

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

**Address** REAR OF 103 FIELD END ROAD EASTCOTE

**Development:** Three storey, 2-bed detached dwelling with associated parking and amenity space

**LBH Ref Nos:** 70463/APP/2014/4205

**Drawing Nos:** P1-111  
P1-112  
P1-001  
P1-002  
P1-003  
P1-010  
P1-011  
P1-012  
P1-020  
P1-110  
P1-120  
P1-121  
P1-130  
P1-135  
Planning, Design and Access Statement

**Date Plans Received:** 27/11/2014                      **Date(s) of Amendment(s):** 12/12/2014  
**Date Application Valid:** 16/12/2014                      27/11/2014

### 1. SUMMARY

Planning permission is sought for the erection of a three storey building comprising a two bedroom, four person dwelling with associated undercroft parking and amenity space.

The introduction of a three storey residential building surrounded by single storey buildings along this rear access road would appear out of keeping due to its form and position. In addition, the overall height as proposed is taller than the surrounding buildings. It is therefore not in scale with the prevailing single storey, character of the area.

There is insufficient overall separation distance between the new building and the nearest neighbouring properties, approx. 7.4 metres to the existing flat at No.103. A total of approximately 18sq.m of amenity space has been proposed. As such, the proposed amenity space would be inadequate to provide a satisfactory standard of amenity for the future occupiers of the proposed unit.

The proposed bedroom would have an obscure glazed window and a door to access the terrace. As such, the outlook from this bedroom would be a terrace surrounded by a 1.5m high obscure glass balustrade. It is therefore considered that the proposed bedroom would not maintain an adequate outlook.

The proposal is fundamentally unacceptable as its design does not meet the essential principles of the Lifetime Home Standards.

The applicant has failed to demonstrate the existing servicing and car parking required for the commercial use and retail unit at 103 Field End Road is retained. As such, the application is recommended for refusal.

## **2. RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Non Standard reason for refusal**

The proposal, by reason of its overall size, bulk and proportions of the proposed building relate unsatisfactorily to the parade to which it would be attached. The introduction of a three storey residential building would thus appear out of keeping due to its form and position. It is therefore not in scale with the prevailing single storey character of the area. It is therefore represents an intrusive visual element that would fail to harmonise with the layout and appearance of the existing street scene, and thus contrary to Hillingdon Local Plan Policies BE13, BE19 and BE22 and HDAS in this regard.

#### **2 NON2 Non Standard reason for refusal**

The proposed development by reason of its lack of separation distance from nearby residential properties, would be detrimental to the residential amenity of the occupiers of the proposed development by reason of overdomination and and loss of outlook. The proposal is therefore contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **3 NON2 Non Standard reason for refusal**

The proposal due to the lack of outlook afforded to the proposed bedroom would result in an oppressive environment to that bedroom. As such the proposal would fail to provide a satisfactory residential environment for future occupiers, contrary to advice contained within the Council's Supplementary Planning Document HDAS Residential Extensions, and to Policy 3.5 of the London Plan (July 2011).

#### **4 NON2 Non Standard reason for refusal**

The proposal would fail to meet the relevant Lifetime Home Standards to the detriment of the amenities of future residents, contrary to Policies 3.8 and 7.2 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

#### **5 NON2 Non Standard reason for refusal**

The proposed development would, by virtue of its failure to provide an adequate amount of private usable external amenity space for the occupiers of the proposed property, result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **6 NON2 Non Standard reason for refusal**

The proposal has failed to demonstrate the existing servicing and car parking required for the commercial use and flat at 103 Field End Road would be retained, potentially leading to unacceptable movements on the public highway and resulting in an increase in on-street car parking in an area where parking demand already exceeds supply, thereby leading to conditions which would be prejudicial to the operation of the highway network and pedestrian/highway safety. The proposal is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and

the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

## INFORMATIVES

### 1 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.

### 2 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).

### 3 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.

AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
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.
H4	Mix of housing units

H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
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 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site is located on the eastern side of Field End Road and comprises the rear yard of a terraced property situated within a mixed area of residential, commercial and retail uses within Eastcote. The application site is reached via a private access and it runs along the rear of the terrace between Deane Croft Road to the north and Abbotsbury Gardens to the south. The rear service yard runs the length of the terrace providing access to 83-115 (odds) Field End Road. There are a number of outbuildings and temporary structures along the road however the application site does not contain any existing structures. The main building has a retail shop at ground floor and a flat above which has its main access via the front of the building. The retail and other units are served by a layby area at the front of the building which provides for short-term parking for customers.

