

Report of the Head of Planning, Sport and Green Spaces

Address 9 HARVIL ROAD ICKENHAM

Development: Erection of a two storey detached building with habitable roofspace to create 6 x 2-bed self contained flats with car parking and gym in a basement area, to involve associated landscaping and boundary treatment and installation of vehicular crossover to side

LBH Ref Nos: 52950/APP/2016/540

Drawing Nos: 201510/105
201510/106
201510/103 Rev A
Design and Access Statemen
201510/LP/01
201510/101
201510/102
201510/104

Date Plans Received: 10/02/2016 **Date(s) of Amendment(s):**

Date Application Valid: 11/03/2016

1. SUMMARY

The application seeks permission for the erection of a two storey building with habitable roof space to include 6 x 2 bed (4 person) self contained flats.

The proposed development by virtue of the design, scale and bulk is considered unacceptable and would be out of keeping with the character and appearance of the street scene and the neighbouring area. Given the close proximity of the extended building along the boundary line with the adjacent property it is also considered the proposal would result in a loss of amenity to the adjoining occupiers. The proposal has also failed to demonstrate that it can provide privacy to the future occupants of the ground floor and first floor flats contrary to the Hillingdon Local Plan (2012) and the London Plan 2015 and is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its size, scale, bulk, location and design would result in a cramped, unduly intrusive, visually prominent and undesirable form of development, that would fail to harmonise with the existing character of the area. The proposal would therefore be detrimental to the character and appearance of the adjoining properties and the visual amenity of the street scene and the wider area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2015) and the council's adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposed building by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 10 Harvil Road, by reason of visual intrusion, overdominance, loss of light and loss of privacy. Therefore the proposal would be contrary to Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposed development comprises a communal amenity area, the use of which would lead to an unacceptable level of overlooking, noise and disturbance to the ground floor flats, which both have two bedroom windows facing this area. The proposal would thus, be detrimental to the residential amenity of future occupiers of the ground floor flats, contrary to Policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - UDP Saved Policies (November 2012).

4 NON2 Non Standard reason for refusal

The site is located within Flood Zone 1. The applicant has failed to provide sufficient evidence that the basement proposed would not adversely impact local surface water or contribute to future issues should climate change worsen. The proposal also fails to make adequate provision for the control of surface water to ensure the development does not increase the risk of flooding. The application is therefore found to be contrary to Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies(November 2012) and London Plan (2015) Policy 5.12.

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 (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.

2

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is large rectangular corner plot located at the junction of Harvil Road and Highfield Drive. It comprises a detached bungalow, set back in the plot, with an attached garage to the rear and vehicular access from Highfield Drive.

The area is characterised by a mixture of detached two storey houses and chalet bungalows on large plots of land which are set back from the road frontage and generally maintain an open character and appearance. No. 10 adjacent and no. 8 on the opposite side of the junction are both 2 storey dwellings.

The western boundary abuts the gardens of 13 and 15 Highfeild Drive. To the east are open fields, which is located with the Green Belt. The site is also covered by TPO 620.

3.2 Proposed Scheme

This application seeks permission for the demolition of the existing detached bungalow and the erection of a two storey building, with habitable roofspace to 6 x 2-bed (4 person) self contained flats, with car parking and a gym in a basement area, to involve associated landscaping and boundary treatment and the installation of vehicular crossover to side

3.3 Relevant Planning History

52950/PRC/2014/128 9 Harvil Road Ickenham

Demolition of existing bungalow and erection of 2 detached dwellings

Decision: 05-02-2015 OBJ

Comment on Relevant Planning History

52950/PRC/2014/128 - Objection of the basis of the design which was considered to be visually intrusive and failed to harmonise with the existing streetscene. It was unduly assertive and imposing and unacceptable.

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.

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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
LPP 3.3	(2015) Increasing housing supply
LPP 3.8	(2015) Housing Choice
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbours were consulted for a period of 21 days expiring on the 5 April 2016. A site notice was also erected on the telegraph pole to the front of the property expiring on 14 April 2016. 5 responses were received from nearby neighbours raising the following issues:

- Over development
- Out of scale with its surroundings
- Loss of privacy
- Loss of sunlight & over shadowing
- Overbearing
- Bulk and proximity would totally dominate the adjacent property
- Proposal would be very conspicuous compared to other dwellings along Harvil Road. The overall size and extended profile would be readily apparent
- Fails to harmonise with the street scene and local surroundings
- Requirement for new infrastructure
- Increased traffic and parking congestion
- Highfield Road is a private road, the responsibility of the local residents. Unclear who will be responsible for these community activities.
- Disruption from construction traffic
- Loss of a view
- Increased noise from traffic accessing the property adjacent to my property
- The properties in this part of the road are of significant character and the proposed development of flatted accommodation will be out of keeping
- Inadequate parking provision
- Excavation for the underground parking only 2m from our foundations is unacceptable
- Unacceptable impact on our private amenity space

Officer response:

Issues relating to development on or in close proximity to the boundary are covered within the Party Wall act and are not material planning considerations. Any issues of maintenance of a private road or verge, or access to or over, are civil issues and any subsequent grant of planning approval would not override any rights pertaining to ownership. All other issues are addressed in the report.

