

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

**Address** LAND AT 17 PEACHEY LANE COWLEY

**Development:** Two storey building comprising 2 x two-bedroom and 3 x one-bedroom flats, to include parking provision, involving demolition of existing dwelling

**LBH Ref Nos:** 66643/APP/2009/2783

**Drawing Nos:** Photomontage Proposed  
Location Plan (1:1250)  
K1209  
0950/102/D  
0950/101/C

**Date Plans Received:** 24/12/2009                      **Date(s) of Amendment(s):** 24/12/2009

**Date Application Valid:** 06/01/2010

### 1. **SUMMARY**

This application seeks full planning permission for the erection of two-storey detached building comprising three 1-bedroom flats and two 2-bedroom flats, with parking provision for seven vehicles, the relocation of a vehicular crossover and the demolition of the existing dwelling, at 17 Peachey Lane, Uxbridge.

It is not considered that the proposed development would have a detrimental impact on the character and appearance of the surrounding area or on the residential amenity of neighbouring occupants. The proposal is considered to comply with relevant UDP and London Plan policies and accordingly, approval is recommended.

### 2. **RECOMMENDATION**

**This planning application was reported to the 18/01/2010 and 7/09/2010 Central & South Planning Committee meetings. Members resolved to approve the scheme subject to conditions and a S106 Legal Agreement with Heads of Terms covering Parking Permit Restrictions for future occupiers and financial contribution towards the enhancement of Educational facilities. Following the committee a draft agreement was prepared however this has not been completed and the decision has therefore not been issued.**

**Since such time, the Council no longer seeks education contributions under the S106 process as this has been superseded by the introduction of the Hillingdon Community Infrastructure Levy (CIL), which is an automatic levy added to new developments.**

**Furthermore, whilst at the time Members requested a Head of Term restricting the provision of parking permits for future occupiers of the flats, the development provides 7 car parking spaces for the 2 x 2 bed flats and 3 x 1 bed flats, which is line with Council parking standards. Therefore Officers do not consider parking permit restrictions to be necessary in this instance as they are only sought where there is an under provision of parking.**

The development has very recently been completed, in accordance with the submitted plans, although not yet occupied. Hillingdon Building Control have confirmed that they have been inspecting the build and that a completion certificate is likely to be issued in the near future.

The original report to committee is set out below. Members will note that a number of the policies and standards have been superceded and that there are requirements within the report (such as lifetime homes and Code for Sustainable Homes) which are no longer applicable. Thus whilst not changing the original report, your officers have updated the conditions to meet current requirements and the fact that the development is completed.

**1 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 0950/101/C and 0950/102/D 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 (2016).

**2 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The bathroom windows facing the eastern elevation serving both the ground and first floor 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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**3 NONSC Refuse Facilities**

No part of the development hereby approved shall be occupied until in sink food waste grinders for each dwelling, and covered, appropriately sign posted, secure and screened storage of refuse at the premises has been constructed in accordance with the approved plans and thereafter the facilities shall be permanently retained as such.

**REASON**

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4 H3 Vehicular access - construction**

The building hereby permitted shall not be occupied until the vehicular means of access has been constructed in accordance with the approved plans. Thereafter, the vehicular means of access shall be retained and kept open for users of the building.

**REASON**

To ensure the provision of a safe and convenient access for vehicular traffic, prior to occupation in accordance with Policy AM14 of the adopted Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**5 NONSC Visibility Splays**

In addition to the hereby approved plans, unobstructed sight lines above a height of 1 metre shall be maintained on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**6 H7 Parking Arrangements (Residential)**

The parking areas and the marking out of parking spaces as shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose in accordance with approved plan 0950/101/C and specifically, the two parking spaces labelled F5 shall be allocated for the sole use of proposed Flat 5, the two parking spaces labelled F4 shall be allocated for the sole use of proposed Flat 4, the individual parking space labelled F1 shall be allocated for the sole use of proposed Flat 1, the individual parking space labelled F2 shall be allocated for the sole use of proposed Flat 2, the individual parking space labelled F3 shall be allocated for the sole use of proposed Flat 3.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**7 H15 Cycle Storage - In accordance with approved plans**

The development hereby permitted, shall not be occupied until cycle storage facilities for 5 bicycles has been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available for the use of cyclists.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**8 NONSC Sustainable Urban Drainage**

The incorporation of sustainable urban drainage shown on the approved plans, shall be installed prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**9 TL20 Amenity Areas**

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**10 NONSC Non Standard Condition**

The development shall not be occupied until details of defensible space to the front of ground floor habitable room windows have been submitted to, and approved in writing by, the Local Planning Authority and no flat shall be occupied until the approved details for that unit have been implemented. Thereafter the approved details shall be retained and maintained for the life of the development.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with the London Plan (March 2016).

