

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

**Address** 11 SANDY LODGE WAY NORTHWOOD

**Development:** Erection of two x two storey, 4-bed, detached dwellings to include habitable roofspace and basement with associated parking and amenity space and installation of 1 vehicular crossover

**LBH Ref Nos:** 16948/APP/2015/4658

**Drawing Nos:** 01F  
Planning and Design Statement  
Arboricultural Survey  
05A  
04H  
Location Plan  
06B  
02L  
03L  
01G

**Date Plans Received:** 21/12/2015      **Date(s) of Amendment(s):** 22/12/2015

**Date Application Valid:** 23/12/2015

### DEFERRED ON 3rd March 2016 FOR SITE VISIT .

The application was heard at the 3rd March 2016 North Planning Committee. It was deferred for the following reasons:

1) The Applicant was asked to submit a Drainage Report:

A Hydro-Geo-Assessment (Drainage Report) was submitted on 4th April 2016. The Council's Flood Water Management Officer reviewed the document and advised that it was sound and that no objections were raised in this regard subject to the imposition of a SUDs condition. Officers therefore consider that the proposed basement would not result in any drainage or flooding issues.

2) Site Visit to be arranged for Members:

A Members site visit has been arranged for the week beginning 25th July 2016. Any additional comments raised by them during this visit will be reported in the Addendum.

3) Officers were asked to establish what room is served by the flank elevation window at 9 sandy Lodge Way. More specifically they were asked to clarify whether the window serves a habitable or non-habitable room:

The Case Officer visited no. 9 Sandy Lodge Way on 17th March 2016. The Officer observed that the window in question at first floor level serves a dressing room, which is considered to be a non habitable room. Outlook from and daylight to a non habitable room window is not protected. The layout is as indicated on the submitted plans showing no. 9 Sandy Lodge Way, with the bedroom facing the back garden, is correct. The open plan dressing room is located between the bedroom and the bathroom, and contains a large wardrobe together with a chest of

drawers.

Furthermore, the flank elevation window at ground floor level is a secondary window to the large open plan kitchen/diner. The kitchen/diner has several large windows that face the back garden and provide the area with daylight and sunlight. Officers therefore consider that the proposed development would not lead to unacceptable overlooking to any habitable room windows or unacceptable loss of outlook.

4) Members requested that outstanding Crossover and parking matters are resolved:

The applicant submitted additional plans relating to the crossover and parking layout. The frontage parking has been re-arranged in discussion with the Council Highway's Engineer. A shared central front access point now enables vehicles to enter and leave in forward gear, while retaining frontage landscaping opportunities. The front street parking bay is to be slightly re-positioned. The amended plans have been reflected in the plans list and in Condition 2.

These have been assessed by the Council's Highways Engineer to has raised no objection to the proposals.

A 14 day neighbour reconsultation was undertaken on 28/06/2016. Neighbours were notified by letter. A site was not displayed as one is only required when the application is first submitted. To date an additional petition in objection with 22 signatures has been received. The objections raised are as follows:

'The committee is respectfully requested to refuse this application as it is not in accordance with policy BE19, BE21, BE23 and BE24 of the UDP. The proposed highway solution increases risk of RTA in what is a busy road.'

Any further comments received before Committee will be reported in the Addendum.

The additional comments and additional condition identified in the Addendum for the original 03rd March 2016 North Planning Committee have been reflected in the report. Members are advised that the exact wording of this condition (condition 11 in this report) has been slightly amended by Officers from that shown in the previous Addendum in order to fully reflect the nature of the proposed development. The condition ensures that the flat roofs of the single storey rear elements of both houses cannot be used as roof terraces.

## 1. SUMMARY

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area.

