

Report of the Head of Planning, Sport and Green Spaces

Address LAND AT 141, 143 AND REAR OF 145 LONG LANE HILLINGDON

Development: 5 two storey, 4-bed, detached dwellings with associated parking and amenity space involving installation of two vehicular crossovers to front and boundary wall to front and demolition of 2 detached dwellings and conversion of garage of No.145 to habitable space involving alterations to front and rear elevations and removal of bay window to rear

LBH Ref Nos: 62467/APP/2014/1958

Drawing Nos: Design, Access and Planning Statement
H0913
0202-01-03A
0202-01-04A
0202-01-05A
0202-01-06A
0202-01-07A
0202-01-08A
0202-01-10A
0202-01-11
T0119-TR-01
0202-01-09D
Arboricultural and Planning Integration Report Received 26-09-2014
0202-01-02G

Date Plans Received: 06/06/2014 **Date(s) of Amendment(s):** 06/06/2014
Date Application Valid: 06/06/2014

1. SUMMARY

This application seeks planning permission for the erection of 5 two storey, 4 bedroom detached dwellings with associated parking and amenity space on land at, and to the rear of, Nos. 141, 143 and 145 Long Lane and follows a previous refusal for the same development. An existing dwelling at the site (No. 145 Long Lane) would be retained thus resulting in six dwellings in total on the application site.

The proposals also involve the installation of two vehicular crossovers and a boundary wall to the front and the demolition of two detached dwellings (Nos. 141 and 143 Long Lane) with associated works.

The application site is oblong in shape, measuring approximately 45 metres wide by 75 to 80 metres deep, and incorporates the plots and rear gardens of Nos. 141, 143 and 145 Long Lane. As such the site comprises three residential properties and areas of lawn, trees and vegetation and is enclosed by panel fencing along its north, south and western boundaries, with an additional stretch of Cypress trees also on the western boundary.

A number of highway safety issues that were previously identified have been satisfactorily addressed and the scheme is now compliant in terms of tree protection and Lifetime Homes Standards.

Nonetheless, the proposal is considered to be a form of backland development. In the light of changes in national and strategic policy made since the 2007 application for this site and the recent guidance in relation to backland development, the proposal is unacceptable in principle and would cause significant harm to the character and appearance of the area.

Therefore, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development would result in the inappropriate development of gardens and would thus erode the character, biodiversity, appearance and local distinctiveness of the site and surrounding neighbourhood including the adjoining Hillingdon Court Park, Area of Special Local Character. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan (July 2011) and the National Planning Policy Framework.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H12	Tandem development of backland in residential areas
OE1	Protection of the character and amenities of surrounding properties

	and the local area
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework

3 159 Councils Local Plan : Part 1 - Strategic Policies

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on, and to the rear of Nos. 141, 143 and 145 Long Lane, otherwise designated the A437. The site measures approx 45m wide by 75-80m deep, and comprises the plots and rear gardens of Nos. 141, 143 and 145 Long Lane. As such the site comprises three residential properties and areas of lawn, trees and vegetation. The site is enclosed by panel fencing along its north, south and western boundaries, with an additional stretch of Cypress trees also on the western boundary.

The site is unusual in that there are properties directly to the west, Nos. 139, 139A, 147 and 147a Long Lane, which face the rear of the site and are accessed by unadopted roads to the north and south of the application site. To the north of this access road is 149 Long Lane, with 151 Long Lane positioned to the rear.

To the east of the site is Long Lane, a busy road leading to the A40 with a public library beyond. There is an existing pedestrian crossing in Long Lane directly in front of the site approximately halfway along its eastern boundary. Beyond the southern boundary of the site and the unadopted access road is No. 137a Long Lane and the rear gardens of properties on the northern side of Court Drive.

The area is predominantly residential in character but with other community uses, such as the library and a medical centre, within the vicinity on Long Lane. The site falls within a

Developed Area of the Borough as identified in the Hillingdon Local Plan (November 2012) and is covered by Tree Preservation Order 157.