The application site is in a town centre location as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 3.2 Proposed Scheme

The application proposes to erect a three storey building comprising a two bedroom, four person dwelling with associated undercroft parking and amenity space. The three storey building would be 7.25m wide, 11.8m deep and 5m to 8m high with a flat roof. The proposed dwelling has the bedroom accommodation at first floor and the kitchen and living space at second floor, including a private balcony to the main bedroom at first floor and a roof terrace to provide some outdoor amenity space, accessed off the lounge at second floor. The roof terrace would be set back from the edge of the building and will be surrounded by a green roof. The Gross Internal Area of the unit is 84.8 m<sup>2</sup> and 18sq.m of private amenity space. The 3-storey building would be separated from the existing building by approximately 7.4m at first floor level and 15m separation distance at second floor level. The materials would be brick to match the surrounding buildings and white render. Two

bicycle stores are provided, bin stores and one visitor's parking space.

### 3.3 Relevant Planning History

#### Comment on Relevant Planning History

There is no relevant planning history.

## 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:

- AM7 Consideration of traffic generated by proposed developments.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- 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.
- H4 Mix of housing units
- H5 Dwellings suitable for large families
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- 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 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
LPP 7.3	(2011) Designing out crime
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LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

8 neighbouring properties have been consulted on 18th December 2014 and a site notice was displayed on 3rd January 2011.

Six letters of representations have been received. The objections and officer responses to these are summarised below:

1. Overlooking of rear gardens - addressed in report.
2. Overlooking of properties - addressed in report.
3. Proposed obscure glazed windows could be replaced in future with clear windows - should the application be approved a condition would be added preventing those windows from being changed.
4. Proposal, if approved, would set a precedent in the street
5. Increase in traffic - addressed in report.
6. The lighted pedestrian pathway will encourage more pedestrian traffic in the service road where large vehicles are reversing and manoeuvring in a service road where pedestrians have no right of access - this would be a management issue if the development was to be built.
7. This plan does not take in consideration the need of existing residents and shop keepers (ie no parking) - addressed in report.
8. One objector (no.7 Abbotsbury Gardens) stated that they had not been consulted - this property does not adjoin the site and there was no requirement to consult the occupiers. A site notice was erected.
9. 21 day consultation period is insufficient - this is the statutory period for consultations and the Council does not have the powers to change it.

### EASTCOTE CONSERVATION PANEL

A similar application, to build a dwelling in a service area, was refused at appeal in 2006. [rear of 17-21 The Close. Appeal ref. APP/R5510/A/06/2015330]. The reasons for the refusal also apply to this current application.

### Conditions for current residents

There is only a 15 metre separation between the buildings. The proposed building will be in front of the kitchen/dining room windows and a living room window of the flat at 103 Field End Road, thus removing all outlook from these windows. There will also be restricted outlook from a bedroom window.

The application does not present a ground plan showing the current position of bin stores for the flat and shop, nor any indication of the future positioning of such stores.

The first & second floor windows of the proposal, and the roof terrace will overlook the garden of No.1 Abbotsbury Gardens. It is stated that the garden will not be used in the winter months when the trees are bare of leaves. This generalization cannot be accepted. The introduction of a three storey building only a few metres from this amenity space will give a perception of over dominance to the occupiers of this dwelling.

The service road to the front of the shop, is laid out in metered parking spaces; access for a delivery van cannot be guaranteed. The current arrangement can give free access to the rear of the premises.

### Living Conditions for future residents

Any future residents would have a very depressing outlook. This area consists of rear entry to the shops, with the attendant out buildings for storage etc. It is a commercial area not a residential area.

The private amenity space, the roof terrace although protected by an opaque screen from 103 Field End Road would be over looked by the residents of 105 Field End Road.

The undercroft which will contain parking spaces, bins store, bike store, also 'some element of amenity space' (D&AS 4.1). However at 2.2 it is stated that the tenant of the commercial unit will access the rear of commercial unit via the undercroft. This area cannot be construed as private either for storage or amenity space.

### Character and appearance

The introduction of a three storey dwelling into a cramped space, originally for the use of the flat and commercial unit, will be out of character with the area.

The architectural style is completely alien to the original 'Metroland' building style of the area. Having a three storey building on the boundary with the access road will be detrimental to the current openness of this area.

We ask that this application be refused.

OFFICER COMMENT: The above issues have been addressed in the report.

### EASTCOTE RESIDENTS ASSOCIATION

We ask that this application be refused.

A residential property, in what is essentially a commercial area, that was actually intended to provide access for the ground floor retail outlet and a back/fire exit for the flat above, is entirely unacceptable, both for those occupying the current building and future residents of the proposed dwelling.

In paragraph 8.4, the Applicant's own Design & Access Statement states that there will be 15 metres between the existing and new building:-

- However, at the narrowest point between the buildings, the Applicant's drawings show only approx.7.8 metres of separation.
- From the first floor windows of the existing flat (103A) the occupants will have no view except brickwork and obscured glass windows. The light they currently enjoy will be severely restricted.
- Much of the current outlook will also be lost from the second floor windows of 103A.