**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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.

BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
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
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

### **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 (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## **3.            CONSIDERATIONS**

### **3.1           Site and Locality**

The application site comprises the front part of 17 Peachey Lane, Cowley, which is an irregular shaped parcel being approximately 0.074ha in size.

Access to the site is from Peachey Lane using the existing vehicle crossover to the south east corner of the site.

The site comprises a tapering area being 28 metres wide at its junction with Peachey Lane and reducing to 9 metres wide at its northern boundary. The northern boundary backs on to a site referred to as the 'rear of 17 Peachey Lane', which fronts Bosanquet Close.

The site falls gently from south to north. There are no trees on the site. A single storey detached bungalow currently resides to the front of the site, which is in a poor state of repair. The existing property is not a typical dwelling type in this area.

The site forms the western end of a row of two-storey housing. A public reserve, referred to as Kingdom Way, is to the immediate west of the site. To the north west of the site is a row of one-bed terraced properties. These properties form the end of the Bosanquet Close cul-de-sac. To the north east of the site is the Carlton Court flatted development. The adjoining properties are all two-storey brick construction under tiled roofs. To the south of the site, the adjacent side of Peachey Lane is two-storey housing.

The site has a PTAL of 1b.

### **3.2 Proposed Scheme**

Full planning permission is sought for the erection of a two storey detached building comprising two 2-bed flats and three 1-bed flats with provision for seven parking spaces, the relocation of the vehicular crossover and the demolition of the existing dwelling. The proposed residential building would be located to the front of 17 Peachey Lane, with parking at the front of the building and communal amenity space to the rear.

The 1-bed flats would be provided on the ground floor and the 2-bed flats would be provided on the first floor. The 1-bed flats would comprise a bedroom, kitchen, lounge/dining and bathroom. The 2-bed flats would comprises two bedrooms, one which has an ensuite, kitchen, lounge/dining and bathroom. All flats would be accessed via a common central lobby.

A bin store would be provided the front western corner of the site. Cycle storage would be provided to the rear of the site, which backs on the 9 Bosanquet Close and the rear amenity space of a proposed residential development at the 'rear of 17 Peachey Lane', currently being assessed by the Council (discussed further in the Planning History section of this report).

Communal amenity space would be provided to the rear of the units. A paved path leading from the front to the rear of the site would be provided along the eastern boundary. New soft and hard landscaping would take place throughout the site, including defensive planting to the north and south of the ground floor flats and landscaping to the front of the site between the road front and car parking area. 'Flat 1', on the ground floor would have private patio space. The plans indicate three larger trees to the rear of the site. Parking space for seven cars would be provided at the front of the site on a 1:1 basis, with two spaces allocated to each 2-bed flat and one spaces allocated to each 1-bed flat. The parking area would require the relocation of the existing vehicular crossover, from the eastern corner to the centre of the frontage.

### **3.3 Relevant Planning History**

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

There is no planning history relevant to this site.

This application was submitted in 2009 for a two-storey building comprising 4 two-bed and 2 one-bed flats, including 6 parking spaces and the demolition of the existing dwelling. Post discussions with the Local Planning Authority, the applicant resubmitted a revised scheme for a two-storey building comprising 2 two-bed flats and 3 one-bed flat, including 7 parking spaces and the demolition of the existing dwelling.

A two storey two-bed flatted scheme to the rear of 17 Peachey Lane, fronting Bosanquet Close is currently being assessed by the Council (ref: 66644/APP/2009/2784). The rear amenity space of this application would share a property boundary with the proposed rear amenity space of the Peachey Lane site.