3.2 Proposed Scheme

The application proposes the retention of No. 145 Long Lane, the removal of Nos. 141 and 143 and the construction of 5 new two storey 4 bedroom dwellings.

Plots 1 and 2 would be located fronting Long Lane, with Plot 2 situated towards No. 145 being staggered slightly behind Plot 1. Two vehicular access points are proposed off Long Lane to provide a slip road that will connect to a central vehicle access drive between Plot 2 and No. 145. This vehicular access would lead to an internally created permeable block paving turning head for Plots 3, 4 & 5 positioned to the west/rear of the site. There is no pedestrian walkway indicated into the site and as such it is assumed that the access drive would be a shared surface for pedestrians. All properties will face east towards Long Lane.

The proposed dwellings on Plots 1 & 2 would be matching, though a mirrored/handed design. The remaining plots would be alternative designs, though replicate a number of architectural features in their design so as to create a common architectural theme within the proposal development. Each of the houses would be similar in terms of internal accommodation provided. The ground floors would comprise lounge, study, utility room, kitchen and dining area. The first floors would provide 4 bedrooms, two with en-suite, and a family bathroom; no accommodation is shown within the roof space. The properties would be similar in bulk and massing to the existing detached houses on the western side of Long Lane.

All plots would have two parking spaces, one of which being of sufficient scale to be a disabled parking space. Plot 2 and No. 145 would have a parking space to the front plus a car port and additional space to the rear. Plots 3 and 5 would have a parking space with car port space beyond. Two 'guest' parking spaces are also proposed.

Each house would have a small front and larger rear garden area in excess of 100 square metres, with a permeable block paved pathways and rear decking area. A hard standing and storage area for waste/recycling bins is proposed centrally within the site, whilst further storage is proposed in the south east corner. Landscaping measures are incorporated, with the removal and replacement of numerous trees on the site.

3.3 Relevant Planning History

62467/APP/2007/1331 Land At 141, 143 And Rear Of 145 Long Lane Hillingdon
ERECTION OF 12 TOWN HOUSES AND 1 COACH HOUSE WITH ASSOCIATED PARKING AND ACCESS (INVOLVING DEMOLITION OF NOS.141 AND 143 LONG LANE).

Decision: 27-11-2007 Refused

62467/APP/2013/3580 Land At 141, 143 And Rear Of 145 Long Lane Hillingdon
5 x two storey, 4-bed, detached dwellings with associated parking and amenity space involving installation of two vehicular crossovers to front and boundary wall to front and demolition of 2 x detached dwellings and conversion of garage of No.145 to habitable space involving alterations to front and rear elevations and removal of bay window to rear

Decision: 12-03-2014 Refused

Comment on Relevant Planning History

There has been a history of pre-application discussions on a range of different schemes for development of the site, with officers expressing an objection to the principle of development on garden land based on London Plan policy.

Under ref: 62467/APP/2007/1331, planning permission was refused in November 2007 for the erection of '12 townhouses and 1 coach house' on the site with associated amenity space and parking. There were eight reasons for refusal given, summarised as follows:

- incompatible with existing building lines;
- unacceptable impact on trees;
- unacceptable impact in terms of visual dominance, loss of amenity, loss of daylight, etc;
- inadequate off-street parking, including spaces for people with disabilities;
- detrimental to pedestrian and highway safety;
- failure to provide a unit which can easily be adapted for wheelchair use;
- failure to demonstrate that energy conservation measures have been incorporated into the layout and design; and
- failure to provide contributions towards the improvement of services and facilities.

Since that decision, which made no direct reference to back land development or to the loss of either No. 141 or 143 Long Lane, a change in policy has resulted in greater emphasis on the prevention of backland development.

