

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

**Address** GARAGES ADJACENT TO 29-33 DOLLIS CRESCENT RUISLIP

**Development:** Two storey building to provide 2 x 2 bed self-contained flats with associated parking and landscaping works involving demolition of 9 existing garages

**LBH Ref Nos:** 45159/APP/2015/527

**Drawing Nos:** 1817/L1  
Design & Access Statemen  
1817/1  
1817/D1  
1817/2 Rev B

**Date Plans Received:** 12/02/2015                      **Date(s) of Amendment(s):** 11/02/2015  
**Date Application Valid:** 16/02/2015                      23/04/2015  
16/02/2015

### 1. SUMMARY

The scheme proposes to demolish 9 garages, retaining 1 garage, and the erection of a two storey building providing 2 x 2 bedroom flats with associated landscaping and parking. The proposals are not considered to result in a loss of amenity to adjoining occupiers. The proposed residential units would meet all relevant council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 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 1817/2 Rev B and 1817/D1 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 (March 2015).

#### 3 RES7 Materials (Submission)

The development shall be constructed in accordance with the schedule of materials detailed in drawing number 1817/2, unless agreed in writing by the Local Planning Authority.

#### 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 29-33 Dollis Crescent and Ottawa House.

#### REASON

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

#### **5 RES13 Obscure Glazing**

The windows facing 29-33 Dollis Crescent and Ottawa House shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

#### **6 RES16 Code for Sustainable Homes**

The dwellings shall achieve Level 3 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 (March 2015) Policies 5.1 and 5.3.

### **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 I47 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).

### **3 I52 Compulsory Informative (1)**

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

### **4 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 (March 2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
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
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.3	(2015) Sustainable design and construction
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

### **5 I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

## **6 125A The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

## **7 13 Building Regulations - Demolition and Building Works**

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

## **8**            134            **Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

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- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

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**11**        I15        **Control of Environmental Nuisance from Construction Work**

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## **12            I21                    Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

## **13            I24                    Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

## **14            I25A                    The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

## **15**

You are advised that the development hereby approved represents chargeable

development under the Community Infrastructure Levy (CIL). At this time the Community Infrastructure Levy is estimated to be £968.33 (London Borough of Hillingdon CIL £695.86 and Mayoral CIL £272.47) which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website [www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738) .

### **3. CONSIDERATIONS**

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

The application site covers an area of approximately 440 square metres and accommodates 10 garages. These comprise a block of 3 garages at both ends and a detached block of 4 garages centrally located. The garages are relatively well maintained although not all are in regular use as could be seen from the vegetation over the doors. The site is enclosed with a 2m high wall to the west and a 2m high fence with a hedgerow beyond on the east.

Dollis Crescent is a cul de sac and the street scene is residential in character comprising two storey properties. These are a mixture of semi detached dwellings and flats. There is minimal off street parking provision along the road and none at all for the row of flats adjacent.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2 Proposed Scheme**

The application seeks planning consent for the demolition of 7 of the garages and the erection of a two storey building to provide 2 x 2-bed self-contained flats with associated parking and landscaping works.

The application includes detailed proposed site levels and materials.

#### **3.3 Relevant Planning History**

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

None

### **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.



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
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.5	(2015) Quality and design of housing developments
LPP 5.3	(2015) Sustainable design and construction
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

19 adjoining and nearby owner occupiers were consulted for a period of 21 days expiring on the 11 March 2015. Five responses were received as a result of the public consultation raising the following points:

