

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJ TO 51 & 53 PEMBROKE ROAD RUISLIP

Development: Two storey, 3-bed attached dwelling with associated parking and amenity space involving alteration to existing roof of No.51 installation of bin store and cycle store and alterations to existing vehicular crossover.

LBH Ref Nos: 66982/APP/2014/475

Drawing Nos: Location Plan
14/3316/1
14/3316/2 REV A
14/3316/3 REV A
14/3316/4
Design and Access Statement
Energy and Sustainability Statement

Date Plans Received: 12/02/2014 **Date(s) of Amendment(s):** 12/02/2014
Date Application Valid: 21/03/2014

1. SUMMARY

The application seeks planning permission for the erection of a two storey, 3-bed attached dwelling with associated parking and amenity space, involving alteration to existing roof of No.51, installation of bin and cycle stores, alterations to existing vehicular crossover and demolition of the existing attached garage.

The application relates to an 870 square metre plot of land located on northern side of Pembroke Road. The site contains a two storey detached dwelling, No.51 Pembroke Road, which has a centrally pitched roof made from brown tiles, with the external walls of the dwelling covered in pebbledash render.

The proposed development would enlarge the existing dwelling to change the detached dwelling to a pair of semi-detached dwellings. The new dwelling would be built to the same front and rear building lines as the existing dwelling and would replicate the hipped roof design and single storey rear element with flat roof. The double height bay window and timber framing in the principal elevation would be replicated as part of the development.

The proposed development would be considered an intensification of a brownfield site to provide additional residential accommodation and is acceptable in principle. The development would have an acceptable impact on the visual amenities of the surrounding area and the residential amenity of the neighbouring occupiers. The development would provide an acceptable living standard for future occupiers. However, some concern remain about the future use of land to the rear of the site. Therefore, the application is recommended for approval, subject to a legal agreement to ensure the land to the rear remains used as garden space for the occupier of No.53 Pembroke Road.

2. RECOMMENDATION

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

i) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

a) A legal agreement that the land to the rear of the application site and No.53 Pembroke Road remains within the curtilage of that dwelling and any future residential development on this land is prohibited.

2.2 That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

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

2.4 That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 31st July 2014, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture then delegated authority be granted to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The development has failed to secure obligations relating to prevention of future subdivision of the plot leading to potentially harmful inappropriate development of residential gardens. Given that the application site (as shown on the submitted plans) does not encompass the entirety of the residential gardens and in the absence of a legal agreement to secure the retention of these gardens the grant of planning permission could be seen to establish separate planning units which would be detrimental to the urban grain and character of the area overall. Accordingly, the proposal is contrary to policy BE1 of the Hillingdon Local Plan: Part One - Saved UDP Policies (November 2012), policy 5.3 and paragraph 3.4 of the London Plan and the Mayor's Housing Supplementary Planning Guidance.'

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

2.6 That if the application is approved, the following conditions be imposed:

1 RES3 Time Limit

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

REASON

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

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14/3316/2 REV A & 14/3316/3 REV A and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 RES5 General compliance with supporting documentation

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

Car Parking [14/3316/2 REV A]

Amenity Space [14/3316/2 REV A]

Cycle Store [14/3316/2 REV A & 14/3316/4]

Reduced Crossover [14/3316/2 REV A]

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

REASON

To ensure that the development complies with the objectives of Policies AM9, AM14 & BE23 of the Hillingdon Local Plan (November 2012).

4 RES6 Levels

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

REASON

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

5 RES7 Materials (Submission)

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

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

REASON

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

6 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 Hard Surfacing Materials

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the side walls or roof slopes of the development hereby approved facing No.53 Pembroke Road.

REASON

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

8 RES13 Obscure Glazing

The windows in the side elevation facing No.53 Pembroke Road shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

9 RES15 Sustainable Water Management (changed from SUDS)

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

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

undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

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

10 RES16 Code for Sustainable Homes

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

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

REASON

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

11 RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

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

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 exercising 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 Non Standard Condition

The car parking area hereby approved shall be retained for the sole use of parking motor vehicles for the lifetime of the development. Furthermore, the spaces shall remain clear of obstacles and accessible for a minimum of 6 metres behind the spaces at all times.

