

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

**Address** THE NAGS HEAD PH FALLING LANE YIEWSLEY

**Development:** Full height infill extension to rear including changes to roof-form, change of use from public house (Use Class A4) to create 6 x 2-bed flats with associated parking including widening of existing crossover and cycle store to rear

**LBH Ref Nos:** 43301/APP/2015/58

**Drawing Nos:** 2872-01 Rev. B  
2872-02 Rev. B  
2872-03 Rev. B  
2872-07 Rev. A  
2872-08 Rev. B  
2872-04 Rev. A  
2872-05 Rev. D  
Design and Access Statement Rev. 1  
2872-06 Rev. E

**Date Plans Received:** 08/01/2015

**Date(s) of Amendment(s):**

**Date Application Valid:** 07/04/2015

### **1. SUMMARY**

The application seeks permission to convert and extend the existing building (last used as a public house (A4)) to provide 6 flats. The extensions include a first floor infill extension to the rear and the raising of the roof at the side and rear in order for the conversion of the roof space with rooflights to create 6 x 2 bedroom flats (3 on each floor including a new 2nd floor within the roofspace). Two parking spaces (including 1 disabled space) and a cycle store with space for six cycles is proposed within the rear yard which would provide communal amenity space of 152.5 sqm.

There have been issues surrounding land ownership but the applicant's agent has resolved these. The proposed development would take place completely within land in the applicant's ownership. The correct Certificate A has been signed.

A petition in support of the application with over 100 signatures has been received along with 10 letters of support for the conversion, one letter stating that the flats should be sold to working people and not rented and 2 letters of objection relating to the use of land not in the applicant ownership (NB this has now been resolved - see explanation within main body of the report).

The proposed plans have taken into account the comments and revisions as requested by the LPA. Issues over design have been resolved with the dormer windows replaced by rooflights which are considered less intrusive and more in keeping with the area. However, due to the reduction in the land available for the development the highways requirements fall short and the proposal is considered to lead to an intensification of on-street parking within the area which is already at capacity and based on this the recommendation is to refuse.

### **2. RECOMMENDATION**

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

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

The proposal does not make adequate provision for car parking in accordance with the Council's adopted standards and is likely to result in increased highway hazard for other road users including pedestrians. The proposal is therefore contrary to the Council's adopted policies in particular policies AM7 (ii) and AM14 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012).

## **INFORMATIVES**

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

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

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

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

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
H8	Change of use from non-residential to residential
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice

LPP 5.3	(2015) Sustainable design and construction
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 7.2	(2015) An inclusive environment
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

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

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

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The site lies on the north-east corner of Falling Lane and Royal Lane and comprises a vacant public house which has been lying vacant for several years after the licence was revoked. The building is located adjacent to a row of shops to the north and offices to the rear including a yard which is used as a builders yard and also contains land that has been used as an over flow car park for the pub in the past. The area is in the majority residential.

### **3.2 Proposed Scheme**

The application seeks permission for a full height infill extension to rear including changes to roof-form, change of use from public house (Use Class A4) to create 6 x 2-bed flats with associated parking including widening of existing crossover and cycle store to rear

### **3.3 Relevant Planning History**

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

There is no relevant history attached to this property. Applications relating to a satellite dish and a rear extension relate to the previous use as a public house.

## **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:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE18	Design considerations - pedestrian security and safety
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.
AM7	Consideration of traffic generated by proposed developments.
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OE1	Protection of the character and amenities of surrounding properties and the local area
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## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

The public consultation period ran from 28th January to 18th February 2015. Amended plans were later received and a further consultation ran from 9th April until 30th April 2015.

The following comments have been received:

1. Is this new building proposal for flats going to be for private sale or housing association? I will be against it if it is for HA. I don't think the area needs anymore people who's sole income is claiming benefits. With Crossrail this is a good opportunity to improve the area.

OFFICER COMMENTS: The number of units is such that consideration of affordable housing is not

required by planning policy. Were permission to be granted the tenure and sale of the units would be a private matter.

