

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

**Address** 40 COOMBE DRIVE RUISLIP

**Development:** Single storey side/rear extension, part two storey side extension and part two storey rear extension to allow for conversion of existing dwelling into 2 x 2-bed self contained flats with associated parking and amenity space

**LBH Ref Nos:** 17682/APP/2014/456

**Drawing Nos:** 1001-B  
1002-B  
1003-B  
1004-B  
1005-B  
1006-B  
1007-B  
1008-B  
1009-B  
1010-B  
1011-B  
Location Plan (1:1250)

**Date Plans Received:** 11/02/2014                      **Date(s) of Amendment(s):**

**Date Application Valid:** 20/03/2014

### 1. **SUMMARY**

The scheme proposes a two storey side and part two storey rear extension to facilitate the conversion of the dwelling into 2 flats of 2 bedrooms each.

The proposals are considered to result in no significant loss of amenity to adjoining occupiers.

The proposal would result in the loss of an existing open visual gap characteristic to the area, breaching the return building line and the single storey rear extension would fail to be a subordinate addition.

No details have been presented in regards to the amenity space arrangements for the upper floor unit.

The proposal fails to provide adequate off street parking.

Lifetime Homes compliance would not be achieved, the proposal being contrary to the relevant guidance.

A s106 legal agreement for educational contributions would not be required given the number of habitable rooms proposed being less than six.

### 2. **RECOMMENDATION**

**REFUSAL** for the following reasons:

1            NON2            **Non Standard reason for refusal**

The proposal, by reason of its projection beyond the return building line with the neighbouring properties to the west, along Pine Gardens, and the loss of the architectural feature of the principal elevation facing Pine Gardens, which contributes to the overall appearance and coherency of the built form within the area, would result in the closing of the visual open gap on this prominent corner site and the loss of architectural features, resulting in a visually intrusive and over-dominant form of development, which would be detrimental to the visual amenities of the street scene and the character and appearance of the wider area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

**2           NON2           Non Standard reason for refusal**

The proposed single storey rear extension by reason of its excessive depth, size and scale, would result in a disproportionate and incongruous addition that would fail to appear subordinate to the appearance of the original house. It would be detrimental to the appearance of the original house and would detract from the street scene given the prominent nature of the site and would detract from the character and appearance of the surrounding area generally, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

**3           NON2           Non Standard reason for refusal**

The scheme fails to meet the requirements of Lifetime Homes to the detriment of future occupiers and is thus contrary to London Plan (2011) policies 3.8 and 7.2 and to the adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

**4           NON2           Non Standard reason for refusal**

The development fails to provide adequate private amenity space in order to satisfy the adopted minimum standards for the first floor unit to the detriment of the residential amenity of future occupiers. The development is therefore contrary to Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts.

**5           NON2           Non Standard reason for refusal**

The proposal, due to a lack of off street parking provision, would result in an increase in demand for on-street car parking, in an area where such parking is at a premium, to the detriment of highway and pedestrian safety and contrary to Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the adopted Supplementary Planning Document HDAS: Residential Layouts and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

**INFORMATIVES**

**1           I52           Compulsory Informative (1)**

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair

hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character

## **3 I59 Councils Local Plan : Part 1 - Strategic Policies**

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

### **3. CONSIDERATIONS**

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

The application site is located on a corner location, with its frontage on the west side of Coombe Drive and its flank facing south towards another part of Coombe Drive/Pine Gardens.

Contained within the site is an existing two storey semi-detached dwelling. The building has a pitched roof design with gable ends in the front and rear elevations. There is an existing single storey rear shed type structure and a detached shed/gargae to the rear of the rear garden, accessed via a vehicle crossover.

The area is characterised by semi-detached dwellings.

To the north of the property is the adjoining dwelling 38 Coombe Drive.

The site is situated within a Developed Area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### **3.2 Proposed Scheme**

The proposal seeks a part two storey side, part two storey rear and single storey side and rear extensions and the subsequent conversion of the property into two self-contained flats; a two bedroom flat on the ground floor and the same at first floor level.