REASON

To ensure the parking spaces are accessible and to allow for cars to exit and enter the site in forward gear in the interest of highway safety and in accordance with policy AM7 Hillingdon Local Plan: Part Two 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.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
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.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture
LPP 8.3	(2011) Community infrastructure levy

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.

4 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

5 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

7 14 Neighbourly Consideration - include on all residential exts

You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to

prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

8 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

9 16 Property Rights/Rights of Light

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

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to an 870 square metre plot of land located on northern side of Pembroke Road. The site contains a two storey detached dwelling, No.51 Pembroke Road, which has a centrally pitched roof made from brown tiles, with the external walls of the dwelling covered in pebbledash render. The dwelling has undergone a wraparound single storey rear extension with flat roof and has a small lean to extension on the western side elevation. The land in front of the dwelling is covered in hardstanding and provides space to park two vehicles. The dwelling also has a lean to garage extension attached to the eastern side elevation. To the rear of the dwelling is a garden area which is enclosed by a close board timber fence which provides the amenity space of the occupiers of the dwelling.

Also contained within the site is the area of hardstanding in front of No.53 Pembroke Road and an area of the public highway. The adjacent dwelling, No.53 Pembroke Road, is a two storey detached dwelling with an attached double width garage, with this property also being in the ownership of the applicant. The rear garden of this dwelling is larger than that of No.51, as it incorporates an area of land behind the rear boundary fence of No.51, creating an L-shaped garden.

To the west of the application site is No.49 Pembroke Road which is a two storey detached dwelling.

The site is located within a Developed Area, as identified in the Policies of the Hillingdon Local Plan (November 2012). The rear boundary line of the garden of No.53 Pembroke Road is shared with the edge of the Ruislip Manor Conservation Area.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, 3-bed attached dwelling with associated parking and amenity space, involving alteration to existing roof of No.51, installation of bin and cycle stores, alterations to existing vehicular crossover and demolition of the existing attached garage.

The proposed development would enlarge the existing dwelling to change the detached dwelling to a pair of semi-detached dwellings. The new dwelling would be built to the same front and rear building lines as the existing dwelling and would replicate the hipped roof design and single storey rear element with flat roof. The double height bay window and timber framing in the principal elevation would be replicated as part of the development.

The existing crossover would be reduced in size and two parking spaces provided for each of the dwellings as part of the proposal. In addition, the boundary fence would be re-aligned with part of the garden of No.53 Pembroke Road absorbed into the application site.

3.3 Relevant Planning History

66982/APP/2010/1004 Land To Rear Of 51 And 53 Pembroke Road Ruislip

Erection of 2 five-bedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space.

Decision: 27-09-2010 Refused **Appeal:** 17-06-2011 Dismissed

66982/APP/2011/2221 Land To Rear Of 51 And 53 Pembroke Road Ruislip

Erection of 2 five-bedroom, two storey detached dwellings with habitable roofspace, associated parking and amenity space

Decision: 06-12-2011 Refused **Appeal:** 15-06-2012 Dismissed

66982/APP/2013/109 Land To Rear Of 51 And 53 Pembroke Road Ruislip

2 x 4-bedroom, detached bungalows with habitable roofspace, associated parking and amenity space.

Decision: 16-04-2013 Refused **Appeal:** 30-10-2013 Dismissed

Comment on Relevant Planning History

There have been a number of applications involving the wider No.51 & No.53 Pembroke Site, which can be summarised as follows:

66982/APP/2013/109 - 2 x 4-bedroom, detached bungalows with habitable roofspace, associated parking and amenity space. This application involved the use of the sizeable garden area to the rear of the site and was refused on the following grounds:

1. The proposed development would result in the inappropriate development of gardens. Additionally the size and scale of the houses in this location would appear over-sized, imposing and overly dominant when viewed from the public highway and other near by properties. The development by virtue of the loss of gardens, its size and design would erode the character, biodiversity, appearance and local distinctiveness of the site and surrounding neighbourhood. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.4, 7.6 and 7.19D of the London Plan (July 2011) and the National Planning Policy Framework.

2. The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, particularly in respect of education. The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations Supplementary Planning Guidance.

