Report of the Head of Planning, Sport and Green Spaces

Address GARAGES LAND ADJACENT TO 27 LEES AVENUE NORTHWOOD

Development: Variation of condition 2 (approved plans) of planning permission ref:

69195/APP/2013/1310 dated 03/02/2014 to lower the slab level of plot 2 to be the same height as plot 1 (2 x two storey, 4-bedroom, semi-detached dwelling with associated parking and amenity space and enlargement of vehicular

crossover to front, involving demolition of existing garages)

LBH Ref Nos: 69195/APP/2014/1585

Drawing Nos: LOCATION PLAN

14/3324/61 14/3324/60

Date Plans Received: 07/05/2014 Date(s) of Amendment(s): 07/05/2014

Date Application Valid: 27/05/2014

1. SUMMARY

Planning permission is sought for the variation of condition No. 2 (Approved plans) of planning permission ref: 69195/APP/2013/1310 dated 03/02/2014 to lower the slab level of plot 2 to be the same height of plot 1 (2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages.) Planning permission for the erection of 2 No. two storey 4 bedroom dwellings with associated parking and amenity space was granted on 3 February 2014.

The proposed development is considered to be acceptable with regards to its impact on visual and neighbouring amenity. It would provide adequate amount of internal floor space and is capable of fulfilling the requirements of the Lifetime Homes. Suitable parking arrangements would be provided.

The proposed amendment to the scheme is considered to have an acceptable impact on the visual amenities of the surrounding area and, therefore, is recommended for approval.

2. RECOMMENDATION

A: 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 a Deed of Variation agreement with the applicant (varying the original legal agreement) to ensure that the contribution of £25,593 made towards capacity enhancements in local educational establishments made necessary by the development, is able to be retauined by the Coucnil if the applicant implements this new permission;
- B: That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Deed of Variation and any abortive work as a result of the agreement not being completed.

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

D: That if the terms set out above have not been agreed and the Deed of Variation has not been finalised within 6 months of the date of this report, 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 capacity enhancements in local educational establishments made necessary by the development. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD.

E: 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 13005/002/D, 13005/004/D, 13005/005/D, 13005/006/E, 13005/009/B, 13005/010, 13005/011, 13005/012B, 13005/013/E, 2013/1755/001/A, CC/2013/1755/TS01 14/3324/60 and 14/3324/61 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies 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)

4 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 walls or roof slopes of the development hereby approved facing [specify]

REASON

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

5 RES14 Outbuildings, extensions and roof alterations

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

REASON

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

6 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.

7 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
- 2.c External Lighting
- 3. Details of Landscape Maintenance
- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 4. Schedule for Implementation
- 5. Other
- 5.a Existing and proposed functional services above and below ground
- 5.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) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

8 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

- 1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
- 2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

9 RES10 Tree to be retained

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

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

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

10 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.

11 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

REASON

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

12 RES24 Secured by Design

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

REASON

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

13 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:

External Amenity Space [13005/003/C]

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

14 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 know 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)

15 NONSC Non Standard Condition

The parking areas (including where appropriate, the marking out of parking spaces) including the garages shown on the approved plans, shall be constructed, designated and allocated for the sole use of parking of occupants or their visitors motor vehicles prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2007).

16 NONSC Non Standard Condition

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

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

17 NONSC Non Standard Condition

The dwelling hereby permitted shall be built in accordance with 'Lifetime Homes' Standards, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'. No development shall take place until plans and/or details to demonstrate compliance with the standards have been submitted to an approved in writing by the Local

Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

REASON

To ensure the proposed development is accessible to all and comply with London Plan Policy 3.8.

INFORMATIVES

1 J47 Damage to Verge - For Council Roads:

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

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

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

2 | 152 | 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).

3 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.

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.
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.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

4 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 proposed site is located on the east side of Lees Avenue at the end of the road adjacent to the vehicle turning area. The site is currently occupied by a row of single storey garages on the south side of the site and a row of unmarked parking spaces on the north side. The site slopes slightly from east to west, resulting in a stepped ridge-line in the row of garages.

The wider area is characterised by two storey terrace housing to the north on Lees Avenue, constructed of part brick, part brown tile hang, with a shallow pitch tiled roof. The site is

bounded to the south by a 2m metal security fence with hardstanding beyond leading to LA Fitness sports centre. To the east the site is bounded by mature trees and vegetation with a detached property, No.15 Chestnut Avenue and its garden adjacent to the site. To the west there is open land and mature vegetation and trees and a stream with properties on Knowle Crescent further west.

