

Report of the Head of Planning, Sport and Green Spaces

Address 39 POLE HILL ROAD HILLINGDON

Development: Conversion of two storey dwelling into 3 studio flats with associated parking and amenity space, installation of vehicular crossover to front and erection of porch.

LBH Ref Nos: 69286/APP/2015/3673

Drawing Nos: 13/024_P2B
13/024_P0B
13/024_P1A
Design and Access Statement
13/024_S2A
13/024_S1A
13/024_S0A

Date Plans Received: 02/10/2015 **Date(s) of Amendment(s):**
Date Application Valid: 07/12/2015

1. SUMMARY

The application seeks planning permission for the conversion of this two storey dwelling into 3 x studio flats with associated parking and amenity space and installation of vehicular crossover to front.

The proposal is not considered have a negative impact upon the visual amenity of the site or the surrounding area, would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It is considered that the provision of 3 off street parking spaces is acceptable in this location and the proposed extension of the crossover is not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

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 13/024_P1A, 13/024_P0B and 13/024_P2B 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 (2015).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the 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)(England)Order 2015 (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.

REASON

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

5 HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2015).

INFORMATIVES

1 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).

2 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 (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.
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
H7	Conversion of residential properties into a number of units
OE1	Protection of the character and amenities of surrounding properties and the local area
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). 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.

4 147 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).

5 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either

its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

8 15 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 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the north west side of Pole Hill Road. The site comprises a semi-detached two storey dwelling with a two storey rear outrigger. To the south west of the site is located the adjoining property 37 Pole Hill Road and to the north east is 41 Pole Hill Road, which is separated from the application property by a shared driveway. The property has been recently extended by way of a single storey rear extension projecting 6m to the rear. The site is situated within a developed area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for the conversion of two storey dwelling into 3 x studio flats with associated parking and amenity space and installation of vehicular crossover to front. The flats would be accommodated within the existing extended dwelling and would have the following internal floor areas:

Flat 1 (1 person studio)- 45.8m²
Flat 2 (1 person studio) - 39.3m²
Flat 3 (1 person Studio) - 44.5m²

The rear garden is proposed to be subdivided into three separate private garden areas measuring 28.4m², 33.6m² and 57.5m². Bin storage is also proposed to the rear. Three parking spaces and secure cycle storage is proposed within the frontage. The crossover is proposed to be extended by 1.5m and a porch is proposed to be added to the front elevation.

3.3 Relevant Planning History

69286/APP/2013/1752 39 Pole Hill Road Hillingdon

Erection of a single storey rear extension, which would extend beyond the rear wall of the origin house by 6 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.4 metres

Decision: 31-07-2013 PRN

69286/APP/2015/1404 39 Pole Hill Road Hillingdon

First floor rear extension and conversion of single dwelling into 2 x 1-bed flats and 1 x studio flat

Decision: 11-08-2015 Refused

Comment on Relevant Planning History

69286/APP/2015/1404 - for the erection of a first floor rear extension and conversion of single dwelling into 2 x 1-bed flats and 1 x studio flat was refused for the following reasons:

1. The proposal, by reason of the excessive width of the crossover that would be required to access the proposed parking spaces, makes inadequate provision for pedestrian refuge and would therefore be detrimental to pedestrians safety and would provide a greater area for vehicles to egress into roadway to the detriment of those using the highway and is therefore contrary to Policy AM7 of the Hillingdon Local Plan - Saved UDP Policies (November 2012), the Council's adopted car parking standards and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed two storey rear extension, by reason of its size, scale, bulk, width and design, would be detrimental to the character and appearance of the existing and adjoining properties and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposal would provide an indoor living area of an unsatisfactory size for the occupier of the proposed ground floor studio flat. The proposal would therefore give rise to a substandard form of living accommodation to the detriment of future occupiers and contrary to Policy 3.5 of the London Plan (2015) and the Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012).