The applicant appealed this decision and the appeal was dismissed was the grounds of the inappropriate loss of the residential garden.

A previous scheme for development on the land to the rear of the application site was refused under application reference 8788/APP/2012/2348.

CASE OFFICER COMMENTS: It is noted that the current scheme is now for an attached dwelling to the side of the existing dwelling No.51 Pembroke Road. However, concerns are still raised as to the future use of the land to the rear of the site. A legal agreement is proposed to address this concern.

A two storey side extension was also approved in 2012, but this has not been added to the application building.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

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

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.

BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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LPP 3.8	(2011) Housing Choice
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 7.3	(2011) Designing out crime
LPP 7.6	(2011) Architecture
LPP 8.3	(2011) Community infrastructure levy

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 dwellings and the Ruslip Residents Association were notified of the proposed development on 20th February 2014. A further round of consultation was completed on 25th March 2014 due to the applicant not including a blue line around the remainder of the land in their ownership on the Location Plan. Also the site description and description of development were amended to better reflect the site and proposal. A site notice was also erected on 8th March 2014.

By the close of the second consultation period, 9 responses had been received. 8 were from local

residents stating no objection to the proposal. 1 was from a local resident who objected on the following grounds:

- i) Relocation of boundary fences within the site.
- ii) Comment about the loss of a highway tree
- iii) The impact to the appearance of the dwelling if this development were to be implemented along side the 2012 side extension approval.

Case Officer Comment: In relation to point i) the relocation of boundary fences within a site does not require consent. The applicant is the landowner of both properties and relocated the boundary fences between the two properties under permitted development. In relation to point ii) the highway tree will be retained by the proposal. In relation to point iii) the applicant would not be able to implement both permissions as it would end up with a development which would not be in accordance with either set of plans.

Internal Consultees

HIGHWAYS OFFICER:

The development is for the construction of a single two storey semi detached dwelling within the boundary of the site. Vehicle access to the dwelling will be provided over one of two existing crossovers, shared with No. 53 Pembroke Road. As part of the proposals, 2 car parking spaces will be retained for the use of each of No's. 51 and 53 Pembroke Road, with 2 car parking spaces provided to serve the proposed dwelling. In addition, the existing vehicle crossover that serves number 53 Pembroke Road will be reduced in width and a shared manoeuvring area will be provided for the use of the proposed dwelling and number 53 Pembroke Road.

From reviewing the PTAL index within the area of the site, this has been identified as 3, which is classified as moderate. Therefore, the proposed car parking provision is considered acceptable. When undertaking assessment of the proposed means of access, it is noted that Pembroke Road is a classified highway and is designated as a local distributor road within the Council's Local Plan. As a result, vehicles are required to be able to manoeuvre in and out of the site in a forward gear. Although an area will be provided to enable vehicles to manoeuvre within the site, this is required to be retained under an appropriate legal agreement.

Therefore, provided that the proposed manoeuvring area is secured as part of an appropriate legal agreement and the details below are made conditional to the planning consent, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012 and an objection is not raised in relation to the highway and transportation aspect of the proposals.

Conditions:

1. The development shall not be occupied until the proposed car parking, manoeuvring area and amendments to the existing vehicle crossover have been laid out, surfaced and drained in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be maintained and retained for the life time of the development.

2. The access to the proposed car parking area shall be provided with 2.4m x 2.4m pedestrian visibility splays in both directions and shall be maintained at all times free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining carriageway.

WASTE OFFICER

A bin store is shown which is good practice. However, Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer.

TREES AND LANDSCAPING OFFICER

The site comprises the land between, and to the rear of, 51 and 53 Pembroke Road. There is an

attached single-garage to the side of number 51.

The area is characterised by a mix of detached and semi-detached residential properties associated with the expansion of Metroland during the 1920's.

There are no significant trees or other landscape features close enough to the proposed development to pose a constraint. There are no Tree Preservation Orders on, or close to, the site.