The amenity space for the proposed dwelling is not acceptable being solely provided by a roof terrace and having no real ground level space.

Furthermore, there is an overlooking issue regarding the roof terrace, which appears to affect 1 Abbotsbury Gardens particularly, irrespective of the season and thus whether trees are in foliage or not. Correspondingly, the roof terrace itself will also be overlooked by those occupying the flat at 105 Field Road.

The application appears to make no proper, detailed provision for parking/deliveries/refuse storage & collection for the current occupiers of the main building (retail and residential). Important general considerations, but specifically so in this case, given that this plot is in the middle of a row of buildings, where the original design allowed for space behind each, leading to the access road, exactly for these reasons.

In addition, it is suggested that the undercroft area is to be used both by the new occupier and the retailer and thus is not a private area for the new occupier.

To create a screened off undercroft area could also exacerbate the security issues that already arise at the back of all the properties, and the associated access roads, in this area.

OFFICER COMMENT: The above issues have been addressed in the report.

### **Internal Consultees**

EPU:

No objection to the planning application.

Please note the highlighted comments below as informative

(1) INF 20 Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odors and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater



London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155)

Access Observations:

Planning permission is sought to develop a detached, two-bedroom, four person residential unit over two floors to comprise an undercroft area for amenity, parking and storage. The proposed dwelling would have its bedrooms on the first floor with a private balcony from the main bedroom, and its kitchen and living space on the second 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. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The proposal is fundamentally unacceptable as its design does not meet the essential principles of the Lifetime Home Standards. In essence, access for wheelchair users should be possible into all new homes and living space should be provided on the entrance level.

Conclusion: unacceptable.

Highway comments:

1. Need to ensure existing servicing and car parking required for the retail unit and flat at 103 Field End Road is retained.
2. It is not clear whether the proposed street lighting and footpaths along the existing rear service / access road are adequate.
3. The rear garden / service yard appears to be used for car parking at present. It is not clear how the displaced car parking demand will be accommodated.

## **7. MAIN PLANNING ISSUES**

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

There is no policy objection to the redevelopment of the site to provide some form of additional residential accommodation. This would be subject to appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

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

It should be noted that on a development of the scale proposed, density in itself is of limited use in assessing such applications and more site specific considerations are more relevant.

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

The property lies within a Developed area and does not fall within a Conservation Area or Area of Special Local Character and is not a Listed Building.

### **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**

HDAS states in paragraph 4.27 that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings. In addition, Hillingdon Local Plan Policy BE22 requires residential buildings of two or more storeys in height to be set back a minimum of one metre from the side boundary of the property for its full height.

The immediately surrounding area to the site is characterised by one and two storey buildings to the rear of a parade of shops. The rear of this parade backs on to an access road. The proposed extension is 8m high and a maximum depth of 11.8m. Whilst it is accepted that there are single storey buildings to the rear of the site, the proposed building, by reason of its overall size, bulk and proportions of the proposed building relate unsatisfactorily to the parade to which it is attached.

The introduction of a three storey residential building surrounded by single storey buildings along this rear access road would thus appear out of keeping due to its form and position. The overall height as proposed is taller than the surrounding buildings. It is therefore not in scale with the prevailing single storey, character of the area.

The proposed building on this site would therefore represent an intrusive visual element that would fail to harmonise with the layout and appearance of the existing street scene, and thus contrary to Hillingdon Local Plan Policies BE13, BE19 and BE22 and HDAS in this regard.

## **7.08 Impact on neighbours**

The primary potential impacts of the proposal on the residential amenities of nearby and adjoining occupiers are loss of privacy (overlooking), overbearing impact and loss of natural daylight.

HDAS - Residential Layouts sets out (in paragraph 4.9) a minimum requirement for the separation of two or more storey buildings abutting properties or their gardens of 15 metres and further assesses the amount of daylight/sunlight available by taking angles of 45 degrees from existing windows in adjoining dwellings. It is evident however, by applying 25 degrees vertical angles from the ground floor windows in the facing elevations of these flats that there is likely to be insufficient overall separation distance between the new building and the nearest neighbouring properties, approx. 7.4 metres to the existing flat at No.103 respectively, to ensure that the current amount and quality of daylight these dwellings receive will not be affected.

The site layout places the new building an insufficient distance from the neighbouring flats, however, with regards to the orientation of the buildings, there would be no loss of sunlight received to habitable rooms or overshadowing.

HDAS, at paragraph 4.13, sets out a minimum of 21 metres overlooking distance from the upper floor windows to habitable rooms. The floor layout for the new house would have an obscure glazed window on the first floor and would therefore not result in an unacceptable level of overlooking, in compliance with Local Plan policy BE24.