Ickenham Residents Association:

The association object as the proposal fails to harmonise with the street scene. It is much larger in bulk and footprint and its design particularly the crown roof is out of keeping. The proposal would dominate the neighbouring property and have an adverse impact on the neighbouring properties in terms of noise, air and light pollution. The proposal would also result in a loss of privacy and light for no. 10. This will not help existing housing need as these will be Luxury, very expensive, flats.

The application has been referred to the committee by the local Ward Councillor.

Internal Consultees

Access Officer - No response

Highways - No response

Tree/Landscaping - The site lies within the area covered by Tree Preservation Order No. 620. However, there are no protected trees at this address, or which may influence the site. Acceptable subject to condition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

Given the residential character of the area adjacent to the plot, there is no policy objection to the development of the site to provide additional residential accommodation, subject to an appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the 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 relative 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 1b (very poor). The London Plan (2015) range for sites with a PTAL of 0 to 1 in an urban area is 35-65 units per hectare. Based on a total site area of 0.1197ha the site would have a residential density of 50 units per hectare, which is within this range.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

An area of Green Belt is located to the west of the site, on the opposite side of the road. Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not allow developments adjacent to or conspicuous from the green belt that would injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

The proposed development sits within the line of existing residential units facing Harvil Road, which are primarily larger detached two storey dwellings. It is not considered the two storey building would result in a significant visual impact on the adjacent Green Belt. The proposed scheme therefore complies with Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. Policy BE15 allows proposed extensions to existing buildings where they harmonise with the scale, form, architectural composition and proportions of the original building. BE19 ensures new development complements or improves the amenity and character of the area. The NPPF (2011) also notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The proposed main body of the building measures 17m in width, 12.55m in depth and has a large crown roof of 8.8m in height, set back from the boundary with no. 10 by 1m and 1.25m from the boundary with Highfield Drive. To the rear the proposal also includes a single storey element of 3m in depth with a mono pitched roof of 3.65m in height and a centrally positioned further single storey element which measures 9.1m in depth by 8.6m wide with an overall height of 4.85m, including solid screens to the roof terrace along the northern side and rear facing elevations. To the front the proposal incorporates a first floor balcony above the main entrance and a centrally positioned dormer window. This is a substantial building extending across virtually the whole width and deep into the plot. The overall scale and massing on a prominent corner position is considered overbearing and visually intrusive.

It is noted that in 2012 a planning permission for a replacement dwelling at no. 12 was refused. This was slightly smaller than the building proposed here. At appeal, in consideration of that proposal, the Inspector advised 'There is considerable variety in the design, height and general appearance of the dwellings along Harvil Road. Even so, by reason of its significantly greater bulk and scale, the proposed dwelling would stand out very conspicuously compared to the others. Its significantly greater overall size and the extended profile of the roof would be readily apparent. This would create incongruous and unduly assertive development within this established residential area. The adverse visual impact would be emphasised in particular by the greater height to the eaves than the neighbouring two-storey property to the south and by the bulk of the roof incorporating an extensive crown element, untypical of others in the road. The unduly imposing visual impact of the dwelling would not be adequately mitigated by the fact that it would be set well back into the plot from

the road frontage. Its greater overall size and bulk than any of the neighbouring dwellings would still be readily apparent, including in longer range views from the east, beyond intervening open Green Belt land, from the junction of Swakeleys Road with Breakspear Road.'

Therefore given the scale and design of the building set within a prominent corner position, it is considered that the proposal is unacceptable and would harm to the character and appearance of the streetscene and the wider area. As such the proposal fail to comply with Part 1 Policy BE1 and Part 2 Policies BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

7.08 Impact on neighbours

Policy OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows face each other, a minimum 21m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3m depth of rear garden immediately adjoining the rear elevation of a residential property.