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 will be affected by the development and the proposal includes space and opportunity for landscape enhancement through supplementary planting.
- The proposal includes the demolition of the attached garage in order to accommodate the new attached house. The dropped kerb in front of number 53 will be reduced in width and the front garden of number 51 re-arranged to provide two off-street parking spaces and additional planting in the front gardens of 51 and the new house.
- The new house will have a rear private garden of 120sqm, leaving number 51 with a side and rear garden of almost three times this size. Similarly, number 53 will retain a sizeable rear garden which will extend to the rear of number 51.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

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

CONSERVATION OFFICER:

No objection and no further comments for the amended plans.

EPU:

No objection.

ACCESS OFFICER:

No objection to amended plans.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework states a presumption in favour of the redevelopment of brownfield sites. The proposed development is considered to be a redevelopment of a brownfield site to provide an increase in residential accommodation. Therefore, it is considered to comply with Part 1 Policies BE1 & H1 of the Hillingdon Local Plan, Policy 3.5 of the London Plan (November 2012) and the National Planning Policy Framework and is acceptable in principle.

7.02 Density of the proposed development

The proposed development would have a residential density of 22.89 units per hectare. Policy 3.4 of the London Plan (July 2011) requires a site within a suburban area with a PTAL score of 3 to have a density of between 35 - 95 units per hectare. Therefore, the development is slightly below the required threshold.

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

The development is sufficiently distanced from the Conservation Area to the rear of the site to ensure that it would preserve the Character and appearance of the Conservation Area. Therefore, the proposed development would comply with Policy BE4 of the Hillingdon Local Plan (November 2012).

7.04 Airport safeguarding

The development raises no safeguarding concerns.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposed development was reviewed by the Council's Conservation Officer who suggested a number of amendments to the scheme. These were included as part of the revised plans which were submitted to the Council. The proposed design replicates the key design features of the existing dwelling, including the double height bay windows and the timber framing. The overall size and bulk of the pair of semi detached dwellings is considered in keeping with the appearance of the surrounding streetscene. Furthermore, the proposed enlargement has retained the hipped roof of the original property and the design of the rear extension has retained the appearance to the rear of the premises. The proposed extension would retain 1 metre to the side boundary line of the site and would prevent any future terracing effect between itself and No.53 Pembroke Road.

The proposed development is considered to have an acceptable impact on the appearance of the existing dwelling and the streetscene, in accordance with Part 1 Policy BE1 and Part 2 Policies BE13, BE15 & BE19 of the Hillingdon Local Plan (November 2012).

7.08 Impact on neighbours

The proposed dwelling would be built on the eastern side of No.51 Pembroke Road and would have the same front and rear building lines. Therefore, it would not breach the 45 degree guideline from either No.49 or 53 Pembroke Road and would ensure no significant loss of light would occur. Furthermore, the extension would not cause a significant loss of light to the application dwelling, No.51 Pembroke Road. The proposed dwelling would bring the two storey element in closer proximity to the side elevation of No.53 Pembroke Road, but this dwelling has no habitable room windows which act as primary light sources. Furthermore, the extension would be sufficiently distanced to any neighbouring dwelling to ensure no significant loss of outlook or sense of dominance would occur.

The only windows in the side elevation of the dwelling facing No.53 Pembroke Road serve non-habitable rooms and could be conditioned to be obscure glazed. The remaining windows face the highway or into the garden of the application site and would not result in any significant harm to the residential amenity of the neighbouring occupiers in terms of loss of privacy. Therefore, the proposed development would comply with Policies BE20, BE21 & BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

Internal Floor Area

Annex 4 of the Mayors Housing SPG provides internal floor area requirements to ensure dwellings provide an acceptable living area for future occupiers. The Annex requires a two storey, 3 bedroom dwelling to be provided with between 74 - 99 square metres of internal floor area. The proposed dwelling would be provided with 109 square metres of internal floor area, which would ensure a sufficient living condition for future occupiers would be provided, in accordance with Policy 3.5 of the London Plan (July 2011).

External Amenity Space

The proposed development would include the relocation of the boundary fence between Nos. 51 & 53 Pembroke Road. The HDAS Residential Layouts requires the provision of 60 and 100 square metres of external amenity space for a 3 and 4 bedroom dwelling respectively. The dwelling would provide approximately 120 square metres of external amenity space for the proposed 3 bedroom dwelling and retain in excess of 250 square metres of external amenity space for Nos. 51 & 53 Pembroke Road. Therefore sufficient external amenity space would be provided for each dwelling, in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012).