#### 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:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- 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
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary

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NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

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

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

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

## **6. Consultations**

### **External Consultees**

This application was originally consulted 18 January 2010. Post discussions with the Local Planning Authority the applicant resubmitted a revised scheme. This was reconsulted 4 August 2010.

30 nearby owners/occupiers were consulted on the application. The same owners/occupiers were reconsulted:

As part of the first consultation, one petition and five objections were received.

As part of the second consultation, three objections were received.

The petition, submitted by the Cowley Community Residents' Association, combines two applications submitted to the Council, this application and another relating to the 'rear of 17 Peachey Lane' (ref: 66644/APP/2009/2784, two storey building comprising 2 two-bedroom flats, including parking provision).

### **PETITION:**

The petition, with 140 signatures, raised the following concerns/issues:

- (i) The two planning applications would result in over development of the site;
- (ii) Potential for development to encroach on boundary of neighbouring properties;
- (iii) Dangerous access due to narrowing of bridge from Peachey Lane;
- (iv) An increase in traffic generated from the site causing traffic congestion;
- (v) Danger to pedestrians;
- (vi) Inappropriate siting, bulk and proximity of new buildings;
- (vii) Parking facilities will cause noise sensitivity to neighbours;
- (viii) Inadequate parking provision for disabled persons;
- (ix) Inadequate accessibility for refuse/recycling collection;
- (x) Loss of daylight to neighbouring properties;
- (xi) Loss of privacy to neighbouring properties;
- (xii) Loss of topographical landscape features;
- (xiii) Development does not improve or complement the character of the area;



**OFFICER COMMENT:**

Whilst it is acknowledged that the petition has raised concerns/issues resulting either from a combination of the two proposed developments on the site or specifically the 17 Peachey Lane scheme, all of the above points, with regard to this application, have been addressed through the report, or by way of recommended conditions.

**OBJECTIONS:**

The individual objections raised the following concerns/issues:

(i) Concern that the increased density on site would result in an increase in vehicle usage and demand for on-street parking within a restricted parking area as a result of overspill from the limited provision of off-street parking;

(ii) The proposal would 'shore-horn' two blocks of flats into a narrow site, noting that one block of flats would be more suitable for the site as the two block development (this planning application and ref: 6664/APP/2009/2784) would result in overlooking and loss of privacy for the surrounding properties;

(iii) Concern that the scheme is an overdevelopment of the site and not in keeping with the surrounding area, that sunlight would be reduced for 16 Peachey Lane as well as overlooking and loss of light to the rear amenity of 9 Bosanquet Close;

(iv) That the proposed rear amenity would not be in keeping with the surrounding properties;

(v) Line of Site: the proposed development would protrude beyond the line of the existing buildings. 16 Peachey Lane, currently the last two-storey property along the row of housing, note that planning permission has twice been rejected for their property due to line of sight.

(vi) Parking and traffic safety issues: noting that the entrance to the site is on the brow of a dangerous sloping 90 degree turn in the road. Any new entrance would make the situation, on already busy road, more dangerous.

**OFFICER COMMENT:**

All of the above points have been addressed through this report, or by way of recommended conditions.

**Internal Consultees**

**TREES & LANDSCAPE OFFICER**

The Council's Trees and Landscaping Officer has reviewed the application and notes the following:

The proposal is an amended scheme which seeks to address previous officer comments. The current proposal indicates, diagrammatically, that six trees are to be planted at the northern end of the site, and various shrubs/hedging are to be planted at the southern part of the site. It is noted that no details are provided.

The current proposal also includes a re-configured car park arrangement in the front 'garden' which will minimise the area of hard-standing required to accommodate 7 No. off-street parking spaces. It is noted that a minor amendment to the layout will be required to ensure that a wheelchair accessible space is provided. Ideally, the pavement next to space ref. F1 should be level with the parking space. Alternatively, the planting strip and footpath access adjacent to car space F3 could

Elsewhere, space has been created to accommodate a wall with hedging, or other ornamental planting, along the front boundary. Forward of the front elevation there is space and opportunity for

planting along the side boundaries. Planted areas in front of all ground floor windows will provide physical separation and 'defensible space' between the ground floor occupants and people using the external areas. The bin stores have been sited discretely away from the front/public boundary with the opportunity to screen the store with soft landscape. The cycle store has been located in a discrete (and secure) location at the end of the rear garden.