It is noted that the existing bungalow is set deep in the plot with the front elevation facing Harvil Road, level with the rear elevation of the adjacent property no.10. It extends 19.25m in depth, set back 1.45m from the northern boundary. The proposed building has been moved forward within the plot more in line with others facing Harvil Road. It would be situated approximately 66m from the property to the rear no. 15 Highfield Drive and 21.5m from no. 8 Harvil Road, separated by Highfield Drive. Therefore it is not considered the proposed building would result in a significant loss of amenity to those properties. However the proposed building is a substantial structure, which would be close to the boundary with no. 10. There it would project 2m beyond the front elevation of that property and 6.8m (4m deep at two storey level) beyond the rear elevation.

It is noted that the rear projection would be less deep than the existing bungalow, however any overshadowing currently experienced by no. 10 is mitigated by the presence of the side southerly facing secondary windows to habitable rooms that currently benefit from an open outlook over the front garden of the existing dwelling. It is noted that the existing boundary treatment between the two properties consists of a post and wire fence with a rose hedge, which is not as dense as other hedges and has breaks in allowing light and views through. The proposal includes a bedroom window for flat 1 in the side elevation which would be situated just 2m from the side window and private amenity space of no.10. It is appreciated that a 2m high fence could be erected along this boundary to help prevent the loss of privacy, however this would be just 1m from the aforementioned side windows and could further exacerbate the sense of enclosure to that property. There are other side windows which are proposed to serve kitchen areas, which as non habitable rooms could be

conditioned to be obscure glazed and fixed shut. In view of the potential impact on the adjacent property the proposal is considered unacceptable and fails to comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

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 has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposed flats have a floor areas of upwards of 87.6sqm against a requirement of 70sqm plus 2sqm of built in storage, based on a 2 bedroom 4 person property, which meets the minimum requirement.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

The accompanying plans indicate a separate area for cycle storage and bin storage adjacent to the rear vehicle access.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of the development and the availability of and opportunities for public transport. The site has a poor PTAL rating and would require the provision of 1.5 car parking spaces plus 1 cycle space per unit. The supporting plans identify a basement car parking area, which can provide 13 car spaces and a separate cycle store for 6 bicycles. Therefore, the proposals are considered to be compliant to the Council's policies AM7 and AM14 of the Council's Local Plan Part 2.

7.11 Urban design, access and security

The Council's HDAS guidelines require a minimum of 25sq.m for a two bedroom flat. This would give an overall requirement of 150sqm. The proposal is set in a large plot which provides well in excess of this requirement and also a roof terrace with access for flats 4 and 5 and a front balcony including general access. However no details have been submitted for private patio/garden areas particularly adjacent to the windows of habitable rooms for the ground floor flats and also for the roof terrace, raising concerns over the level of privacy for the occupiers of those units. It is therefore considered the proposal is contrary to policy BS24 of the Hillingdon Local Plan (November 2012).

7.12 Disabled access

The Access Officer has not raised any concerns with relation to this application

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, Landscaping and Ecology

Adopted Local Plan, Policy BE1 seeks high quality design of the built and external environment. 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. The site lies within the area covered by Tree Preservation Order No. 620. However, there are no protected trees at this address, or which may influence the site. The Tree/Landscape Officer has advised that a detailed landscape design is required to make the site both attractive and usable. The submission of these details could be conditioned if all other aspects were acceptable.

7.15 Sustainable waste management

Not relevant to this application.

7.16 Renewable energy / Sustainability

Not relevant to this application.

7.17 Flooding or Drainage Issues

The site is within flood zone 1, however the applicant has failed to provide sufficient evidence that the basement will not effect local surface water or contribute to future issues should climate change worsen. Nor have they submitted a suitable scheme for the control of surface water. This could be overcome if the applicants submit suitable ground investigations to understand what the risk is to the site and if it is found at risk, suitable mitigation proposed and appropriate sustainable drainage system controlling water on the site.

Given the scale of the basement and its proximity to the side boundaries, officers consider that there is a risk of the applicant not being able to provide an acceptable scheme without altering the layout of the development. It is therefore considered that this should also constitute a refusal reason.

7.18 Noise or Air Quality Issues

Not relevant to this application.

7.19 Comments on Public Consultations

The issues raised have been addressed appropriately in the report.

7.20 Planning Obligations

Based on the information before officers at this stage the scheme would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not relevant to this application

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

The application seeks planning permission for the demolition of the existing bungalow and the erection of a two storey building with habitable roofspace to provide 6 x two bed flats, with basement parking beneath and the installation of 1 x vehicular crossover.

The proposal is considered to have a negative impact upon the visual amenity of the site and the surrounding area and would not result in a loss of residential amenity to

neighbouring occupiers It is also considered that the proposal fails to demonstrate that it can provide a satisfactory level of residential amenity to future occupiers.