The two storey side extension would have a width of 2.3m, being set back 1.2m from the frontage at ground and first floor level. A distance of around 2.7m would remain between the side extension and the side boundary. The first floor element would be set back from the main rear wall of the dwelling. The ground floor portion would project 4.8m beyond the main rear wall of the house towards the rear, with the single storey element towards the adjoining site projecting 3m to the rear.

The first floor rear extension would project 3m to the rear, having a width of 3.8m. There would be a pitched roof over, being 1m lower than the original ridge height.

The ground floor flat would have a gross internal area (GIA) of some 80.5sq.m. The first floor would have 62sq.m, each being of 2 bedrooms.

The application appears to depict only a ground floor amenity area. There would be one off street parking space to the rear, for the use of the ground floor unit's occupiers.

### **3.3 Relevant Planning History**

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

There is no planning history for this site.

## **4. Planning Policies and Standards**

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

## Part 2 Policies:

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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LPP 5.3	(2011) Sustainable design and construction
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Seventeen local addresses including the Eastcote Residents Association were consulted on 24/03/2014. Eight objections were received, objecting to the proposal on grounds of a negative impact on the character of the area, impact on neighbouring amenity, lack of parking, and inadequate amenities for the occupiers of the units.

Ward Councillor has requested the application be referred to committee for determination.

### Internal Consultees

Transportation:

The development is for the change of use from a single dwelling house to provide 2 x 2 bedroom

apartments within the site. As part of the proposals 1 No. car parking spaces will be provided for the use of the ground floor apartment. There are no proposals to provide cycle parking within the site.

When undertaking assessment of the development, it is noted that the PTAL index within the surrounding area is identified as 1b, which is classified as very poor. As a result, 2 car parking spaces (1 space for each apartment) are required to be provided. In addition, 2 cycle parking spaces are required to be provided secured and under cover.

Therefore, as the development does not provide adequate car or cycle parking within the site, it is considered that the proposals are contrary to the Policies AM7, AM9 and AM14 of the adopted Hillingdon Local Plan, 2012, Part 2 and an objection is raised in relation to the proposals.

EPU: No objection, standard informatives advised.

Access Officer:

Planning permission is sought to convert the dwelling house referred to above into two self-contained flats. The proposal also seeks to extend the building at the side and rear. The existing layout is typical of a three-bedroom house, and the ground floor features a small, inaccessible, entrance level WC. The proposal, if granted planning permission, would involve forming a new bathroom on the ground floor.

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013. As the proposal would require significant reconfiguration of the ground floor to achieve the proposed flat, the 16 Lifetime Home standards (as relevant) should be incorporated into its design, with the requisite specifications shown on plan.

The following access observations are provided:

1. Level access should be achieved. Details of level access to and into the proposed ground floor flat should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.

2. The ground floor flat should incorporate a bathroom compliant with the Lifetime Home requirements. To this end, a minimum of 700 mm should be provided to one side of the toilet pan, with 1100mm in front to any obstruction opposite.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

#### ADDITIONAL CONDITION

Level access shall be provided to and into the ground floor flat, and designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2004 (2013 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

## **7. MAIN PLANNING ISSUES**

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

The site is located within an established residential area and forms part of the 'developed area' as defined in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Key changes in the policy context, since the adoption of the UDP, include the publication of the NPPF and the adoption of The London Plan of July 2011.

In relation to National Policy the NPPF, paragraph 53 states that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The outcome of this change means that Councils will have to assess whether the proposal would cause harm to the local area.

Policy 3.5 of the London Plan (July 2011) states in part the following:

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

As regards the principal of developing this site, there is no objection in principle to the intensification of use on existing residential sites. As such the principal of development is in accordance with national guidance contained within the NPPF and policies contained within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within a suburban fringe location and has a Public Transport Accessibility Level (PTAL) of 1b. Taking these parameters into account, the matrix recommends a density of 150-200 hr/ha. This proposal equates to a density of 200 hr/ha. The proposal therefore satisfies the density standards as recommended by the London Plan.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the scheme harmonises with its surroundings and its impact on adjoining occupiers.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

### **7.05 Impact on the green belt**

Not applicable to this application.