The Council's Trees and Landscaping Officer raises not objection, subject to the following comments and conditions:

(1) Saved policy BE38 seeks landscape enhancement of sites in association with their development. The layout and indicative landscape of this scheme creates space and opportunity for high quality hard and soft landscaping, subject to detail, which can be conditioned.

(2) DCLG/EA guidance requires hard-standing in front gardens to comply with SUDS recommendations. This should be specified as part of the hard landscape details.

(3) The success of the landscape scheme will depend on the appropriate management and maintenance of the landscape (hard and soft) to ensure that the scheme establishes, and is maintained, in accordance with the design objectives. The development of flats indicates that the external spaces are likely to be managed communally, possibly through a management company. Management and maintenance should be safeguarded by condition.

#### ACCESSIBILITY OFFICER

The Council's Accessibility Officer has assessed the application; with reference to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

The Council's Accessibility Officer has the following access observations:

1. The parking layout and landscape design should be conducive to Lifetime Home principles. To this end, car parking spaces should be a minimum of 2.4 m x 4.8 m, with scope to increase the width of bays by 1.2 m (e.g. removing a grass verge in future).

2. Car parking spaces should be allocated to a specific unit, allowing a disabled occupant to choose whether the bay is marked as an accessible space at a future stage.

3. It is unclear whether a level approach to the building and an accessible threshold have been incorporated into the design. Details of levels and an accessible threshold that is suitable to prevent water ingress would be required.

4. The design of communal areas, in blocks containing five flats or less, should allow for an enclosed wheelchair platform lift to be installed at a later date.

5. The internal hallways are approximately 1050mm wide. To comply with the Lifetime Home Standards, internal doors should provide an effective clear width of 775 mm. Plans should be amended to demonstrate compliance.

6. The bathroom layouts, to include all bathroom furniture proposed, should be shown on plan. The bathrooms/ensuite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

7. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.

On the proviso that the above comments can be dealt with by planning condition, no objection would be raised on the grounds of accessibility.

OFFICER COMMENT: These matters are covered by recommended conditions.

#### HIGHWAYS OFFICER

The Council's Highways Officer has reviewed the application and notes the following:

- (i) That the plans indicate 2.0m visibility splays. Visibility splays should be 2.4m by 2.4m. That road width and visibility sight lines are sufficient to provide for a car parking area at this location and maintain Highways safety;
- (ii) The site is located within a 1b PTAL. Hillingdon Car Parking Standards require a maximum provision of 1.5 car parking spaces for each 2-bed unit and 1 car parking space for each 1-bed unit, within a 1b PTAL.
- (iii) Given the low PTAL it is considered that parking provision of seven spaces on a 1:1 basis is adequate in this instance.
- (iv) It is not considered that the proposal would be to the detriment of the wider highway network. The Council's Highways Officer raises no objection subject to a condition ensuring the provision of 2.4m by 2.4m visibility splays. It is considered that this can be addressed by way of a condition.

#### ENVIRONMENTAL PROTECTION OFFICER

The Council's Contaminated Land Officer has reviewed the application and notes that the application site is located adjacent to an infilled railway cutting and a former sewage works, parts of which may have also been infilled.

As such, the Council's Contaminated Land Officer recommends that as a precaution, if minded to grant this application, a Gas Condition would be appropriate.

Subject to a Gas Condition to minimise risk of contamination from garden and landscape area, and a Construction Site Informative, the Council's Contaminated Land Officer considers the scheme to be acceptable in terms of Saved Policy OE11 of the UDP.

#### WASTE MANAGEMENT OFFICER

As part of the revised scheme, a bin storage area has been provided to the immediate west of the frontage to 17 Peachey Lane.

The Council's Waste Management Officer has reviewed the application and notes that:

- (i) The bin storage area for the dwelling houses should incorporate provision for 2 bags of recycling and 2 bags of refuse per week, plus 3 garden waste bags every 2 weeks;
- (ii) The bin storage area should provide one 1100 litre bin for recycling and one 1100 litre bin for refuse, as a minimum. The dimensions of a 1100 litre bin is 1570mm (H), 1260mm (L), 985mm (W); and
- (iii) Each unit should have a food waste grinder, as standard as part of the kitchen unit sink, to allow residents to indirectly recycle their food wastes by grinding it and washing it down into the waste water system for composting by the relevant water company.