The site is located within the Developed Area as identified in the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

3.2 Proposed Scheme

The proposed scheme comprises the variation of condition No. 2 (Approved plans) of planning permission ref: 69195/APP/2013/1310 dated 03/02/2014 to lower the slab level of plot 2 to be the same height of plot 1 (2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages.). The proposed devlopment will enable a flush threshold to be created to the front door to facilitate disabled access. Planning permission was granted for the demolition of the of the exisiting garages and an enlargement of the vehicle crossover to the front and the erection of 2 No. two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity spaces on 3 February 2014.

The pair of semi detached houses provide an overall U shape with parking between the front sections. The houses would have a hipped roof.

The properties would have a total width of approximately 18.52m. Due to the change in the site area this is reduced from the previous scheme, which had a width of 19.26m. There has also been a reduction in the distance separation between the proposed dwellings and No.27 Lees Avenue from 1.2 metres to 1 metre and a reduction to the side boundary line shared with the adjacent fitness centre of approximately 0.1 metres from 1 metre to 0.9 metres.

The depth of approximately 10.41m remains unchanged and there has been a 0.2 metre drop in the height, giving a height to the ridge level of 7.49m. The garden area measures approximately 120sq. m for each property.

The slab level of plot 2 is lowered to ensure the property is the same height as the one located on plot 2.

The buildings would be constructed from brick and render beneath a tile roof. There are two parking spaces including one garage and two cycle spaces for each property.

3.3 Relevant Planning History

69195/APP/2013/1310 Garages Land Adjacent To 27 Lees Avenue Northwood

2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages.

Decision: 03-02-2014 Approved

69195/APP/2014/1236 Garages Land Adjacent To 27 Lees Avenue Northwood

Details pursuant to conditions 3 (Materials), 6 (Code for Sustainable Homes), 7 (Landscape Scheme), 8 (Method Statement), 10 (Sustainable Water Management) and 13 (Ground Levels)

planning permission ref: 69195/APP/2013/1310 dated 03/02/2014 (2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages)

Decision: 29-07-2014 Approved

Comment on Relevant Planning History

Planning permission was granted for 2 x two storey, 4-bedroom, semi-detached dwellings with associated parking and amenity space and enlargement of vehicular crossover to front, involving demolition of existing garages on 3 Februray 2014, reference 69195/APP/2013/1310.

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:

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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.
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.
AM14	New development and car parking standards.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

Planning Document, adopted July 2006

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

14 letters were sent on 29 May 2014 and the site notice w\s posted on 5 June 2014. One letter of

objection has been received as follows:

Although these garages have been taken down, and the site fenced off, and have been told by letter not to park in front of the site, when there has been no work done there in month's. There is hardly any parking spaces in this road as it is, when these properties are built there will be even less, which is going to cause a lot of ill feelings, with parking. We have been left with a lot of disappointment, as no thought has been given to the tenants that already live down this road, there is a grass verge opposite the existing houses, which if it was made into a lay-by would make it more acceptable.

OFFICER COMMENT: There is no change to the parking arrangements from the previously approved scheme which was considered acceptable. Therefore, the above issue is not considered warrant refusal of permission.

Internal Consultees

HIGHWAYS OFFICER No objection

ACCESS OFFICER No objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site comprises hardstanding, parking spaces and garages and therefore constitutes 'previously developed land' i.e. 'brownfield land'. There is a presumption in favour of residential development on brownfield land subject to other material considerations including design and character of the area criteria.

The area is an established residential area and therefore the principle of residential development of the site is considered acceptable.

7.02 Density of the proposed development

Comments made in previously approved scheme (ref. 69195/APP/2013/1310) remain applicable to current application.

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

Not applicable.

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

Not applicable.

7.06 Environmental Impact

Not applicable.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

Whilst the proposed dwellings are of a different design to the existing properties on Lees Avenue, being semi detached with hipped roof, they do respect the scale, bulk and mass of the established properties. The height of the proposed dwellings is also comparable to the established properties, therefore, maintaining the rhythm of the streetscene. With regard to the third party comment in relation to impact to Knowle Crescent, it is considered that the distance to these properties is sufficient to ensure the proposal is not harmful to the outlook of the occupiers of these properties. This assessment is considered valid for the amended scheme.