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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
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LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments

LPP 3.8 (2015) Housing Choice

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 Neighbouring properties were consulted by letter dated 9.12.15 and a site notice was displayed to the front of the site which expired on 8.1.16.

No responses have been received.

The application has been called to committee for consideration by the Ward Councillor.

Internal Consultees

Landscape Officer - No objection subject to Landscape Conditions.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is situated within a developed area as identified in the policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) where there is no objection to the principal of intensifying the existing residential use of the site.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that new development 'takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.'

The site has a Public Transport Accessibility Level (PTAL) of 2. The London Plan (2015) range for sites with a PTAL of 2 to 3 in a suburban area is 150-250 habitable rooms per hectare and 35-65 units per hectare. Based on a total site area of 0.038ha the site would have a residential density of 78 units per hectare and 236 habitable rooms per hectare which is above the London Plan density range.

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.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposal involves minimal external alterations to include a front entrance porch and the insertion of a rooflight in the rear elevation. The alterations are considered to be in keeping with the architectural integrity of the host dwelling. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. The only extension proposed is the front porch and this will not have any impact on adjoining residential occupiers. Furthermore there are no windows proposed in the flank elevations of the proposed development. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London intends to adopt the new nation technical standards through a minor alteration to The London Plan. This alteration is in the form of the Housing Standards Policy Transition Statement and it sets out how the existing policies relating to Housing Standards in The London Plan should be applied from October 2015. Appendix 1 of the Transition Statement sets out how the standards stemming from the policy specified in the 2012 Housing SPG should be interpreted in relation to the national standards.

The statement requires a 1 person studio flat to have a minimum internal floor area of 37m² and 39m² with a bath. The submitted plans confirm each of the three flats would be intended for occupation as a one person dwelling. The proposed layout would accord with the London Plan requirements and as such it is considered that the future residents of the flats would enjoy a satisfactory level of residential amenity in accordance with Policy 3.5 of the London Plan (2015).

The Hillingdon Design and Accessibility Statement Residential Layouts, requires a 1 bedroom flat to be provided with at least 20 square metres of private or communal amenity space. The proposal exceeds this advice and is therefore considered acceptable in accordance with Policy BE23 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of three off-street parking spaces for each dwelling.

The application site is located within an area with a PTAL level of 2. The submitted plans show that 3 parking spaces (one being disabled) and secure cycle storage, can be accommodated within the frontage. The proposal involves the extension of the existing crossover by 1.5m which is in accordance with the Council's standing advice, protecting the future safety of pedestrians and vehicles in accordance with policy AM7 of the Local Plan.

7.11 Urban design, access and security

The issues are addressed in other sections of this report.

7.12 Disabled access

Technical Housing Standards as prescribed in Approved Document M to the Building Regulations 2010 (2015 edition) as reinforced by the Housing Standards Transition Statement require minimum width of hallways and other circulation spaces inside the home to comply with Part M4(2). The Council's Access Officer has not raised any concerns in respect of this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the retention of landscape features of merit and new landscaping and planting where possible. No trees would be lost by the proposal and that both the front and rear gardens area of little landscape merit. Should the scheme be considered acceptable in all other respect, a suitable condition could be imposed to secure additional landscaping

7.15 Sustainable waste management

No objections are raised with respect to waste management, which could be dealt with by condition in the event of an approval.

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

No responses have been received.

7.20 Planning obligations

Not relevant to the consideration of this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application seeks planning permission for the conversion of two storey dwelling into 3 x studio flats with associated parking and amenity space and installation of vehicular crossover to front.

The proposal is not considered have a negative impact upon the visual amenity of the site or the surrounding area, would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It is considered that the provision of 3 off street parking spaces is acceptable in this location and the proposed extension of the crossover is not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

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

The London Plan (2015)

Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012)

Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

The London Plan Housing Policy Transition Statement (May 2015)

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

39 Pole Hill Road

LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
69286/APP/2015/3673

Scale:
1:1,250

Planning Committee:
C&S

Date:
January 2016



HILLINGDON
 LONDON