#### EDUCATION & CHILDREN'S SERVICE OFFICER

The Council's Education & Children's Service Officer has reviewed the application and notes that this scheme will require an education s106 contribution of £11,649. Funds are sought to provide local school places for the additional nursery, primary, secondary and post-16 school children that would be generated from this scheme.

## S106 OFFICER

The Council's s106 Officers has reviewed the application and notes that Education would be the only contribution required and should be secured via Grampian Agreement, as per standard practice, prior to determining the application.

### **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a Conservation Area or Area of Special Local Character.

The London Plan Interim Housing Supplementary Planning Guidance (April 2010) was published following the national advice above and represents the Mayor of London's guidance on how applications for development on garden land should be treated within the London Region. The thrust of the guidance is that back gardens contribute to the objectives of a significant number of London Plan policies and these matters should be taken into account when considering the principle of such developments.

The guidance requires that "In implementing London Plan housing policies and especially Policy 3A.3, the Mayor will, and Boroughs and other partners are advised when considering development proposals which entail the loss of garden land, to take full account of the contribution of gardens to achievement of London Plan policies on:

- \* local context and character including the historic and built environment;
- \* safe, secure and sustainable environments;
- \* bio diversity;
- \* trees;
- \* green corridors and networks;
- \* flood risk;
- \* climate change including the heat island effect, and
- \* enhancing the distinct character of suburban London, and carefully balance these policy objectives against the generally limited contribution such developments can make toward achieving housing targets."

The site comprises of a single dwelling and large garden area which extends to Bosanquet Close. The proposed building will be erected within an area of the site which has already been developed. The proposal would be larger (occupying a greater footprint) than the existing dwelling, on balance it is not considered that the net increase in site coverage as a result of this scheme would cause such harm as to be contrary Policies 3A.3, 4B.1 and 4B.8 of the London Plan, guidance within The London Plan Interim Housing Supplementary Planning Guidance and Planning Policy Statement 3: Housing.

No objection is raised in principle to the redevelopment of the site for residential purposes.

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

Policy 3A.2 of the London Plan seeks to ensure that new development achieves 'the maximum intensity of use compatible with local context, the design principle in Policy 4B.1 and with public transport capacity. Boroughs should develop residential density policies in their DPDs in line with this policy and adopt the residential density ranges set out in Table 3A.2 and which are compatible with sustainable residential quality.'

The site has a Public Transport Accessibility Level (PTAL) of 1b. The London Plan (2008) range for sites with a PTAL of 0-1 in a suburban area is 150-200 habitable rooms per hectare and 50-75 units per hectare, based on an average of 2.8 habitable rooms per unit. The proposed 2-bed units would have 4 habitable rooms; Bedroom 1, Bedroom 2 and a

large Lounge. The proposed 1-bed units would have 2 habitable rooms; Bedroom 1 and a Lounge. As such, based on a total site area of 0.074ha the site would have a residential density of 68 units per hectare and 189 habitable rooms per hectare.

The application site is within the guidelines of the London Plan with regard to both units per hectare and the number of habitable rooms per hectare. It is noted that Bosanquet Close is developed at a similar density to that proposed.

The proposals would not therefore be contrary to Policies 3A.3 and 4B.1 of the London Plan.

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

Not applicable to this development. The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings, or Areas of Special Local Character within the vicinity.

#### **7.04 Airport safeguarding**

Not applicable to this development. There is no requirement to consult with the airportsafeguarding authorities in this instance.

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

Not applicable to this development.

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

The surrounding area is largely characterised by a mix of semi-detached and detached two storey properties.

The proposed development is similar to the size, scale and mass of surrounding buildings it is considered that the development is in keeping with the character and appearance of surrounding development, and would not appear incongruous to its surroundings.

The proposed development would have a similar building line to properties along the northern side of Peachey Lane, as such it is not considered that the proposed development would have a significant impact on the visual amenities of the street scene in this location.

Accordingly, it is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and its visual impact on the street scene is acceptable in accordance with policies BE13 and BE19 of the UDP.