There has been a reduction in the distance to the side boundary line from the previous scheme with a separtion of 1 metre being provide to the boundary line shared with No.27 Lees Avenue and 0.9 metres to the boundary line shared with the adjacent fitness centre. This is a nominal reduction in the distance separation and would not have such a harmful affect as to warrant a refusal of the application.

The chnage in slab level of plot 1 is not considered to be harmful to the streetscene and the above assessment would be applicable to the variation.

It is therefore considered that the proposal would complement the character of the surrounding area. The external materials are also considered acceptable and respect the character of the area. As such the proposal would comply with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies.

7.08 Impact on neighbours

The application site is bounded by residential properties to the north on Lees Avenue, and to the south is the curtilage of a LA Fitness sports centre. 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 dependent 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. In order to both protect the existing outlook from and to ensure that there is adequate daylight received to the habitable rooms, kitchens and gardens of adjacent dwellings, a minimum distance of 15m is required, as stated in HDAS.

Furthermore, in order to protect privacy, the design of the dwelling should avoid creating significant opportunities for direct overlooking from any upper floor windows into the private garden, kitchen or any habitable room windows of the neighbouring properties.

The proposed dwellings would be more than 21 metres from the rear elevations of dwellings to the east on Chestnut Avenue and, therefore, would have no significant detrimental impact on the residential amenities of occupiers of these properties. The proposed development would also have no significant detrimental impact on the residential amenities of occupiers of the dwellings on Lees Avenue, as the front and rear walls of the proposed dwelling would not project beyond the front and rear walls of the adjacent dwelling, except for the small section in the middle of the proposed dwellings at ground floor level which is part of the garage space. The proposal would therefore maintain the current outlook, levels of privacy and levels of daylight received by the occupiers of neighbouring dwellings.

It is not considered that the reduction in slab level will have an adverse impact upon the amenity of adjoining occupiers.

The proposed scheme will not increase any harm on adjoining occupiers. 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) and the advice in sections 4.9 to 4.12 of the HDAS Residential Layouts

7.09 Living conditions for future occupiers

The Council's HDAS SPD Residential Layouts states that a 2 storey, 4 bedroom house should have a minimum floor area of 92 sq.m. London Plan Policy 3.5 requires dwellings with 4 bedrooms and 5 person occupancy to have a minimum internal floorspace of 100 sq.m. The proposal would have a floor area of approximately 150sq.m for each dwelling, which is in accordance with the Council's and the London requirements. As such considered acceptable, resulting in adequate living conditions for future occupiers.

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 4 bedroom house is 100sq.m. The proposed individual private amenity space provision for the proposed unit would be around 120 sq.m. As such, the proposal would 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. Whilst there is a small reduction to the width of the houses due to the amended site area. The scheme is still considered acceptable.

It is considered that all the proposed habitable rooms would have an adequate outlook and source of natural light, and therefore comply with HDAS Residential Layouts Section 4.9 and Policy 5.3 of the London Plan (2011).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed traffic and vehicle impact are not different of the previously approved scheme. Therefore, the previous assessment below is applicable.

The applicants have submitted details showing that the turning area is sufficient for refuse and other vehicles and no objection has been raised by the Council's Highway Officer to these details. There have been third party concerns raised in relation to the loss of parking, however as identified previously the Highways Officer considers that as these garages are privately owned and rented out there is no justifiable objection to their loss. Therefore, it is considered that the proposed minimal material impact on traffic flows on the adjoining road system is acceptable and in compliance with Policy AM2 & AM7 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012). The amended scheme does not change the previous parking and traffic arrangements.

The vehicle crossover is larger than usually required but is considered acceptable, given the end of cul-de-sac location and the lack of pedestrian footfall across the application site. Therefore, the development would comply with Policy AM9 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

The proposed development has provided two car parking spaces and two cycles spaces in line with the Council's HDAS: Residential Layouts. This is no different to the previously approved scheme. The proposal is therefore, subject to a condition to retain the use of the garages for parking of vehicles, would comply with policy AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.11 Urban design, access and security

These issues have been considered in previous sections of this report.

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. No Objection has been raised by the Council's Access Officer, however, it is considered appropriate that a suitable condition be imposed to ensure these standards are met.

7.13 Provision of affordable & special needs housing

The proposal is below the threshold at which the Council requires provision of affordable housing.