A subsequent proposal for 5 two storey, 4-bed, detached dwellings with associated parking and amenity space involving installation of two vehicular crossovers to front and boundary wall to front and demolition of 2 detached dwellings and conversion of garage of No.145 to habitable space involving alterations to front and rear elevations and removal of bay window to rear (under ref. 62467/APP/2013/3580) was refused in March 2014 for the following reasons:

1. The proposed development, by reason of its location and layout would result in the loss of existing private rear garden areas of Nos. 141, 143 and 145 Long Lane and have a subsequent detrimental impact on the character and local distinctiveness of the area [contrary to Part One Policy BE1 and Part Two Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012); to Policies 3.5, 7.1 and 7.4 of the London Plan (July 2011), and to the National Planning Policy Framework];
2. The proposal results in additional parking in excess of this Council's maximum adopted parking standards. As such the proposal represents an unsustainable form of development by encouraging the use of the private car and contributes to increased congestion and pollution to the detriment of the area in general [contrary to Part Two Policy AM14 of the Local Plan];
3. The proposed scheme does not provide an acceptable internal layout in terms of the width of the proposed internal drive/shared surface area to the detriment of highway and pedestrian safety [contrary to Policy AM14 of the Local Plan];
4. The proposed development is not supported with satisfactory and accurate swept paths, as such, the applicant has failed to demonstrate that the development will have

suitable and safe vehicular accesses that would otherwise lead to situations prejudicial to highway and pedestrian safety, [contrary to the Part Two Policy AM7 of the Local Plan];

5. The proposal would fail to meet all relevant Lifetime Home Standards [contrary to Part Two Policy AM13 of the Local Plan; Policies 3.1, 3.8, and 7.2 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon];

6. In the absence of an acceptable Arboricultural Method Statement detailing how the arboricultural and engineering aspects and sequence of the proposed protective measures for the protection of the Weeping Cedar would be implemented, the application has failed to demonstrate that the development will safeguard existing protected trees on the site and further fails to demonstrate protection for long-term retention of the trees [contrary to Part Two Policy BE38 of the Local Plan]; and

7. The development is estimated to give rise to a significant number of children of school age, and therefore additional provision would need to be made in the locality due to the shortfall of places in educational facilities serving the area. Given a legal agreement at this stage has not been offered or secured, the proposal is considered contrary to Part Two Policy R17 of the Local Plan].

Whilst the current proposal is essentially for the same development as that previously considered in terms of layout and design this resubmitted application has nonetheless sought to address the previous reasons for refusal relating to highways, tree protection and Lifetime Homes matters.

4. Planning Policies and Standards

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

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE5 New development within areas of special local character

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
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LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

51 neighbouring and nearby occupiers were consulted (on 11.6.2014) and a site notice was displayed. There have been six responses and a petition in objection to the proposal (with 156 signatures) received, with the following comments (summarised):

Principle:

- inappropriate back land development (or garden grabbing); and
- over development.

Character of area:

- back garden development' would not enhance the character or style of the area;
- loss of green space and view;
- would change/result in loss of the established character and style of Long Lane;
- adverse visual effect on Long Lane (visible from a distance in street scene);
- Long Lane is predominantly made up of large plot single dwellings (not in context/keeping with

established area); and

- cramped and congested form of development (ie. new dwellings on smaller plots).

Highways safety/traffic:

- highway safety implications (Long Lane is very busy local distributor road with 4 schools/nurseries, a library, a doctor's surgery and churches etc.)
- traffic congestion (dangerous at busy times)
- cars leaving the doctor's surgery and turning right up Long Lane are a hazard (eg. when turning right into Sutton Court Road).
- Sutton Court/Court Drive junctions (right hand turns lead to traffic queuing on highway across pedestrian crossing and obstructing two bus stops)
- crossovers are designed on a slant or at an angle (difficult turn so close to the pedestrian crossing)
- crosses over the entrance and exits of Nos. 139 and 147 Long Lane;
- size and position of the crossovers create a hazard for pedestrians and vehicles alike.
- proposed access onto site is unsafe (new crossovers serve houses at the rear with no separation/ vehicles trying to turn right have to initially turn left then turn 180 degrees in the road)
- would double number of existing vehicle movements
- two way vehicle movements would be closer to existing drives (to Nos. 139, 139, 147 and 147a Long Lane)

Parking:

- insufficient parking for new dwellings (family houses require more than two cars); and
- would leading to on-street parking.