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

Policy BE20 and BE21 of the Saved Policies UDP seek to resist proposals which would cause an unacceptable loss of light or would have an overbearing impact detrimental to the residential amenity of neighbouring properties. The HDAS - Residential layouts provides further guidance on the issue of dominance seeking a separation distance of 15m where a two storey building abuts a neighbouring property.

The rear of the application site would abut the rear gardens servicing 9-13 Bosanquet Close and the currently vacant 'rear of 17 Peachey Lane' site. The proposed building would be located 20m from the closest point of both 9 Bosanquet Close and the 'rear of 17 Peachey Lane', and as such would be in accordance with HDAS Guidance.

The proposed building would be located over 30m from Peachey Lane properties on the opposite side of the road (18-24 Peachey Lane) and over 40m from 14 Abbots Close, and as such would not have a dominant impact on the occupiers of these properties.

The proposed building is 1 metre from the boundary of the neighbouring property, 16 Peachey Lane. The proposed building is also sited so that it would not cause any undue loss of light or shadowing to the above mentioned neighbouring properties to the detriment of residential amenity, sufficient to justify refusal.

Accordingly, the scheme would comply with Policies BE20 and BE21 of the Saved Policies UDP.

Policy BE24 of the Saved Policies UDP seeks to protect the privacy of occupiers and neighbours. The HDAS - Residential Layouts provides further guidance that within a 45 degree line from the centre of a habitable room window there should be no facing habitable room windows within 21m in order to avoid loss of privacy to either occupier.

There are no habitable rooms proposed on the eastern elevation. The only windows proposed on the ground floor and first floor of the eastern elevation, facing 16 Peachey Lane, is a bathroom window on the ground floor and an ensuite window on the first floor (non-habitable rooms). As such it is considered, there would be no resulting loss of privacy to these properties as a result of the proposal. A 45-degree line taken from the closest neighbouring habitable room, 16 Peachey Lane, does not intersect with any part of the proposed building. A 1800mm high close-boarded fence is proposed around the boundary of the site. If minded to grant this planning permission, it is considered any issue of overlooking can be dealt with by an obscure glazing condition for the bathroom windows to the eastern elevation.

Accordingly, given the positioning of the proposed building, it is not considered this would result in direct overlooking or loss of privacy for neighbouring occupiers to warrant refusal, and accordingly would comply with Policy BE24 of the Saved Policies UDP in this regard.

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

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 63m<sup>2</sup> internal floor space should be provided for two bedroom flats and a minimum of 50m<sup>2</sup> internal floor space should be provided for one bedroom flats. The floor areas of all units meet these guidelines.

Policies BE20 and BE24 of the UDP require that all proposed units benefit from adequate privacy and light. All windows would receive adequate daylight and the amenities of future occupiers would not be prejudiced by the position of adjoining houses. As such, it is considered that the proposed property would adequately serve the needs of future occupiers in terms of internal space.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 25m<sup>2</sup> amenity space should be provided for 2-bedroom flats and a minimum of 20m<sup>2</sup> amenity space should be provided for 1-bedroom flats, in accordance with Policy BE23 of the UDP, which seeks the provision of satisfactory usable amenity space for future occupiers. As such, a total of at least 110m<sup>2</sup> usable amenity space should be provided for this development. With a total provision of approximately 220m<sup>2</sup> of communal garden area to the rear of the site alone; the proposal exceeds these guidelines. Access to the communal rear amenity area would be by way of a paved path along the eastern boundary of the site.

In addition, three separate patio areas are proposed for the three ground floor 1-bedroom flats. The patio area for 'Flat 1' has an area of approximately 14m<sup>2</sup>, is bound by defensible planting and is completely private. The patio area for 'Flat 2' and 'Flat 3' has an area of

approximately 8m<sup>2</sup> and 7m<sup>2</sup> respectively. Both patios open up on to the rear shared garden. If minded to grant this application, it is considered that the privacy of the patios for 'Flat 2' and 'Flat 3' can be secured by way of a boundary enclosure condition.

The rear of the ground floor flat fronting the rear amenity area and not part of the two patios would be separated by hedging, which is considered adequate to ensure a defensible space is maintained between the ground floor residence and users of the communal garden area.

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

Seven car parking spaces would be provided towards the front part of the site on a 1:1 basis, and cycle storage would be provided to the rear of site.