7.14 Trees, Landscaping and Ecology

There are no trees on the site but there a number of trees on the edge of the site at the boundary with Chestnut Avenue. It is considered the development would not harm these trees however, a suitable condition should be imposed to safeguard the trees and their roots.

While landscape design details have been specified, the layout plans indicate that there is sufficient space and opportunity to provide attractive and functional external amenity space, this should include details for the protection of trees adjacent to the site as shown on the proposed plans by the root protection area. The 25% landscaping requirement for front gardens would be met. The proposal is considered acceptable in principle and suitable landscaping conditions are 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

Not applicable.

7.16 Renewable energy / Sustainability

The application has not identified specific means of ensuring sustainability of the development. However, it is felt that the imposition of a suitable condition to require the scheme meets code level 4 of the Code for Sustainable Homes would address this matter.

7.17 Flooding or Drainage Issues

Not applicable.

7.18 Noise or Air Quality Issues

Not applicable.

7.19 Comments on Public Consultations

No further comments for consideration.

7.20 Planning Obligations

The applicant has paid the education contribution required under the original application.

Notwithstanding this, advice from the Coucnil's legal team is that a Deed of Variation should be entered into to if this scheme is approved. This is to avoid a situation where the developer is able to state that they have not complted the originally approved scheme, and therefore claim back (under the terms of the original legal agreement) the contribution which has been paid.

7.21 Expediency of enforcement action

Not applicable

7.22 Other Issues

There are no other issues for consideration with this application.

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.

10. CONCLUSION

The amendments to the approved plans of the proposed development would not be harmful to the character of the surrounding area or the amenity of adjoining occupiers. The scheme is considered to comply with adopted planning policy in the NPPF, London Plan 2011 and the Hillingdon Local Plan Part 1 2012 and Part Saved Policies (November 2012). Accordingly the application is recommended for approval.

11. Reference Documents

National Planning Policy Framework.

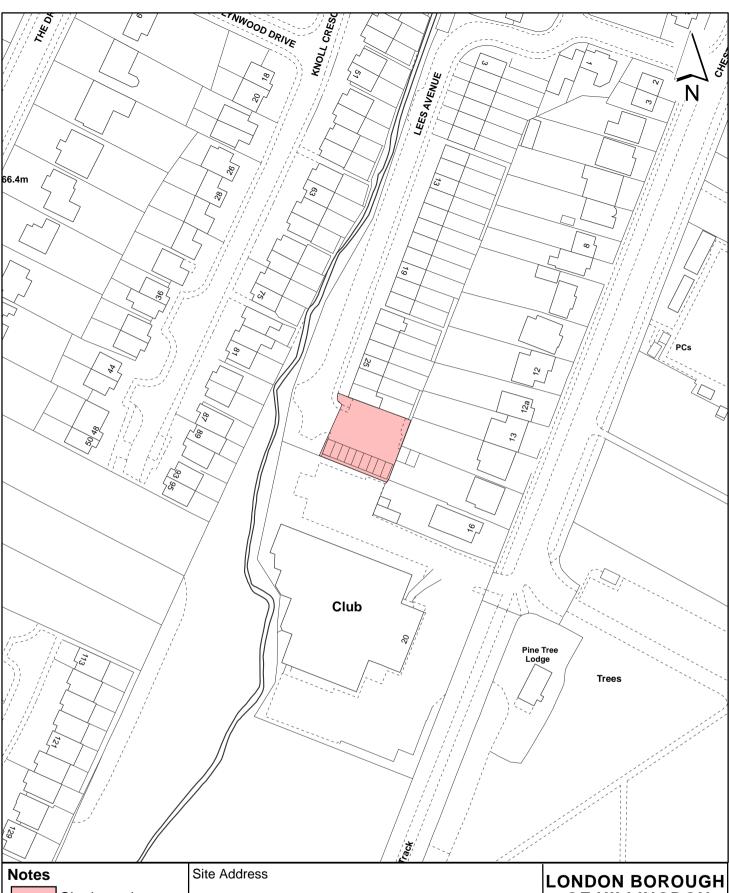
London Plan (July 2011).

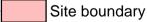
Hillingdon Local Plan Part 1 2012.

Hillingdon Local Plan Part 2 Saved Policies (November 2012).

HDAS: Residential Layouts

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Garages Land Adjacent to 27 Lees Avenue **Northwood**

Planning Application Ref: 69195/APP/2014/1585 Scale

1:1,250

Planning Committee

North

Date December 2014

OF HILLINGDON

Residents Services Planning Section

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