2. With reference to the Design Access Statement displayed on the planning portal and dated 06/03/15 please be advised that item 2.5 is a false statement. Behind this is the access road to the rear of the shops. All the rear yards of the shops are concreted over for parking. There is also a land locked site which has been used for an overflow pub car park. The land was used for open storage, as a builders yard. Part of this land has been secured with a 7 year lease providing parking for the new flats. The yard in question is not owned by the owners of the Nags Head Public House and has never been used by the public house as an overflow car park, it is privately owned and never has been leased to the pub for use as a car park. Furthermore a seven year lease has not been given to provide parking for the new flats and can be confirmed by the owner of the yard upon written request

OFFICER COMMENTS: These matters have now been sufficiently dealt with and the proposed development is now proposed completely within land in the applicant's ownership.

### **Internal Consultees**

Flood Water Management Officer:

There are no objections to the proposed change of use. However the site lies in a critical drainage area and is just outside the area likely to be at risk of surface water flooding. Therefore it is important that all developments in this area contribute to manage the risk from surface water and to reduce run off from the site. Therefore the following condition is requested:

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iii. provide details of water collection facilities to capture excess rainwater;
- iv. 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 that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

Access Officer:

Permission is sought for the part conversion of a disused public house into six x 2 bedroom flats. The Design & Access Statement refers to six parking spaces of which one would be accessible. The

document also reports on the development having been designed to comply with AD-M and offers good potential to meet the Lifetime Home Standards.

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 HDAS: Accessible Hillingdon adopted May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

Whilst the Design & Access Statement makes reference to a level access threshold, the submitted plans show a step from the Royal Lane entrance leading to the ground floor flats. The internal layouts are satisfactory to meet the Lifetime Home Standards, however, a suitable planning condition should be added to any granted planning permission to ensure that level access is achieved to and into the proposed ground floor flats.

The following access observations are provided:

1. 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.

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

#### ADDITIONAL CONDITION

Level access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2010 (2004 edition, incorporating 2010/13 amendments), and shall be retained in perpetuity.

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

Trees and Landscaping Officer:

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 will be affected by the proposal.
- Towers drawing No. 2872-05 Rev. D confirms that the pub yard will be developed as a small garden/amenity space incorporating a bike store and bin storage and 2 car parking spaces
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: No objection, subject to the above observations and RES2 and RES9 (parts 1, 2, 4, 5 and 6).

Highways Officer:

The proposed provision of two car park spaces for six (2 bed) flats is below LBH standards of 1.5 spaces per dwelling and the site is not well served by public transport (PTAL 2 = Poor). It is

recommended that a minimum provision of 1 car park space per dwelling should be provided. Developments should make provision for adequate car parking on-site (including provision for electric vehicles) and not rely on any on-street car parking to service their demands in the absence of parking restrictions.

## **7. MAIN PLANNING ISSUES**

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

There are no policies which resist the conversion of public houses to dwellings. The site is within a built-up area and the principle of development is acceptable under Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies subject to compliance with other Policies within the Hillingdon Local Plan: Part Two - UDP Saved Policies ( November 2012) and the London Plan (March 2015). The most relevant policy is H8 of the Hillingdon Local Plan, Part Two, Saved Policies which allows the change of use from non-residential to residential uses subject to set criteria.

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

London Plan Policy 3.4 seeks to maximise the potential of sites, compatible with local context and design principles and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in Table 3.2 and which are compatible with sustainable residential quality. The site has a Public Transport Accessibility Level (PTAL) of 2. Table 3.2 recommends that developments within an urban setting with a PTAL score of 2 should be within the range of between 50-95 habitable rooms per hectare for small units in suburban areas. The scheme comprises 18 habitable rooms (hr) and the site equates to 0.38 ha. Thus the calculation of hr per ha = 46 which although slightly lower than what could reasonably be expected, the majority of the housing in this particular location is low density and so the density and overall coverage of the site would be consistent with the character and appearance of the area and would not be considered unacceptable under this policy.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

The building fronts both Falling Lane and Royal Lane and is situated on the end of a row of shops which face onto Falling Lane. On the southern side of the road the ground level is slightly lower and so the building even though it has only 2 storeys (+ basement) is imposing within the street scene. The ridge height is higher than the shops to the north by approximately 1.8m. The overall height of the building is 9.65m with the shops ridge height at 7.95m. The internal heights of the ground floor rooms are higher than average due to its original use as a pub. The inclusion of a new floor can thus be carried out without increasing the ridge height by removing the basement and adjusting the existing floor heights to create the second floor within the roof space.