The size and scale of the basement are such that officers have concerns regarding drainage implications and no ground investigations have occurred.

As such the application is recommended for refusal.

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)

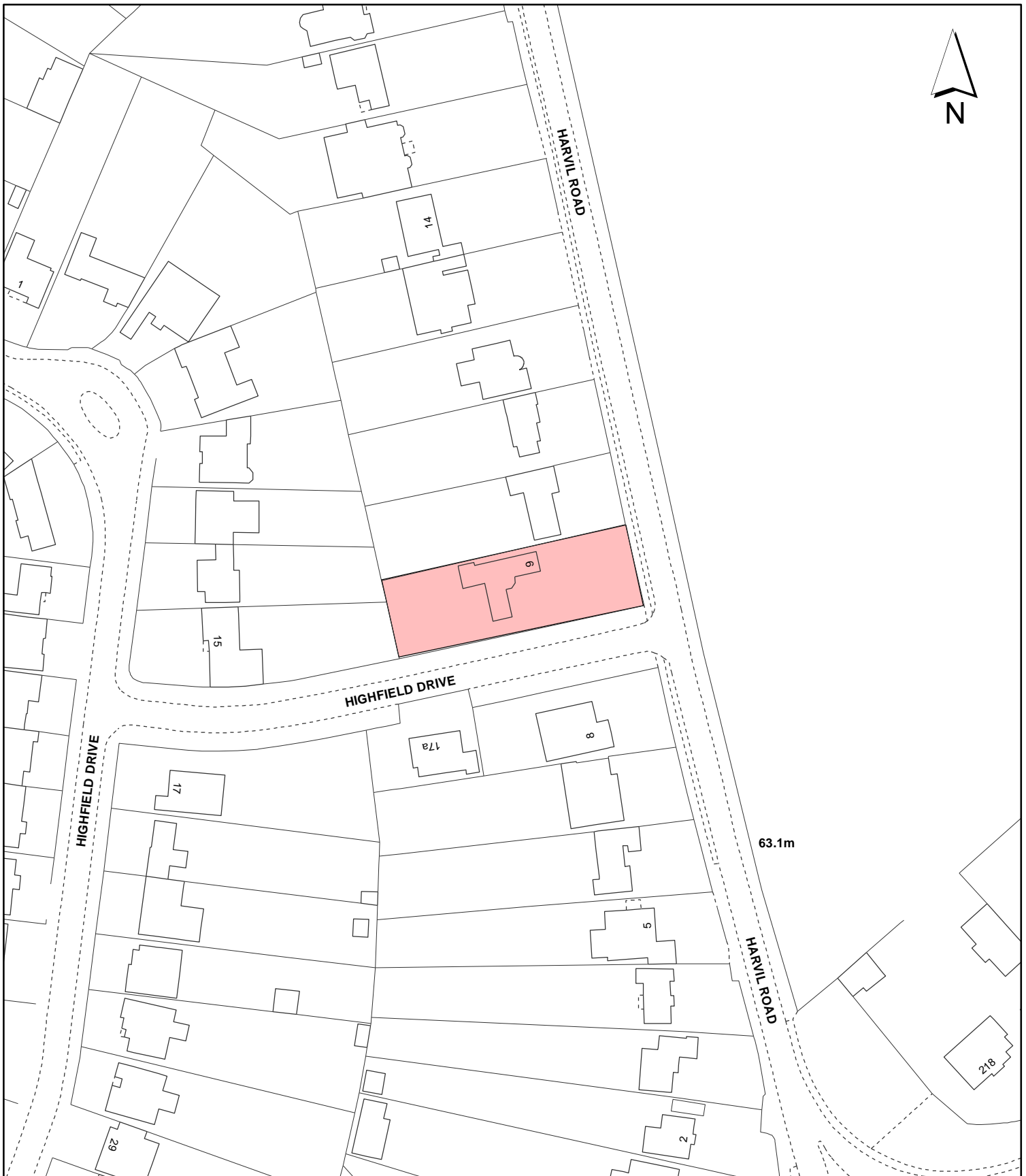
Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Liz Arnold

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Notes:

 Site boundary

For identification purposes only.

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Site Address:

**9 Harvil Road
Ickenham**

**LONDON BOROUGH
OF HILLINGDON**
Residents Services
Planning Section

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

Planning Application Ref:

52950/APP/2016/540

Scale:

1:1,250

Planning Committee:

North

Date:

May 2016



HILLINGDON
LONDON