Pedestrian Safety:

- pedestrian safety, school children/elderly using the pavement and the pedestrian crossing (between entrance/exit); and
- access would create more obstructions to pedestrian area/crossing for mothers with children (also, medical centre has no parking)

Amenities of adjoining occupiers:

- detrimental impact upon the amenities of the occupiers of neighbouring/surrounding dwellings;
- dwellings on plots 1, 3, 4 and 5 would appear overbearing, overdominant, visually intrusive from dwellings (in Court Drive and those to rear in Long Lane) and their rear gardens due to two storey; height, bulk (large pitched roofs) and massing proposed and the limited boundary treatment between.
- overlooking.

Other:

- precedent;
- some trees will inevitably be removed including two cherry trees at front (leading to greater noise levels);
- Blue Cedar tree within the development site (site lines to which would be obscured);
- disruption, noise, construction traffic and mess during demolition of Nos. 141 and 143, and building of the new houses;
- disturbance to water table in area (heavy rain fall does not drain away quickly as it used to);
- drainage network implications;
- impact on protected wildlife species not known.

The concerns raised regarding the impact of the proposal on the character of the area, highway and pedestrian safety, tree, residential amenity and sustainability regulations for new development are all considered within this report.

Ministry of Defence Safeguarding - no objection.

Internal Consultees

HIGHWAYS OFFICER:

Advises that previous highways concerns (under ref. 62467/APP/2013/3580) have been addressed. Parking provision now meets LBH standards, internal access road widened to 4.1 m to allow two way access and auto tracks for a 10.5 m refuse (vehicle) acceptable.

TREES/LANDSCAPE OFFICER:

This site is covered by TPO No.157 and backs onto the Hillingdon Court Park Area of Special Local Character. There are three protected Oaks in the land around the site; parts of their root protection areas could be affected, however the proposed protection for these trees is adequate.

The remaining important tree at the site is the large, protected weeping Cedar (quite a unique and rare tree) to the front of 145 Long Lane. I have discussed this tree (and its proposed protection) several times with the appointed arboricultural consultant and believe the proposed tree protection to be satisfactory. However, clarification is required on one paragraph within the tree protection plan (Low level shrubbery to conceal both sides of bridge edge and 600mm high mild steel barrier fixed to bridge edge inside RPA (land built up elsewhere); It is important that no level changes occur within the root protection area of the tree.

Furthermore, due to the very sensitive nature of the proposed protection for this Cedar, it is requested that the appointed arboricultural consultant monitors the important aspects himself and that brief reports/photographs are provided after each visit (to ensure the works are being carried out in accordance with the plans). The two matters above should be addressed/incorporated into the proposals.

URBAN DESIGN/CONSERVATION OFFICER:

This site backs onto the Hillingdon Court Park, Area of Special Local Character (ASLC). The immediate surrounding area is characterised by properties, mainly traditional in appearance, dating from the inter-War period. The character of the area has generally remained unchanged. There is post-War development opposite, but these buildings do not contribute to the character of street scene. The ASLC is a heritage asset and therefore it is important that any development sustains and enhances the ASLC's significance as well as the general appearance of the area. There is no evidence of any form of back land development from a study of the historic OS maps.

As stated before, the construction of properties to the rear of this site is unacceptable in principle. The proposal does not adhere to the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential Layouts (page 5) which states at 3.4 that 'Back land development involving the construction of new dwellings within the garden area of existing properties raises similar issues to the redevelopment of large plots and infill sites. This type of development must seek to enhance the local character of the area. The plot should be of sufficient depth to accommodate new housing in a way which provides a quality residential environment for new and existing residents.'

There is no objection in principle to the demolition of the existing buildings which front the site as they are not heritage assets. Furthermore, there is no objection in principle to the housing fronting Long Lane, as proposed, they are of an appropriate scale and design which sustains the appearance of the area.