### **7.07 Impact on the character & appearance of the area**

The proposed two storey side extension would be set 1.2m back from the main front wall of the main house and its roof would be lower than the ridge of the roof over the main house, in compliance with paragraphs 5.6 and 5.8 of the HDAS: Residential Extensions. The proposed two storey side extension, with a width of 2.3m would not be more than 2/3rds of the width of the application property, in compliance with paragraph 5.10 of the same HDAS guidance. The extension would therefore not represent a disproportionate addition to the original house and would by reason of its scale, form and design form a subordinate addition to the original house.

Paragraph 5.17 of the HDAS: Residential Extensions advises that careful consideration should be given to the location of extensions to building lines. Paragraph 5.1 of the HDAS: Residential Extensions recommends that two storey side extensions should retain a minimum gap of 1.0m to the side boundary in order to protect the character and appearance of the street scene. Paragraph 5.3 of the HDAS: Residential Extensions advises that in situations where two storey or first floor side extensions are proposed where the side of the house adjoins a road or open space there may be some scope for flexibility on the 1m set-in. The proposed two storey side extension would breach the return building line with the neighbouring properties to the west, along Pine Gardens. Whilst the scheme would maintain the required minimum gap of 1.0m to the side boundary with Roseville Road, the prominence of the site means that the extension would have a detrimental impact upon amenities of the street scene and character and appearance of the area and would result in a closing of the visually open gap on this prominent corner site resulting in a visually intrusive and overdominant form of development.

Further, the elevation of 40 Coombe Drive which faces Pine Gardens is actually a principal elevation containing a front door, porch and windows. These architectural features help to tie this building into the architectural composition of the street scene within Pine Gardens and their loss alongside the additional built form would be harmful to the overall character and appearance of the area.

The proposal is therefore contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and section 5.0 of the HDAS: Residential Extensions.

The depth and height dimensions of the proposed single storey rear extension would not be consistent with those as set out in paragraphs 3.3 and 3.6 of the HDAS: Residential Extensions. The portion of the single storey rear extension in proximity to the street frontage would have a depth of 4.8m, which would far exceed the 3.6m HDAS guidance.

The single storey rear extension, by reason of its location and excessive depth, would detract from the visual amenities of the street scene and surrounding area, contrary to Policies BE13, BE15, BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

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

The Hillingdon Design and Accessibility Statement (HDAS) SPD: Residential Layouts, deals with Sunlight and Daylight, and suggests where a two or more storey building abuts a property or its boundary, adequate distance should be maintained to overcome possible domination. The SPD states that the distance provided will be dependant on the bulk and size of the building but generally, 15m will be the minimum acceptable distance. The SPD further states that as a guide, the distance between habitable room windows should not



be less than 21m.

The application site is bounded by residential properties to the north and west.

It is noted that the proposed development would be closer to the dwelling to the rear of the site 79 Pine Gardens at first floor level. The separation distance between the proposed extension and the flank of 79 Pine Gardens would be around 13m, less than that 15m minimum guidance to ensure no overdomination would result. However, the flank wall of the neighbouring property does not contain any habitable room windows, hence no overlooking/loss of privacy concerns would arise.

The ground floor rear extension would have a depth of 3m along the boundary with the adjoining dwelling and its height would be less than 3m, both criterion being in accordance with the section 3 HDAS: Residential Extensions guidance. The first floor rear element of the proposal would not impinge on a 45 degree line when drawn from the nearest bedroom window of the adjoining dwelling 38 Coombe Drive, not exceeding a depth of 3.6m.

The proposal would maintain the current outlook, privacy and levels of daylight received by the occupiers of neighbouring dwellings. It is therefore considered that the proposal would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

HDAS SPD: Residential Layouts, states that careful consideration should be given to the design of the internal layout and that satisfactory indoor living space and amenities should be provided. Habitable rooms should have an adequate outlook and source of natural light. The London Plan (July 2011) establishes minimum floor space standards. In particular, it requires 2 bedroom, 3 person flats to have a GIA of 61sq.m. The ground floor flat would have a GIA of some 80.5sq.m. The first floor would have 62sq.m, hence in compliance with London Plan 2011 Policy 3.5.