Currently the building is vacant and boarded up. It is showing signs of wear and becoming dilapidated the longer it remains without occupancy. The agent states that the pub lost its licence in July 2011 after long standing social problems. The owner has tried to sell the pub on with no success. The property has been broken into and squatters have been evicted. The building is an eyesore and as it stands degrades the area and does nothing to contribute to the character and appearance of the area.

A petition and letters supporting the application have been submitted stating that the building is an eyesore and that local residents support the conversion to housing use.

Local Plan Policies BE13, BE15 and BE19 require all new development to harmonise with the existing street scene and other redeeming features of the area (BE13), proposals for extensions or alterations to existing buildings should also harmonise with the existing building in terms of scale, form, architectural composition and proportions of the original building (BE15), BE19 also requires new development within residential areas to complement or improve the amenity and character of the area.

The conversion would be mainly carried out within the existing footprint of the building. The smaller additional extensions at the rear of the building are to be removed and a full height infill extension is proposed at the rear of the main building (facing Royal Lane) squaring it off at the back. Thus the actual amount of built footprint on the site would be reduced allowing a reasonable size rear amenity space for future residents.

The front and side walls would be retained with modifications to the window openings so that new windows would be of a similar uniform size and line up through the height of the building. The distinctive corner splay would be retained. The front section of the roof would remain as is but would benefit from new rooflights and there would also be the addition of a new roof on the side section of the building creating a double pitch roof appearance with a central gully.

On all three sides of the roof there would be rooflights inserted to allow light and ventilation to the second floor flats. The rooflights replace the originally proposed pitch roof dormers which were considered to not be a feature of the area and would have looked out of place within the street scene. Although rooflights do not give an outlook (only a sky view), the proposed design is a combination window which sits behind the fascia board and extends vertically like a traditional window as well as extending the light into the flats as a traditional rooflight, thus combining skyline with a vertical outlook. The vertical element opens inwards rather than outwards as a safety feature and the combination window accords with Lifetime Homes Standards.

A purpose built cycle store has been proposed for the rear yard. This would also incorporate a secure area for refuse bins and would help maintain a tidy appearance within this communal space. The flat roof structure would have a height of 3m be 5.6m wide and 2.6m deep. It would not appear obtrusive within its location or have a detrimental impact on the street scene. The cycle store is considered acceptable and complies with Local Plan Policies BE13 and BE15.

The alterations to the building respect the original scale, bulk, height and proportions of the building making subtle changes to improve its appearance within the area. The major change is the reformation of the rear part of the roof and this is not considered to have any detrimental impact on the street scene or harm the character of the building. The removal of the rear ad-hoc additions within the yard and the improvements to the rear yard, including landscaping, further enhance the original proportions and character of the building and it is considered that the proposal complies with Local Plan Policies BE13, BE15 and BE19.

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

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the



siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'.

The building is located on a corner and has only one attached building on the north side. This building has been extended beyond the rear wall of the application building and so the infill extension at first floor would not cause any loss of amenity to the occupiers of this building. The rooflights and occupation of the second floor would not directly look into any habitable rooms on the adjacent building and there are no side windows on the buildings to the rear on Royal Lane.

The conversion of the building to residential units would have no detrimental impact on adjacent neighbours with regard to loss of daylight/sunlight or overlooking/loss of privacy. The proposal in this respect accords with Local Plan policies BE20, BE21 and BE24.

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

The London Plan (March 2015) in Policy 3.5 sets out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants. It states that a two bedroom, 3 person flat should have a minimum of 61 sqm GIA.

The gross internal floorspace for the proposed two bedroom/3 person units (each unit comprises a single and a double bedroom) would be approximately 63 square metres. Therefore, the level of residential amenity provided for future occupiers would be considered acceptable in accordance with Policy 3.5 of the London Plan (March 2015).

The Hillingdon Local Plan: Part Two Policy BE23 states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupants which is usable in terms of its shape and siting. The supporting text relating to this policy emphasises the importance of protecting private amenity space and considers it a key feature of protecting residential amenity.

Paragraph 3.13 of the SPD, the Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006) recommends that 2 bedroom flats should have access to shared amenity spaces of at least 25sq.m.