- Building 9-33 Dollis Crescent have not got enough car parking spaces for residents. Other people leave cars for the whole day and go for the train and block spaces for us. If permission goes ahead then new residents and their visitors will use our street which is already fully packed.
- Whilst I welcome the potential removal of the eyesore the current garages present, the position of the new building so close to my house will deny me light into the eastern aspect of my kitchen, hall and bathroom. Due to personal circumstances this light is critical to my safety during the day.
- Just two car parking spaces in the development is not sufficient
- Critical parking problems in the road mean cars park in the turning area. The proposal removes the turning facility in the driveway to the garages which will mean it would be impossible to turn unless parking at the end of the road is restricted, which would make the parking problem even worse.
- The plans show the hedge bordering our property maintained at 140cm. The proposed first floor rear windows and Juliette balcony would give an unrestricted view of our garden and into our property; we would therefore like the hedge to be maintained at 400mm to protect our privacy.
- Chronic issue whereby surface water from the Columbia Avenue development flows into the gardens and garage area. We believe inadequate drainage has been provided there. The Council have been

notified but nothing has been done.

- The proposed garages to be retained for storage would be better used as additional parking spaces
- The road is very narrow and I believe weight restricted. I can't see how multiple contractor lorries/vehicles can safely and effectively use it every day. Please do not propose to provide access by (AGAIN) depriving us of our parking spaces - we have nowhere else to park!
- As the retaining/boundary wall is adjoining one of the garages that will be demolished, please can the developer agree that the wall is damaged/knocked down it will be rebuilt at their cost?
- Obstruction to sunlight to my garden.
- Concern over the noise of the development, we work shifts and the noise of the development would make our lives very difficult

Eastcote Residents Association - No response

Rodwell Close Residents Association - No response

### **Internal Consultees**

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

A minimum of one bathroom in each flat should provide a minimum of 700mm to one side of the toilet pan, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

Conclusion: revised plans should be requested as a pre-requisite to any planning approval.

(Officer comments: Revised plans were received which addressed the issues raised)

Trees/Landscape - No objection, no need for landscaping conditions

Highways - No objection

## **7. MAIN PLANNING ISSUES**

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

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is not located in a Conservation Area and the building is not Listed. There are no policies which prevent the demolition of the existing garages and the erection residential units, in principle.

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

The density of the proposed development is 57 units/ha. 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**

Not applicable to the consideration of this application as the site is not located within an Archaeological Priority Area, Conservation Area or Area of Special Local Character.

### **7.04 Airport safeguarding**

No objections are raised to the scheme in terms of airport safeguarding.

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

Not applicable, the site is not located within the green belt.

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

The proposed building is of a domestic height and massing, comparable to the character and scale of the surrounding buildings and the area in general. Overall, the design and layout of the buildings is considered acceptable in the context of the site and surrounding area and to not have a detrimental impact on the character and appearance of the street scene. The overall scale of the proposed new dwellings in terms of footprint is considered acceptable. It is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with policies BE13 and BE19 of the UDP saved policies.

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

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected and careful design can help minimise the negative impact of overbearing and overshadowing.

The proposed building is centrally located in the plot on a building line slightly set back (0.75m) to the adjacent flats to the west nos 29-33 Dollis Crescent. It is situated 1m from the western boundary and 3m from the side wall of the adjacent building, which due to differing land levels, also stands approximately 0.9m higher. 18m to the east is a 3 storey block of flats facing towards the application site but separated by their gardens and screened by a well established hedge. There is a proposed first floor window on the eastern elevation serving the stairs and a first floor window on the west elevation serving a bathroom. Both these windows can be conditioned to be obscure glazed and fixed shut below 1.8m. To the rear of the site (north) and to the front (south) are the ends of the rear gardens of 28 Columbia Avenue and 8 Dollis Crescent, respectively.

Concern has been raised by the owner of an adjacent flat with regard to the loss of light to the side windows of her property, which she advises serve the bathroom and hallway and the eastern aspect of her kitchen. The bathroom and hallway are non habitable rooms and the description of the eastern aspect to the kitchen suggests this is a second window to that room. Concern has also been raised over the loss of daylight to the rear garden of the adjacent flats. It is acknowledged that the proposed building does project 1.8m beyond the rear wall of the adjacent property but is in line with the existing single storey projection. Given the orientation of the properties there may be some loss of early morning daylight but the removal of the garages adjacent to the boundary of the site and measuring 3.05m in height from their raised ground level may help to mitigate this.