However, I am still concerned that the overall proposal does not 'enhance and contribute positively to the appearance of an area.' Section 5.1 of HDAS states that 'New residential development should reflect the typology of the area and will be judged against its neighbours'. Whilst the properties proposed on Plot 1 and Plot 2 are acceptable in principle and location, my overall concern relates to the rest of the site and the properties proposed at the rear which does not reflect the underlying existing street pattern and established layout.

It does not reinforce the locally distinctive pattern of development. The street scene would be opened-up by the introduction of the access and slip road, the properties rather cramped onto a site where there is not a prevailing street pattern for such layouts. The overall size and bulk of the properties is rather excessive. In my view, there would be harm to the views into and out of the ASLC and harm to the appearance of the area.

Overall, it is felt that the proposal would constitute back land development and would not relate to the established layout and character of the area. The additional access route would be considered detrimental to the street scene. It is correct that the Council should seek to promote local distinctiveness. I do not consider that this proposal will help raise the standard of design more generally in the area. It is, therefore, unacceptable from a design and townscape point of view. The proposal will not sustain the appearance of the area.

ACCESS OFFICER:

The proposed development referred to above 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. All Lifetime Home Standards relevant to planning are shown on plan, including a section drawing of the level access threshold detail.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This proposal would represent backland development to which there have been changes to policy since the previous application on the site, as contained within both the London Plan 2011 and the National Planning Policy Framework.

One of the core planning principles of the National Planning Policy Framework is to encourage the effective use of land by reusing land that has been previously developed (Brownfield Sites).

Residential Gardens are excluded from the definition of previously developed land as defined on page 55 of the National Planning Policy Framework. Therefore, the proposal would not adhere to the above core planning principle by making use of previously undeveloped land and would be considered garden grabbing. In addition Hillingdon Local Plan: Part 1 - Strategic Policy BE1 states that all new development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

With regard to the London Plan, Policy 3.5 states that developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDF's introduce a presumption against development on back gardens where this can be locally justified.

The London Plan comments in Paragraph 3.34 that "Directly and indirectly back gardens

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

It is considered that this proposal is clearly a backland development. The loss of the rear gardens and the impact of the new buildings on the locality, adjacent to and Area of Special Local Character and clearly visible from both public and private areas would be detrimental to the character of the area.

With a strong policy justification now in place to refuse such inappropriate development, the principle of this scale of residential development on this site is unacceptable.

7.02 Density of the proposed development

The London Plan advises that Boroughs should ensure that development proposals achieve the maximum intensity of use in accordance with Policy 3.4 of the London Plan 2011, subject to compatibility with the local context, design principles and public transport accessibility.

For a site with PTAL score of 1 and an average number of habitable rooms per dwelling of over 4.6 the required density range is 35 to 55 units per hectare (150-250 habitable rooms per hectare).

The proposed development would have a density score of 17 units per hectare and 119 habitable rooms per hectare. The proposed density is below the requirements of the London Plan, however density requirements should be used as an indicator and it is considered that in this location, where the character is predominantly large detached dwellings in significant plots, no objection to the proposal is raised on density grounds.

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

The site is not within a Conservation Area, however it is adjacent to an Area of Special Local Character. Concerns raised regarding the impact of the proposal on the street scene and local area are detailed in section 7.07 of this report.

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

There are no issues raised by this application as it is not within or close to the green belt.

7.07 Impact on the character & appearance of the area

The Council's Urban Design and Conservation Officer has raised an objection in principle to the proposal on the grounds that the proposal would have a detrimental impact on the street scene and the character of the locality.

In particular, the proposal does not enhance and contribute positively to the appearance of an area whilst the new properties proposed at the rear do not reflect the underlying existing street pattern and established layout.