The conversion would have approximately 150sqm of amenity space which includes a store for both refuse storage and cycle storage. This is considered acceptable and allows for 25 sqm per flat.

Each habitable room has natural light and ventilation and an outlook as required by the London Plan policy 3.5 and Local Plan Policies BE20 and BE21.

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

The original plans utilised the over-flow car park (used by the pub for many years) and othe

pieces of land at the rear of the shops. However, these elements have been removed from the application over private land ownership queries. As a direct consequence of this, the amount of off-street parking proposed has had to be reduced. Only 2 spaces are incorporated into the scheme and these would be utilised from the existing dropped kerb. Covered and secure cycle storage is provided within the rear amenity area.

Hillingdon Local Plan: Part Two Policy AM7 relates to traffic generation of new development with (ii) particularly relating to highway and pedestrian safety. AM14 states the need for all development to comply with the Council's adopted parking standards. The proposed provision of two car parking spaces for six (2 bed) flats is well below the Council's standards of 1.5 spaces per dwelling. The site is situated in an area which is not well served by public transport with a Public Transport Accessibility Level (PTAL) of 2. In this situation it is expected that new developments meet the Council's full parking standard and that they should not rely on on-street car parking to service the demands of the development, particularly in this case, given that the streets surrounding the site are narrow and on-street parking is at a premium within them.

Thus, due to the failure of the proposed development to provide the requisite off-street parking provision to meet Council standards the proposal is unacceptable and contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012).

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

The proposed design of the new development is acceptable. The upgrading of the existing building will have a positive impact on the character and appearance of the local area and the re-use of the building for residential purposes would not be resisted under Local Plan Policy.

The applicant states that the pub has been subject to break-ins and squatters. Letters from residents concur with this. The re-use of the building for housing purposes would be beneficial to the area, providing natural surveillance at the rear to other existing properties. The re-use of the building would act as a deterrent for unsociable behaviour reducing residents fears and insecurity surrounding the derelict building.

The fundamental design of squaring of the rear of the building and removing the ad-hoc single storey extensions would allow a reasonable area for communal amenity space, as well as 2 off-street parking spaces, refuse store and cycle store.

Each unit created is over the minimum GIA as set out within the London Plan (March 2015) and has adequate provision for each habitable room to have an outlook.

#### **7.12 Disabled access**

The applicant has submitted a Lifetime Homes Checklist in which the 16 standards have all been met. the Access officer requires level access also from Royal Lane, which could be the subject of a condition.

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

Not applicable to this application.

#### **7.14 Trees, landscaping and Ecology**

The rear yard as existing is very small as a consequence of the ad-hoc rear extensions. It is laid to concrete. The proposed site plan includes areas of soft landscaping and a lawn within the rear yard. A new boundary of 2m fence with gates are to be erected to provide both privacy and security and this would all be an improvement to the current situation.

**7.15 Sustainable waste management**

Refuse and recycling storage is provided for within the rear yard in a secure structure.

**7.16 Renewable energy / Sustainability**

No information has been given with regard to renewable energy use or sustainability but could be the subject of a condition.

**7.17 Flooding or Drainage Issues**

The site is not within a flood zone but is within a critical drainage area and details of water management could be the subject of a condition.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

A petition supporting the application has been signed by local residents along with 10 letters of support. The issues raised in both the support and objections are discussed within the main body of the report.

**7.20 Planning obligations**

The CIL liability for the development has been calculated at £58,960.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

There are no other issues identified.

**8. Observations of the Borough Solicitor**

**General**

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

**Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

**Planning Obligations**

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable to this application.