The drawings appear to depict a private rear amenity space for the ground floor unit of some 90sq.m, which would exceed the requirement for two bedroom units of 40sq.m. However, no provision has been made for the upper floor unit. As such, the proposal would not provide an acceptable standard of residential amenity for its future occupiers in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

The proposed habitable rooms and those altered by the proposal would provide an adequate outlook and natural lighting for its future occupiers, in accordance with Policy 3.5 of the London Plan 2011.

As such, the proposal would provide adequate amenities for its future occupiers.

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

The proposed flat conversion would not lead to a significant increase in traffic generation given the proposed use and location within a residential area. As such, from a traffic generation perspective, the proposal would comply with Policy AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The area has a PTAL accessibility rating of 1a, which means within a scale of 1 to 6, where 6 is the most accessible, the area has a low accessibility level.

The plans indicate parking for one vehicle for the ground floor unit via the existing crossover to the rear of the site. Given the number of units and unit size and low ptal score of 1b for this site, it is considered that 1 off street parking space per unit should be provided. Hence there would be a shortfall of one off street parking space. The proposal, due to a lack of off street parking provision, would result in an increase in demand for on-street car parking, contrary to Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Parking Standards (Annex 1, Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)).

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

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 fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The design of the proposed scheme reflects the architectural details and general appearance of the existing dwelling and neighbouring extensions, however, due to the location of the two storey side extension and size of the single storey extension, significant concerns are raised as aforementioned.

The proposal would not introduce any concerns in terms of security. As such the proposal is considered acceptable in this respect.

#### **7.12 Disabled access**

The London Plan Policy 3.8 requires all new housing to be built to 'Lifetime Homes' standards. The Council's HDAS 'Accessible Hillingdon' also requires all new housing to be built to 'Lifetime Homes' standards. The Council's Access Officer advises that the proposal fails to be in accordance with all 16 Lifetime Homes standards and is therefore contrary to London Plan Policies 3.8 and 7.2 and to the adopted Supplementary Planning Document Hillingdon Design & Accessibility Statement: Accessible Hillingdon.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a Conservation Area. While no detailed landscape design details have been specified, the layout plans indicate that there is sufficient space and opportunity to provide attractive landscaped areas. The proposal is considered acceptable in principle and in the event of any approval a landscaping condition is recommended. The proposal would be in compliance with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

There is no requirement for proposals for converted flats to identify where refuse will be stored as this would be largely a matter for the new occupiers. However, the submitted plans do show that there would be available space within the front garden areas.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

Concerns relating to the appearance of the development, its impact on the street scene and on adjoining occupiers and the provision of parking have been considered in the main body of the report.

Concerns have also been raised relating to noise and disturbance resulting from the construction process. Whilst this is not a planning matter, a site construction informative would be attached to any approval.

#### **7.20 Planning Obligations**

Were the development approved it would be liable to pay both the Local and Mayoral Community Infrastructure Levy's. These would ensure that any impacts on wider facilities and infrastructure were mitigated. Accordingly, the development would not necessitate any additional Section 106 contributions.