Light and outlook

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

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed development would provide 2 car parking spaces each for the proposed new dwelling, No.51 Pembroke Road and No.53 Pembroke Road. Therefore, sufficient off street parking would be provided in accordance with the Council's adopted parking standards. The Highways Officer has reviewed the access arrangement and considers them to be acceptable, given that cars can exit and enter the site in forward gear. The proposed development is considered to comply with Policies AM7 & AM14 of the Hillingdon Local Plan (November 2012).

The Council's adopted standards requires the provision of two cycle storage spaces within the site. The plans indicate that a cycle store would be provided in the rear garden of the site and this would be secured by condition and with this attached, the development would comply with Policy AM9 of the Hillingdon Local Plan (November 2012)

7.11 Urban design, access and security

The proposed development raises no concerns from an urban design or access stand point. A conditioning requiring the scheme to comply with Secure By Design would be added to any approval.

7.12 Disabled access

The access officer raised no objection to the amended layout of the development, as it would comply with the Lifetime Homes Standards. Therefore, subject to a condition, the development is considered to comply with Policy 3.8 of the London Plan (July 2011).

7.13 Provision of affordable & special needs housing

Not applicable to the current application.

7.14 Trees, landscaping and Ecology

No trees or other landscape features will be affected by the development and the proposal includes space and opportunity for landscape enhancement through supplementary planting. The Trees and Landscaping Officer has requested a condition requiring details of the landscaping to the front and rear of the dwelling to ensure the development would comply with Policy BE38 of the Hillingdon Local Plan (November 2012).

7.15 Sustainable waste management

The plans show an area for hardstanding for bins within the rear garden of the proposed new dwelling. This would ensure the bins are screened and would protect the visual amenities of the surrounding area.

7.16 Renewable energy / Sustainability

The application has been submitted with an energy report which provides some detail of the proposed sustainable measures of the building. The report states that the dwelling

would be built in accordance with Code for Sustainable Homes Level 4, however, there is no supporting assessment alongside this. Therefore, a condition would be added to any approval requiring the dwelling to achieve Code for Sustainable Homes Level 4. With this condition attached, the development is considered to comply with Policies 5.1, 5.2 & 5.3 of the London Plan (July 2011).

7.17 Flooding or Drainage Issues

The site is not within a Flood Zone or Critical Drainage Area. Therefore, subject to a condition relating to sustainable urban drainage systems, the development is considered acceptable in this regard.

7.18 Noise or Air Quality Issues

There are no noise or air quality considerations associated to the development.

7.19 Comments on Public Consultations

No further comment required.

7.20 Planning obligations

The wider site of Nos.51 & 53 Pembroke Road have been the subject of a number of planning applications in recent years to create residential properties to the rear of the site. These have been refused as they are contrary to Local, Regional and National Planning Policy on the development of rear gardens for residential use. Concern is raised that this development is a precursor to segregate the land to the rear from the residential gardens and sterilise the site ahead of a further application for residential development within this area of land. These applications would then have a better chance of approval if it could be demonstrated that they are not part of the garden of these dwellings.

Therefore, it is considered necessary for a legal agreement to be sought to require this land to be used as garden space within the curtilage of No.53 Pembroke Road in order to prevent the future sterilisation of this area of land to assist in further applications for residential developments.

The proposed development would not add more than 6 habitable room to the site and no planning obligation towards educational facilities would be sought.

7.21 Expediency of enforcement action

None required.

7.22 Other Issues

The proposed extension would be charged at £35 per square metre for Mayoral CIL.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

None received.