The proposal is not considered to 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 2 off street parking spaces is acceptable in this location and the proposed the crossover is not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

## 2. **RECOMMENDATION**

1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to:

A) To the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

1. To secure all necessary highway works

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreement/s have not been finalised by the 3/11/16 or any other date that may be agreed by the Head of Planning and Enforcement, that delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to agree to provide a Legal Agreement to undertake all necessary highway works. The proposal therefore conflicts with Policy AM7 and AM14 of the Local Plan Part 1.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning and Enforcement prior to issuing the decision:

### **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 02L; 03L and 04H 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 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 RES13 Obscure Glazing**

The side windows at ground and first floor level of both new dwellings hereby approved shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

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

**5 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 facing 9 Sandy Lodge Way, 11A Sandy Lodge Way and 11B Sandy Lodge Way.

**REASON**

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

**6 RES14 Outbuildings, extensions and roof alterations**

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 garages, sheds or other outbuildings, nor extensions or roof alterations to any dwellinghouses hereby approved, shall be erected without the grant of further specific planning permission from the Local Planning Authority.

**REASON**

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**7 RES8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **8 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **9 RES15 Sustainable Water Management (changed from SUDS)**

Prior to commencement, suitable ground investigations should be carried out that demonstrate the basement will not effect local surface water or contribute to future issues should climate change worsen. A report should be submitted to demonstrate an understanding of what the risk is to the site and if it is found at risk, suitable mitigation proposed. A scheme for the provision of sustainable water management shall also be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it:

- a) Manages Water: The scheme shall demonstrate ways of controlling the surface water on site by providing information on:
- b) Suds features: incorporating sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,

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 FloodRisk 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).

#### **10 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with Part M4(2) of the Building regulation standards as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2015) Policies 3.1, 3.8 and 7.2

#### **11 NONSC No Roof Terraces**

The roof area of the single storey rear elements of the two houses hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

#### REASON

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

### **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.

## **2 147 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).

## **3**

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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### **3. CONSIDERATIONS**

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

The application site is a large sized corner plot, located on the western side of Sandy Lodge Way at the junction with Grove Road. It currently comprises a large detached chalet bungalow with an attached garage to the side. The front garden is mainly landscaped with a driveway to one side leading to the garage which provides an additional parking space. It also benefits from a good sized rear garden.

The street scene is residential in character with two storey properties to the southern side and the rear as well as on the opposite corner of the junction. The properties on the opposite side of Sandy Lodge Way are more modern 3 storey flatted developments.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site is also covered by TPO 746.

#### **3.2 Proposed Scheme**

The proposal is for the demolition of the existing dwelling and the erection of 2 x two storey, 4-bed, detached dwellings which include a habitable roofspace and basement with associated parking to the front and the installation of 1 x vehicular crossover.

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

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

16948/PRC/2015/135 - Demolition of existing house and replace with 2 new houses

The pre application considered the principle of developing the site, which in principle is

acceptable. However there was a concern over the potential impact on the protected tree to the rear of the property as a result of the proposed parking arrangements. That assessment was based on the information provided, which did not include full details of the proposal as submitted.

#### **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.
- BE23 Requires the provision of adequate amenity space.
- BE22 Residential extensions/buildings of two or more storeys.
  
- 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.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- LPP 3.3 (2015) Increasing housing supply
- LPP 3.5 (2015) Quality and design of housing developments
- LPP 5.13 (2015) Sustainable drainage
- LPP 5.14 (2015) Water quality and wastewater infrastructure
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

#### **5. Advertisement and Site Notice**

- 5.1 Advertisement Expiry Date:- Not applicable



5.2 Site Notice Expiry Date:- **28th January 2016**

## 6. Consultations

### External Consultees

15 neighbours were consulted for a period of 21 days expiring on the 19 January 2016. The site notice was also erected on the parking notice directly in front of the existing dwelling. Six responses were received from near by neighbours who raise the following points:

- Detrimental to the street scene
- Area characterised by spacious properties on large plots resulting in high property values. Developing 2 properties where there is currently one will lower average house prices
- I object to the two garages on Grove Road in place of trees and greenery
- Increased noise and parking, as the garages will move commuter parking further into Grove Road
- Will effect future resale value of my property as it will be opposite 2 concrete monstrosities instead of a beautiful garden
- The development is purely for financial gain
- The garage block will have a negative impact on my property and potential for future development into a house, which would overlook my property
- Noise from construction vehicles
- No other houses with basements in the area, excavation could damage other houses
- Increased pressure on services
- The deeds for my property state one dwelling on a plot, I believe other houses have a similar clause
- In addition to the garage an 8m crossover will change the streetscene
- The consultants report is misleading suggesting the Council Officer has somehow validated the application then reveals in initial discussions neither the garages or basements were included
- Creates a blind spot when turning out of Grove Road
- The Lime trees on Grove Road are not shown
- Loss of daylight and sunlight, report identifies a transgression of BRE guidelines beyond the 20% benchmark
- The two houses protrude significantly further into the garden than the existing dwelling, which will result in overshadowing of out garden
- Loss of privacy as windows on the second and third floor directly face habitable rooms of our property
- The replacement dwellings are excessive in terms of bulk, scale and massing
- Sets a precedent for other plots to be subdivided
- Over development
- The single storey garages are out of keeping with the three storey properties on Grove Road
- Could establish the principle of car parking garages as an acceptable for of 'infill' development
- Impact in the mature Oak tree from driving over the root protection area
- No information provided on potential impact of these structure with regard to drainage groundwater conditions and structural stability, therefore unclear whether the basements will exacerbate this
- 'Right to Light' assessment identifies a significant impact on the kitchen, which is identified as having only a window in the flank wall facing the proposed house. However it also recognises that the kitchen is part of an open plan living arrangement with daylight available via the main rear elevation. It further advises it would be inappropriate for planners to make a decision without the benefit of a formal daylight and sunlight assessment. Failure to do so will result in the potential to pursue a judicial review.
- Loss of light to no. 9 Sandy Lodge Way,

- Overdevelopment.

A petition against the proposal of 55 signatures was also received

Officer response: Issues of property value are not material planning considerations in the assessment of the proposal. If this proposal were deemed acceptable, it would not set a precedent for other development as all applications are assessed on their own merit with regard to compliance with planning policy. Also it is not considered that the increase of one residential unit would significantly impact upon local services. It is acknowledged that the redevelopment of the site would result in some disruption from construction works, however this would be for a limited time and hours of the hours of construction works are restricted and controlled by other regulations (Building Regulations) to offer residents protection from unneighbourly hours of working. Restrictions imposed within the deeds are civil issues and any grant of planning approval would not override the need to comply with any other form of legal agreement. Rights of Light are a civil matter and not a material planning consideration. Loss of daylight and sunlight are material planning considerations which are discussed within the report. Other planning issues raised from the responses will be addressed in the main report.

Northwood Residents Association: The development includes basements for which no geotechnical or hydrological surveys have been provided, so it is not possible to determine the potential impact on drainage or flood risk in accordance with policy.

#### **Internal Consultees**

Environmental Protection - No objection

Access Officer - No response

Highways - off-street car parking should be reduced to no more than 2 spaces per unit (Officer comment: this has been achieved through the removal of the Grove Road parking)

- Existing road markings and street trees should be shown on a plan to demonstrate how they are affected (Officer comment: There are no street trees, therefore this is not considered a reasonable request. There is an existing CPZ bay located outside the site, which would be lost and the applicant has agreed to enter into a legal agreement to secure the consultation and removal of this bay)

- the proposed vehicular access on Sandy Lodge Way is too close to the junction of Sandy Lodge Way and should be removed (Officer comment: Whilst the highways officer comment is noted, the location of this new crossover would lead out onto the position of the existing permit holder bay, and therefore the long term removal of the permit holder bay would improve visibility for road users and is not considered to be a hazard on Sandy Lodge Way which does not have high volumes of vehicular and pedestrian movement. It is not considered that the proposed crossover objection could be substantiated in an appeal situation.)

Flood and Water Management - The site is in 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. Also the applicants haven't submitted a suitable scheme for the control of surface water.

The objection 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.