Furthermore, the street scene would be opened-up by the introduction of the access and slip road, the properties cramped onto a site where there is not a prevailing street pattern and the overall size and bulk of the properties would be excessive. This would harm the views into and out of the Area of Special Local Character and cause harm to the appearance of the area. Overall, it is felt that the proposal would constitute a back land

development and would not relate to the established layout and character of the area. The additional access route would be considered detrimental to the street scene. It is, therefore, unacceptable from a design and townscape point of view.

Whilst there are existing dwellings to the rear of the site, these were constructed prior to the current policy supporting a general presumption against inappropriate backland development. The existence of these properties is not considered to set a precedent where the proposed development is considered acceptable.

The proposal, by virtue of its backland nature would therefore have a detrimental impact on the character of the area and the appearance of the street scene and would be contrary to Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012) and Policies 3.5 and 7.4 of the London Plan (July 2011).

7.08 Impact on neighbours

Policy H12 of the Hillingdon Local Plan (November 2012) states that development for tandem development of backland in residential areas will only be permitted if no undue disturbance or loss of privacy is likely to be cause to adjoining occupiers.

The Council's Supplementary Planning Document HDAS: Residential Layouts requires buildings of two or more storeys to maintain at least a 15m separation distance from adjoining properties to avoid appearing overdominant and a 21m distance maintained between facing habitable room windows to safeguard privacy. The closest residential property to the west and south would be over 22m from any new dwelling proposed as part of the development.

Whilst the proposed development would result in a change in character of the area in terms of a backland development, it is considered that there would be no material impact on the amenities of adjoining occupiers. Appropriate conditions could be imposed on any planning permission granted to ensure that there would be no adverse impact on the amenities of the adjoining occupiers, such as, for example through the provision of obscure glazing, or preventing the installation of roof extensions/dormers or outbuildings.

There would thus be no significant adverse impact in terms of loss of light or privacy, or overlooking or any overbearing impact or visual intrusion that would justify a refusal of planning permission.

In this respect the proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

London Plan Policy 3.5 states minimum internal space standards for new development. The recommended minimum space standard for new 2 storey 4 bedroom houses is between 100 and 118sq.m (depending on occupancy levels) based on gross internal area in order to achieve satisfactory living conditions.

The proposal would comfortably exceed these requirements for each proposed dwelling. Furthermore, all habitable room windows would have a satisfactory outlook and receive adequate daylight.

HDAS Residential Layouts also advises that amenity space should be provided for houses at a minimum level of 100m² per unit and that space needs to be usable, attractively laid out and conveniently located. The amenity space for the proposed dwellings meets these

requirements and therefore would provide a satisfactory standard of residential amenity for future householders. The level of amenity space retained for the use of no.145 Long Lane would also remain acceptable in accordance with the Council's guidance. In addition, each property will have a front garden and paths to each side. As such, the scheme complies with Policies BE23 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In terms of sunlight and daylight, HDAS notes that where a 2 or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible overdomination. The distance provided will be dependant on the bulk and size of the building but generally 15m will be the minimum acceptable distance. It should be noted that the minimum 21m overlooking distance would still need to be complied with. The proposed dwellings are well spaced in line with policy BE20 and the SPD.

There is a minimum elevation to elevation distance (front to rear) of 24m between plot 2 and plot 3, plus a distance of 22m from plot 5 and no. 145 Long Lane (with an intervening car port to provide additional visual separation). The distances between plots 1 and 4 and other properties are greater. A distance of 3.0m is allowed between plots 1/2, 3/4 and 4/5 side to side. Adequate daylight and sunlight can thus penetrate into and between the dwellings in line with saved Policy BE20.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Engineer has previously raised an objection to the proposed parking and access arrangements for the proposal. However, the scheme has been revised and the Highways Engineer has not raised objection to the current scheme.

In particular, the first 10 metres of the block paved private drive has been increased in width from 3.6m to 4.1m to allow for two way vehicle access and thus the proposed layout is considered to be acceptable in highway safety terms.