10. CONCLUSION

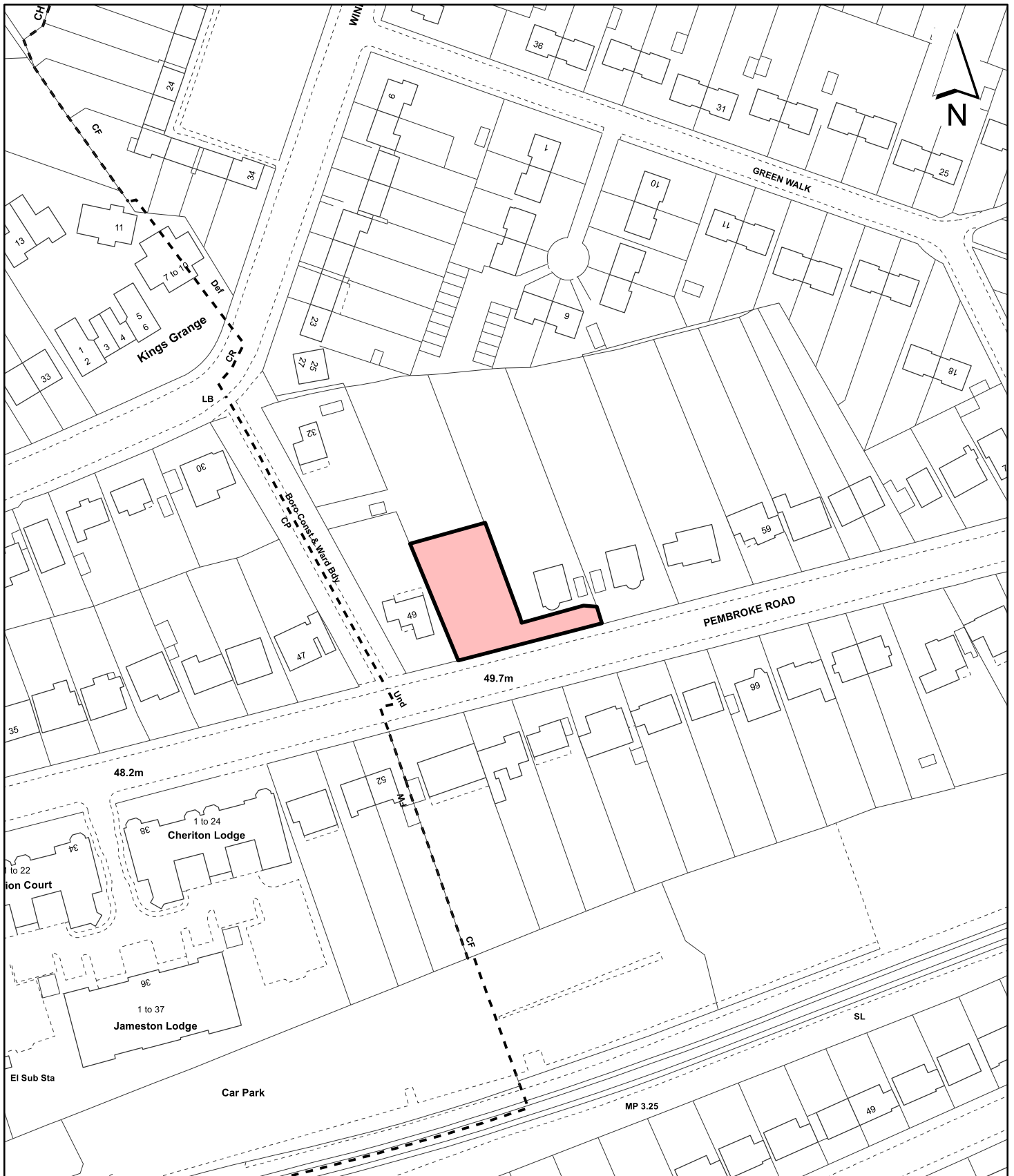
The proposed development would be considered an intensification of a brownfield site to provide additional residential accommodation and is acceptable in principle. The development would have an acceptable impact on the visual amenities of the surrounding area and the residential amenity of the neighbouring occupiers. The development would provide an acceptable living standard for future occupiers. However, some concerns remain about the future use of land to the rear of the site. Therefore, the application is recommended for approval, subject to a legal agreement to ensure the land to the rear remains used as garden space for the occupier of No.53 Pembroke Road.

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 (January 2010)
GLA's Supplementary Planning Guidance - Housing;

Contact Officer: Alex Smith

Telephone No: 01895 250230



Notes

 Site boundary

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Site Address

**Land adj to 51 and 53 Pembroke Road
 Ruislip**

Planning Application Ref:
66982/APP/2014/475

Planning Committee
North

Scale
1:1,250

Date
June 2014

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



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