Trees/Landscaping - This site is covered by TPO 746. There is a very large, mature, protected Oak (T1 on TPO 746) at the rear of the site. The tree has been surveyed by a consultant and a tree report and tree protection plan have been provided to support the application; however I am not convinced that a 'no dig' construction will work so close the Oak's stem because the ground around

the tree is slightly raised and there is also the issue of how to continue the new, raised level down the existing level of the public highway.

Recommendations: In order to provide protection and long-term retention of valuable tree/s, the following detail is required (in accordance with BS 5837:2012): An arboricultural method statement to show how the points above will be addressed and details of how the tree protection measures will be assessed before construction starts and how the tree protection (and any procedures described within approved arboricultural method statements) will be supervised during construction.

Officer Response: The rear parking and garages have been removed from the proposal, ensuring the protection of the tree.

## **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 corner plot, which is considered to be a brownfield site.

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 all other planning policies.

Given the residential character of the surrounding area, there is no in principle 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 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 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 0.1169ha the site would have a residential density of 17 units per hectare, which is significantly less than the London Plan range permissible.

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**

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) states that all new developments should achieve a high quality of design in all new

buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2011) 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.'

There are a diverse range of styles, designs and materials in the makeup of the existing properties within the street scene. This comprises two storey detached dwellings on the western side of Sandy Lodge Way and Grove Road and three storey modern flatted properties opposite. The existing dwelling spans virtually the whole width of the plot, with the garage extending to the side boundary with no. 9 and set back 1.75m from the boundary with Grove Road.

The proposed dwellings are relatively simple in design, with a footprint of approximately 120sqm, slightly larger than nos. 29 - 33 Grove Road, on the opposite side of the site. The proposed dwellings measure 11.5m deep by 7.5m wide, with a hipped roof detail of 8.05m, similar in height to the adjacent property. The roof forms do include a small crown however these are small in comparison to the overall roof form. Given the hipped nature of the design and the angle of pitch, it is considered that the roofs would not appear unduly bulky within the street scene.

There is a single storey flat roofed front bay window proposed, extending as a canopy over the front door and a small front gable detail to one side of the roof, a feature not uncharacteristic of the area. To the rear there is an additional single storey projection of 4.5m in depth with a flat roof of 2.8m in height, enclosed with a small parapet. Plot 11A maintains the existing front building line and is set back from the side boundary with no. 9 by 1.65m. Plot 11B is set back 1.25m from the existing front building line and is set back 1.7m from the side boundary adjacent to Grove Road. The proposal also includes a basement, but this will have no visual impact on the wider area.

The scheme originally included access from Grove Road and garages to the rear of the properties, which had raised concerns from residents on the potential visual impact. This element of the proposal has been removed from the scheme. As such in terms of design the proposal is considered to be in keeping with the character and appearance of the surrounding area. To maintain this control, and also in light of the protected tree on the site, it is recommended that permitted development rights are removed from the plots.

Therefore the proposal reflects the architectural character and appearance of the wider area and complies with the requirements of Policies BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

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

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

The main bulk of the proposed dwelling 11A is set in 1.6m from the side boundary and runs parallel to the north facing flank wall of no. 9, which is also set in approximately 1.6m (total

separation of 3.2m). To the rear the proposed dwelling extends approximately 0.5m beyond the rear elevation of the neighbouring property at first floor level with an additional 4.5m projection at ground floor level only. It is acknowledged that this would exceed HDAS guidance for an extension, however given the degree of separation, that the proposal is situated to the north of the neighbouring property and that it would not compromise a 45 degree line of sight from the rear windows, it is not considered the proposed rear projection would result in over dominance or loss of outlook to the neighbouring property. It is noted that there are windows on the side elevation of no. 9 facing the application site and concern has been raised regarding the loss of light as a result of the proposal. The proposal would bring the main bulk of the dwelling slightly closer to the neighbouring property and be slightly higher than the existing dwelling. However it would also remove the existing single storey element currently situated adjacent to the boundary. It is also noted that the ground floor window serves the kitchen area of an open plan living space with additional windows on the rear elevation, the first floor window is a secondary window serving a dressing area to a bedroom, with a primary window facing the rear elevation and the second floor window serves the loft space. Therefore as none of these windows are primary windows serving habitable rooms and are all north facing, it is not considered that the proposal would result in the loss of sunlight or a significant loss of light or amenity to the adjacent property. The proposal includes windows within the side elevations which at ground floor, serve secondary windows to the kitchen/dining area and at first floor serve bathrooms and the staircase, which could be conditioned to be obscure glazed and fixed shut below 1.8m. Given the corner location of the proposal it is not considered there would be any potential impact on neighbouring properties other than no.9, as there is a separation distance of over 40metres to properties to the rear of the site on Grove Road.

