the varying levels of the site, level access into the building was provided by way of an access ramp, which was considered to visually unacceptable. The proposed access ramp has been removed and replaced with a gently sloping path (gradient 1:15) in order to reduce the visual impact. The Council's Access Officer considers the revised access into the building to be acceptable subject to the provision of handrails. Details of the

proposed handrails can be provided by condition on any consent granted.

#### **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 2 - Saved Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided when necessary.

The proposal would remove a number of trees to facilitate the development and would retain an existing tree on the other side of the northern site boundary. Two new trees would be provided in the front and rear gardens of the dwelling. Further details of landscaping would be provided through a landscaping condition attached to any consent granted. The Council's Trees/Landscape Officer raises no objection to the loss of the existing trees and it is not considered that the proposal would have a detrimental impact on the local ecology.

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

Refuse bins would be stored in the rear garden of the property and moved to the front of the property on waste collection days where they would be collected as part of the existing refuse collection service for Culvert Lane. Details of refuse storage can be provided by way of a condition on any consent granted.

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

The applicant's Design and Access Statement indicates that the scheme has been designed to achieve Level 4 of the Code for Sustainable Homes. Given the modest scale of the scheme, the achievement of Code Level 4 is considered to demonstrate that sufficient consideration has been given to sustainability issues. Confirmation that the dwelling achieves Level 4 shall be provided by way of a condition on any consent granted.

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

The application site is located next to the Grand Union Canal and the site lies partly within Flood Zone 2. The applicant has submitted a Flood Risk Assessment as part of this application. The Flood Risk Assessment concluded that the site is actually located within Flood Zone 1 and at a lower risk of flooding (1 in 1000 years flood event) and that adequate methods of surface water management would be provided at detailed design stage. This can be secured by way of a drainage condition attached to any consent granted.

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

Not applicable to this application.

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

Six responses were received during the public consultation raising a number of concerns. Points ii), iii), iv), v), vi), vii), viii), ix) and xii) have been addressed elsewhere in this report.

Points i) and xi) are in relation to rights of access. The issue of rights of way is a civil matter and not a material planning consideration.

Point x) refers to a consultation letter arriving late. The Council carried out the consultation in accordance with statutory guidelines and delays in external postal systems are out of the Council's control.

Following the submission of revised plans, a public re-consultation was carried out. Two responses have been received at the time of this report. The issues raised have been addressed elsewhere in this report.

## **7.20 Planning obligations**

The proposal is for one new residential dwelling and would not require a education contribution as it would not lead to an increase of more than 6 habitable rooms. As such no planning contributions have been sought in this instance.

The proposed scheme represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £185.99.

## **7.21 Expediency of enforcement action**

Not applicable to this application.

## **7.22 Other Issues**

None

## **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**

Planning permission is sought for the demolition of an existing garage block and construction of a bungalow with associated parking and external works.

It is considered that the proposal would not have a detrimental effect on the street scene or on the residential amenities of nearby properties. The proposal would provide adequate levels of internal floor space and private amenity space for future occupiers.

The proposal complies with Policies AM7, AM14, BE4, BE13, BE19, BE20, BE23, BE24 and H4 of the Hillingdon Local Plan: Part 2- Saved UDP Policies (November 2012) and the London Plan (July 2011). It is therefore recommended that the application is approved.

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

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
London Plan (July 2011)


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**Notes**

 Site boundary

For identification purposes only.

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Site Address	
<b>Garage Block Site Culvert Lane Uxbridge</b>	
Planning Application Ref:	Scale
<b>69659/APP/2013/3796</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Major Committee</b>	<b>June 2014</b>

**LONDON BOROUGH  
OF HILLINGDON**

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