#### **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**

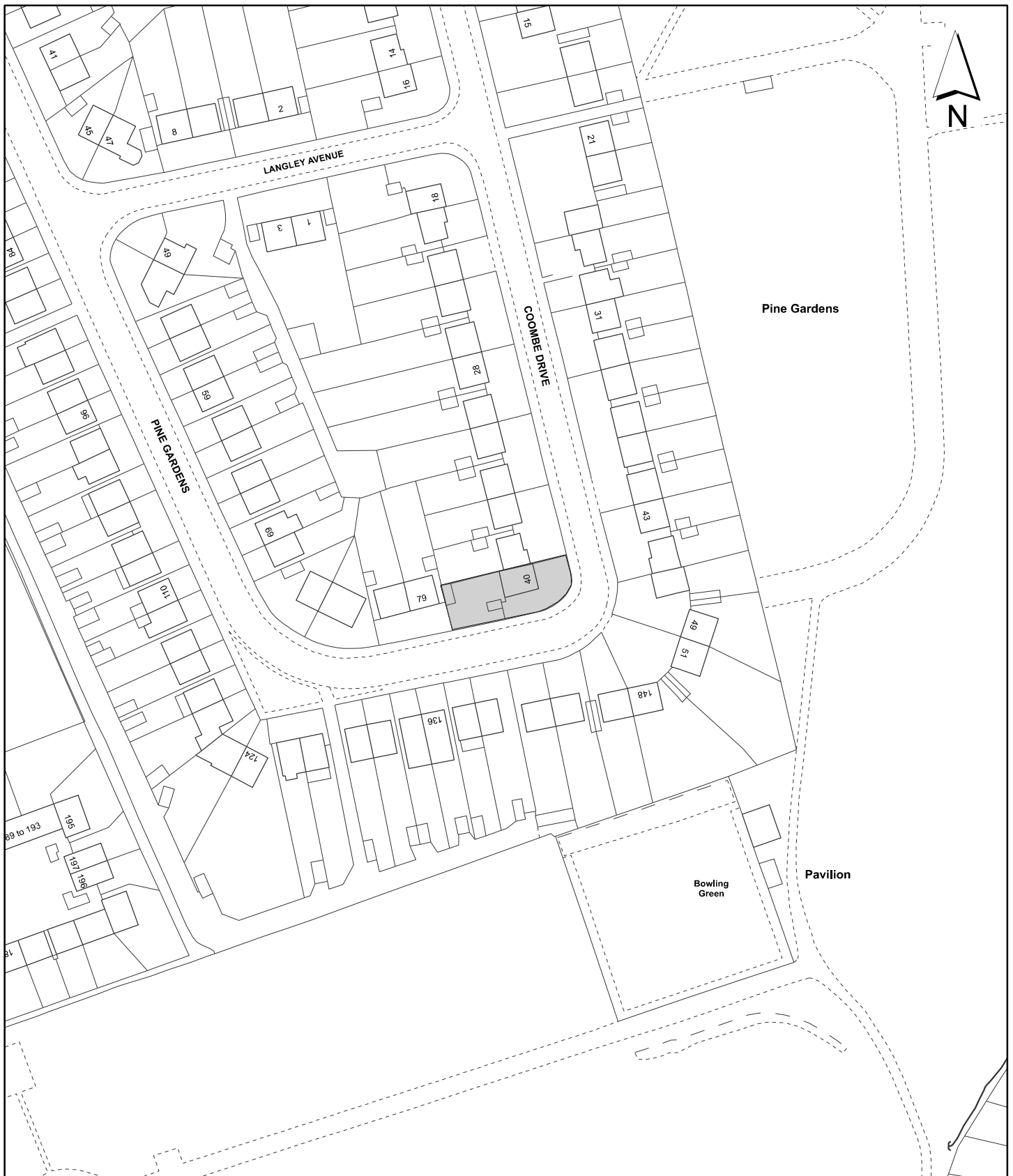
The application would have a detrimental impact on visual amenity, it would fail to provide adequate amenity space, off street parking and would not be in compliance with Lifetime Homes requirements. Refusal is therefore recommended.

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

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
HDAS: Residential Layouts  
HDAS: Residential Extensions  
Revised Chapter 4: Education Facilities of the Planning Obligations SPD adopted 23 September 2010  
Planning Obligations SPD adopted July 2008  
Accessible Hillingdon SPD adopted January 2010  
The London Plan (2011)  
NPPF

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**Notes**

Site boundary

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Site Address

**40 Coombe Drive  
Ruislip**

Planning Application Ref:  
**17682/APP/2014/456**

Planning Committee  
**North**

Scale  
**1:1,250**

Date  
**August 2014**

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

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