The previous concerns raised with regard to the proposed access/slip road in respect of the tracking provided for the refuse vehicle is now also considered acceptable as the revised details shows how this is capable of accommodating a vehicle of the correct length in a functional layout.

The proposal also indicates a one way, south to north single access and separate exit layout and the submitted plans and tracking clearly demonstrate how a car or refuse vehicle would access the site when approaching from north to south on Long Lane. The new vehicle cross overs should be of a different colour surface to that of the adjoining footways so as to indicate the cross overs clearly to pedestrians.

Given the family size of the new dwellings and the improved access arrangements described, the previous concern that were raised relating to the over provision of parking on the site (six units require a maximum of 12 spaces or two per dwelling) has also been overcome.

As such, it is considered that the scheme would have an acceptable impact on highway and pedestrian safety and therefore the proposal complies with Policies AM7 and AM14 of the adopted Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The design of the proposal and its impact on the character of the area and on the street scene are discussed elsewhere in this report.

7.12 Disabled access

The Council's Access Officer has confirmed that the proposed development meets all of the relevant Lifetime Homes Standards on the submitted drawings, including the level access detail. As such, the development is considered accessible by all future occupants, including those who are wheelchair bound or otherwise disabled.

In this respect therefore the proposal complies with Policy 7.2 of the London Plan 2011 and with the Hillingdon SPD, Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

This site is covered by TPO No.157. There are three protected Oaks in the land around the site, however, only parts of their root protection areas could be affected. The proposed protection for these trees is considered adequate.

The remaining important tree at the site is the large, protected weeping Cedar (considered a unique and rare tree) to the front of 145 Long Lane. Given the high value of this protected tree, The Council's Trees/Landscape Officer has recommended that a separate report (Arboricultural Method Statement) is required to bring together the arboricultural and engineering aspects of how this tree would be protected. The Arboricultural Method Statement should provide the planned sequence of the proposed protective measures and also describe how this part of the construction will be monitored/supervised.

These details have now been submitted in support of the application in an amended Tree Report which confirms that due to the sensitive nature of the protection for the Cedar tree, the appointed arboricultural consultant will monitor the works in this part of the site and that brief reports/photographs will be provided after each visit (to ensure the works are being carried out in accordance with the plans).

Accordingly, the Council's Trees/Landscape Officer has confirmed that this information is sufficient to satisfactorily demonstrate how the development would protect the existing protected trees on the site in compliance with Policy BE38 of the Hillingdon Local Plan (2012).

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

The applicant states in their supporting Design and Access Statement that they are considering options for meeting the Mayor's targets for carbon dioxide emissions, such as the introduction of solar panels. The document also states that Air Source heat pumps are proposed for underfloor heating and LED lights will reduce the latent heat generated by lighting.

The proposed development would be required to meet the standards of the Code for Sustainable Homes level 4. However a condition could be attached to any approval in order to achieve this.

7.17 Flooding or Drainage Issues

The site is partially within a Critical Drainage Area and no Flood Risk Assessment has been submitted as part of the application. However, the Council's Flood and Water Management Specialist considers that this issue can be resolved with the attachment of a suitable Sustainable Urban Drainage condition to any planning consent for the proposal.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

All of the comments and concerns raised regarding the principle of the development, the potential impacts of the proposal on the character of the area, highway and pedestrian safety, local traffic and parking, trees and neighbouring residential amenities have been considered within the main body of the report.

7.20 Planning obligations

Both the London Mayor's and Borough Community Infrastructure Levy charges are applicable to the development, if approved.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are raised.

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 site is considered to be a form of backland development. In the light of recent changes in policy since the earlier application on this site and national and strategic guidance in relation to backland development, the proposal would cause significant harm to the character and appearance of the area and is thus unacceptable in principle.