In order to protect privacy, the design of the dwelling should avoid creating significant opportunities for direct overlooking from any upper floor windows into the private garden or any habitable room windows of the neighbouring properties. It is not considered that the proposed dwelling increases overlooking to that already experienced from the adjacent two storey buildings. The impact on the amenities of the neighbouring properties is therefore considered to be satisfactory.

As such it is not considered that the proposal is an un-neighbourly form of development and complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved 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 national 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 London Plan Transition Statement 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 dwelling has floor area of approximately 215sqm (not including the basement) which is in excess of the minimum requirements and therefore is considered acceptable. All bedrooms exceed the minimum area requirements.

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 proposal provides 217sqm and 279sqm of usable private amenity space for plots A and B respectively in excess of the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - 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 the proposed development 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 provision of 2 spaces per dwelling.

The proposed dwellings are served by two parking spaces to the front and retain in excess of 25% landscaping. The proposal incorporates the existing cross over and creates a further separate identical crossover 4.5m to the north to serve plot 11B, in compliance with the requirements of Policy AM14. Whilst there have been concerns raised about the installation of this new crossover to serve Plot 11B, there is sufficient visibility to ensure that the provision of this crossover would not impact on highway safety.

With regard to the creation of a blind spot when turning out of Grove Road, the proposed dwellings maintain or are set back from the existing front building line and maintain a similar level of set back from the boundary. It is therefore considered there will be no material change in visibility into or out of the road to that currently existing.

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

Secured by Design is now covered by Part Q of the Building Regulations which the development will be required to accord with.

#### **7.12 Disabled access**

If the scheme is found acceptable a condition would be recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

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

Not applicable to this application

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

The plans originally included parking and garages to the rear of the property, which could have potentially impacted upon the mature protected Oak tree situated there. This element of the proposal has now been removed and the Landscape/Tree Officer has no further objections subject to condition to ensure adequate long term protection for the Oak.

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

Not applicable to this application

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

Not applicable to this application

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

The Drainage Officer has advised that the site is in 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 objection 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. If all other aspects of the proposal were acceptable this could be conditioned for submission prior to the commencement of any works.

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

Not applicable to this application

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

The issues raised have been addressed appropriately in the report.

#### **7.20 Planning Obligations**

The proposal would necessitate the provision of legal agreement to secure a scheme of works to remove the resident permit bay located on Sandy Lodge Way. The applicants have agreed to enter into such a legal agreement.

The scheme would also be liable for payments under the Community Infrastructure Levy.

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

#### **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 dwelling and the erection of 2 x two storey, 4-bed, detached dwellings which include a habitable roofspace and basement with associated parking to the front and the installation of 1 x vehicular crossover.

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 2 off street parking spaces is acceptable in this location and the proposed additional crossover is not considered to detract from pedestrian or highway safety.

As such the application is recommended for approval.