The proposed building would be the full width of the site with an undercroft on the ground floor for parking vehicles, bike and bin stores. It is not clear if the existing building use the rear of the site or if their rubbish is collected from the access road. This may result in the occupiers of the retail unit having to access the road to the rear through the proposed

building.

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

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments, numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

Policy 3.5 and Table 3.3 of the London Plan (2011) states the minimum space standards for two storey, two bed house for four persons requires 83sq.m (as the ground floor is undercroft parking and storage space). The proposed house at approximately 84.8sq.m would meet the minimum standard set out in Policy 3.5 and Table 3.3 of the London Plan (2011) and would thus result in the provision of accommodation of an adequate size for future occupiers, in compliance with The London Plan, Housing SPG, November 2012 and Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

With regards to external amenity space, the Council's HDAS guidelines require a minimum of 40sq.m to be provided for a two bedroom house. A total of approximately 18sq.m of amenity space has been proposed. As such, the proposed amenity space would be inadequate to provide a satisfactory standard of amenity for the future occupiers of the proposed unit and the proposal conflicts with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies and the Council's (SPD) HDAS: Residential Layouts.

The proposed bedroom would have an obscure glazed window and a door to access the terrace. As such, the outlook from this bedroom would be a terrace surrounded by a 1.5m high obscure glass balustrade. It is therefore considered, the proposed bedroom would not maintain an adequate outlook, therefore conflicting with Policy 3.5 of the London Plan (2011).

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

The site has a PTAL rating of 3 (moderate). Ruislip Manor Underground Station is located nearby and bus routes are within walking distance from the site.

The proposals will provide a two bedroom dwelling with bicycle parking spaces, one parking space and a visitor car parking space provided, which will be accessed from the rear access road. No objections are raised in this regard.

The applicant has failed to demonstrate the existing servicing and car parking required for the commercial use and the flat at 103 Field End Road is retained.

The applicant states in the Design & Access Statement, that the commercial unit will use the rear yard to park their car, however this is not a formal parking space.

The development is therefore considered to be deficient in car parking provision, leading to indiscriminate parking on-street, detrimental to highway and pedestrian safety and free flow of traffic.

Consequently, the proposals are considered to be contrary to the Council's policies AM7 and AM14 of the Council's Local Plan Part 2. It is recommended that the application be refused for this reason.

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

## SECURITY

Should the application be approved, a condition is also recommended to ensure that the scheme meets all Secured By Design Criteria.

## ACCESS

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. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The proposal is fundamentally unacceptable as its design does not meet the essential principles of the Lifetime Home Standards. In essence, access for wheelchair users should be possible into all new homes and living space should be provided on the entrance level.

### **7.12 Disabled access**

See section 7.11.

### **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 and no Conservation Area designations affecting the site. Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. No trees or other landscape features of merit would be affected by the proposal. There is no space or opportunity to provide landscape enhancement or external amenity space in this town centre location.

### **7.15 Sustainable waste management**

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. The proposed plans show a bin store within the site and is considered to comply with the Council's guidance.

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

The redevelopment of the site would allow the opportunity to significantly improve the energy efficiency of the property and accordingly reduce energy demand and CO2 emissions. A condition requiring that the development meets Level 4 of the Code for Sustainable Homes could ensure the necessary standards were the application considered acceptable in other regards.

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

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

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

Not applicable to this application.

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

Consultation comments have been addressed in the main body of the report.

### **7.20 Planning Obligations**

Community Infrastructure Levy:

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and

the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of 153 sq metres of additional floorspace are as follows:

Hillingdon CIL = £8,170.00

Mayoral CIL = £3,198.97

Total = £11,368.97

#### **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.

#### **10. CONCLUSION**

It is considered the proposal would appear out of keeping with the surrounding area, due to its form and position and would not comply with lifetime home standards. In addition, it is considered that the proposal would have an overbearing impact on nearby properties, provide inadequate amenity space and poor outlook to the proposed bedroom. The applicant has also failed to demonstrate the existing servicing and car parking required for the commercial use and flat at 103 Field End Road is retained. As such, the application is recommended for refusal.


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

Hillingdon Local Plan (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
HDAS: Residential Layouts  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary Planning Guidance - Air Quality  
HDAS: Accessible Hillingdon  
Hillingdon Planning Obligations Supplementary Planning Document July( 2008) and updated chapter 4 Education (August 2010).

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<p><b>Notes</b></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 2015 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;"><b>Rear of 103 Field End Road Eastcote</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services Planning Section</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>70463/APP/2014/4205</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>North</b></p>	<p>Date</p> <p style="text-align: center;"><b>March 2015</b></p>	