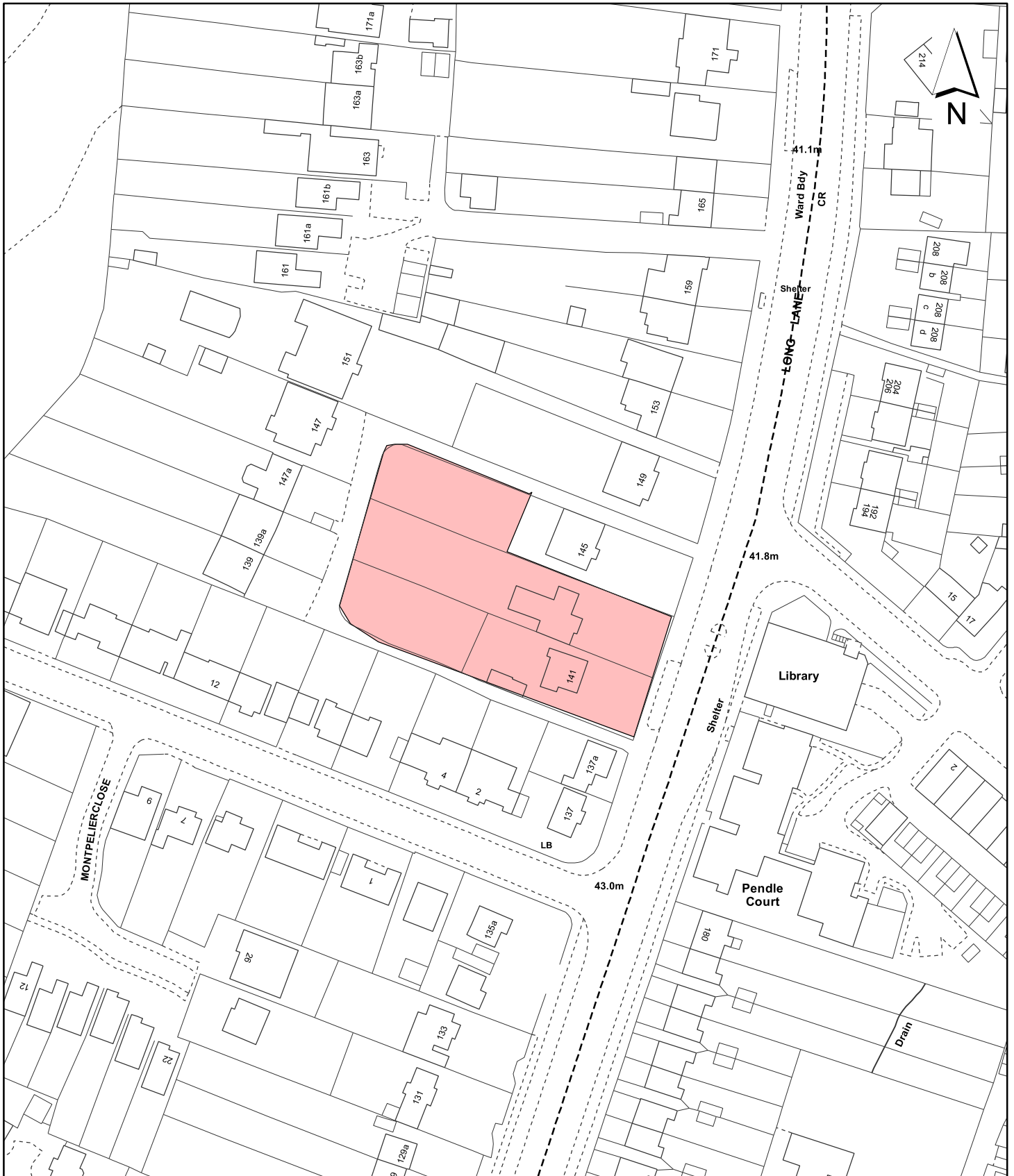
Therefore, the application is recommended for refusal.



11. Reference Documents

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

Contact Officer: Daniel Murkin

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">Land at 141, 143 and rear of 145 Long Lane</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">62467/APP/2014/1958</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">Central and South</p>	<p>Date</p> <p style="text-align: center;">November 2014</p>	
		 HILLINGDON <small>LONDON</small>	