### **11. Reference Documents**

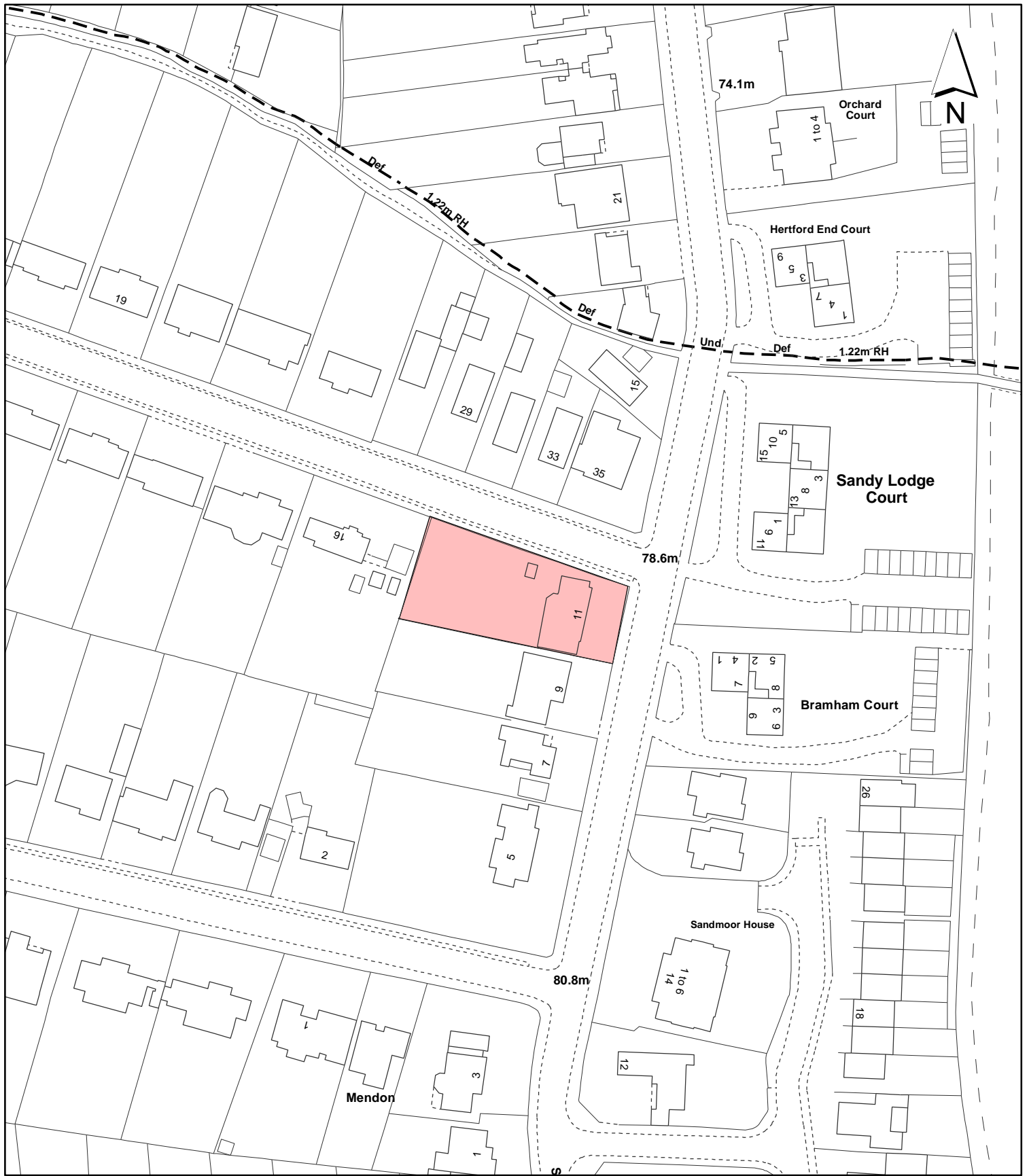
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2015)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework



The London Plan Housing Policy Transition Statement (May 2015)

**Contact Officer:** Matt Kolaszewski

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**Notes:**

 Site boundary

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Site Address:

**11 Sandy Lodge way**

Planning Application Ref:

**16948/APP/2015/4658**

Planning Committee:

**North**

Scale:

**1:1,250**

Date:

**August 2016**

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

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