Therefore, the proposed building is considered not to result in an unacceptable degree of over dominance, visual intrusion, over shadowing or loss of privacy and is considered to comply with Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15, BE19 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Section 4.7 of the SPD: Residential Layouts, states careful consideration should be given in the design of the internal layout and that satisfactory indoor living space and amenities should be provided. This recommends a floor space of 63sqm for 2 bed flats. The proposed flats have floor areas of 63sqm and 69sqm and are considered acceptable.

It is considered that the main living areas would have an adequate outlook and source of natural light. Therefore it is considered that the proposal fails to comply with the SPD: New

Residential Layouts: Section 4.9 and 4.12.

The proposal provides a private garden area for each dwelling at the rear of the building as amenity space which measure 30sqm and 41sqm, which is above the 25 sqm recommended in the Council's HDAS guidelines. As such, the proposed amenity space would be adequate to provide a satisfactory standard of amenity for the future occupiers of the proposed units and is in compliance with the requirements of policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies and the Council's (SPD) HDAS: Residential Layouts.

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

Although the application advises most of the garages are unoccupied, they could potentially be brought back into use for vehicle parking. It is therefore considered that the proposed development will result in the reduction of vehicles using the site and as such will have a positive affect on traffic in the vicinity of the site.

The site has a PTAL rating of 3 (moderate). Eastcote Underground Station and available bus routes are within walking distance from the site.

The proposal will provide 2 x 2 bed flats with 1 parking space each and 2 additional visitor spaces including a disabled parking space. Car parking provision for a 2 bedroom residential unit is identified as 1.5 spaces, however given the site location and good local connectivity, 1 space would be considered acceptable.

There have been concerns raised regarding current parking provision in the area. Parking in the surrounding roads is congested and it has been suggested this is compounded by people leaving their cars in the road during the day. However this is not related to the proposal under consideration and it is not for this application to resolve the wider issue.

Secure cycle parking spaces for both developments have also been provided within the site.

The development is therefore considered provide sufficient car parking provision and complies with policies AM7 and AM14 of the Council's Local Plan Part 2.

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

These matters are dealt with elsewhere within the report.

#### **7.12 Disabled access**

The Access Officer had raised concerns over the details for the level access and bathroom layouts. Revised plans have been submitted to address these issues and are now considered acceptable.

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

Not applicable to this application.

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

The application site does not have any trees on it at present, as such the proposal does not have any implications with regard to tree retention or removal. The Council's Trees and Landscape Officer has raised no objections to the proposal which would achieve appropriate outcomes in terms of policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

The proposals indicate an adequate refuse storage area to the front of the building.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

The objections received to the scheme have been addressed within the body of the report. One objection cites a problem with surface water from Columbia Avenue. It should be noted that the site and its immediate surrounds are not in a critical drainage area. As the drainage issues does not relate directly to the application site the concern raised is not something that can be addressed through the determination of the planning application.

#### **7.20 Planning Obligations**

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

There are no other issues for consideration.

### **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**

## **10. CONCLUSION**

This application seeks consent for the erection of a building to provide 2 x 2 bedroom flats with associated parking and amenity provision. The proposal, by reason of its acceptable design, scale and siting is considered acceptable in the context of the surrounding street scene and is not considered to result in any loss of amenity to adjoining occupiers. The proposed residential units would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions.

## **11. Reference Documents**

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).  
National Planning Policy Framework.  
Supplementary Planning Document 'Accessible Hillingdon'.  
HDAS 'Residential Layouts'  
The London Plan 2011.

**Contact Officer:** Liz Arnold

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Garages adjacent to 29-33  
 Dollis Crescent  
 Ruislip**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**45159/APP/2015/527**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**May 2015**