#### **10. CONCLUSION**

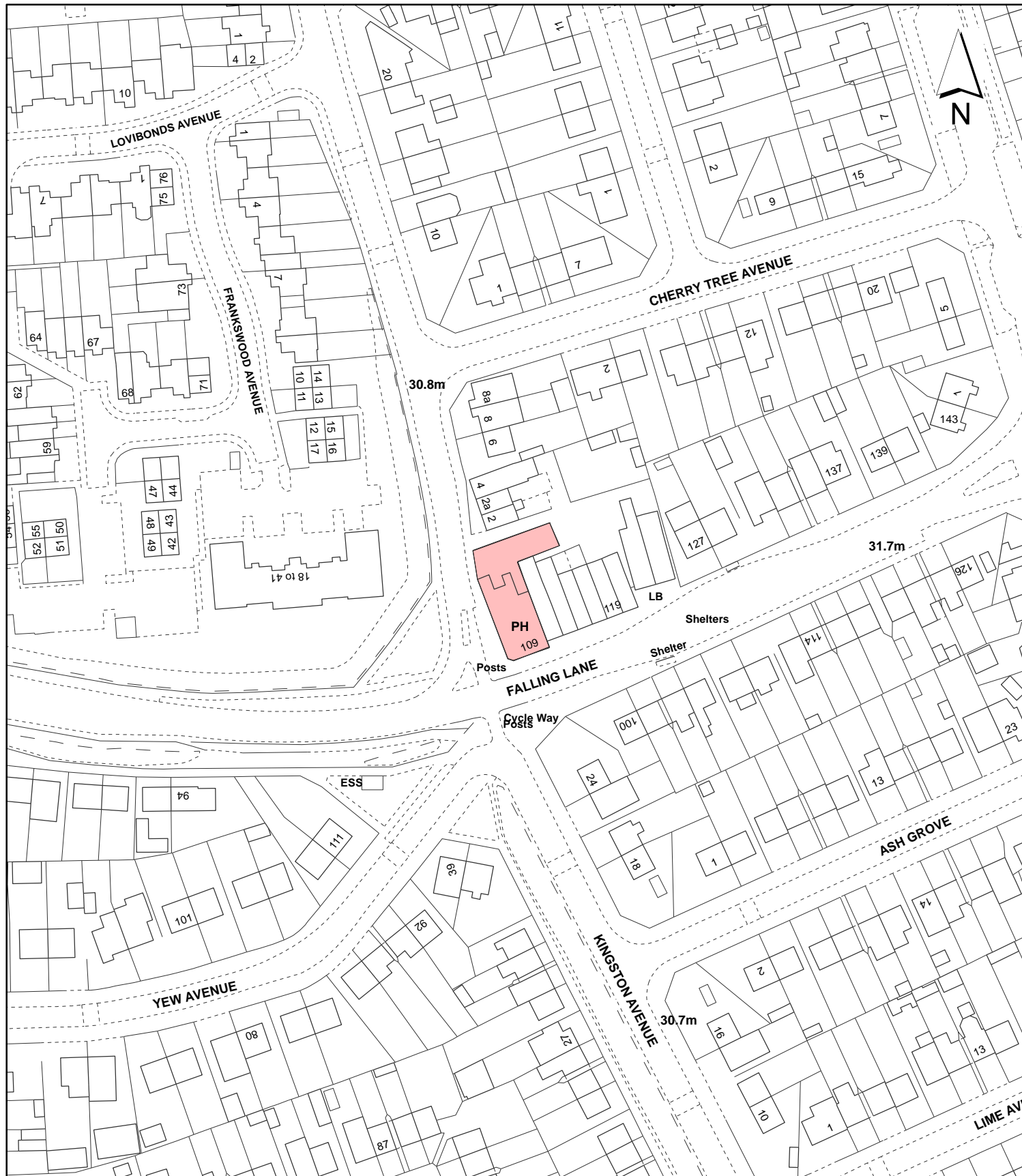
In conclusion although the principle of the development is supported, the application fails to provide off-street parking provision for the 6 units proposed. The proposed provision of two car park spaces for six x 2 bed flats is well below council standards and the site is not well served by public transport. The lack of off-street provision is contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012) and refusal is therefore recommended.

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

Hillingdon Local Plan (November 2012)  
Hillingdon Design and Access Statement: Residential Extensions  
Hillingdon Design and Access Statement: Residential Layouts  
The London Plan (March 2015)  
Hillingdon Design and Access Statement: Accessible Hillingdon  
National Planning Policy Framework.

**Contact Officer:** Carol Grant

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# Notes:



Site boundary

For identification purposes only.

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Site Address:

**The Nags Head P.H.  
Falling Lane  
Yiewsley**

Planning Application Ref:

**43301/APP/2015/58**

Planning Committee:

**Central and South**

Scale:

**1:1,250**

Date:

**May 2015**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



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