Public consultation comments noted concern that the proposed development would result in an increase in on street parking from potential overspill of off street parking.

The London Plan parking standard requires a maximum of 1 or less than 1 parking space per unit. Whilst London Plan parking standards are only to be applied when there is no Hillingdon standard available, it is considered that the London Plan parking standards may also be relevant to the assessment of this application.

It is considered that due to the relatively small size of the units (50sqm and 63sqm) and that each individual unit would have a parking space, that 2 standard parking spaces for the 2-bedroom flats and 1 standard parking space for the 1-bedroom flats, as proposed, is an adequate number to provide for a 5 unit development comprising two 2-bedroom units and three 1-bedroom units within a 1b PTAL area.

The Council's Highway Engineer raises no objection to the proposal subject to a condition relating to visibility splays being 2.4m by 2.4m, not 2.0m as indicated in the plans submitted.

Accordingly, subject to a visibility splays condition, it is considered that the provision of seven car parking spaces is acceptable and would not be detrimental to the highways safety or wider road network. As such, it is considered that the proposal complies with Policy AM7 and AM14 of the UDP.

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

Issues of design have been largely discussed in part 7.07 of the report.

The proposed building materials would comprise render, brick, concrete tiled roofs and uPVC windows. The elevational treatment continues the render detailing of the adjoining properties along Peachey Lane before reverting to brick work, which is typical of the treatment of the properties in Bosanquet Close to the North.

The size, siting scale and mass of the building is considered to be acceptable in this location and the design, including materials and fenestration, would reflect elements of surrounding properties in keeping with the character and appearance of the area. As such, the scheme is considered to be acceptable on design grounds.

Issue of access are address within the Disabled Access section of this report.

In relation to security, the application would maintain secure boundary treatments with neighbouring properties and it is not considered that there are any security concerns intrinsic to the design. Entry to the development would be controlled by either electronic or

audio security access. All windows would be to BS:7590. The cycle store would have digilocks to their respective doors. Boundary fencing would comprise 1800mm high closeboarded fencing and defensive landscaping is proposed throughout the site. Therefore, subject to a condition requiring that the development achieve 'Secured by Design' standards the proposal is considered to be acceptable in this regard.

#### **7.12 Disabled access**

Policy 3A.5 of the London Plan and HDAS - Accessible Hillingdon require that all new dwellings be designed to Lifetime Homes standards. It is considered that Life Time Homes standards could be dealt with by way of condition should approval be granted.

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

The application is below the threshold at which affordable housing should be sought under Policy 3A.10 of the London Plan and the Council's adopted Planning Obligations SPD, nor is it considered that a higher level of development could be achieved on this site.

Accordingly, the proposal does not give rise to the need for affordable housing provision for a development of this size and consideration of these matters is not necessary.

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

Policy BE38 of the UDP requires new planting and landscaping, small/medium sized trees should be incorporated into the plans to mitigate the visual impact of the development.

The existing trees on this site do not constrain its development. The site is not covered by a TPO nor inside a Conservation Area.

The plans indicate, diagrammatically, that six trees are to be planted at the Northern end of the site, and various shrubs/hedging are to be planted at the Southern part of the site. However, there are no details provided. Furthermore, the borders, surrounding the car park which will contain the shrubs/hedging will need to be at least 1m wide, and should also contain 2-3 medium sized trees.

In accordance with Saved Policy BE38, trees and shrubs/hedging should be incorporated into the plans to mitigate the visual impact of the development. The parking area has since been revised and the entrance has been relocated from the eastern corner to the centre of the frontage. This allows for both more parking spaces and landscaping to be incorporated into the scheme.

Subject to relevant conditions securing appropriate landscaping, it is considered that this scheme is acceptable in terms of the Saved Policy BE38 of the UDP.

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

Policy 4A.22 of the London Plan requires that all new development provide adequate facilities for the storage of waste and recycling.

The plans indicate that refuse storage would be provided to the front of the site in the western corner.

The Council's Waste Strategy Department has reviewed the scheme and suggests that the development should provide storage space for two bags of recycling and two bags of refuse (collection per week) as well as three garden waste bags (collection every 2 weeks), and that one 1100 litre Euro recycling bin and one 1100 litre Euro waste bin, as indicated on the submitted the plans, would suffice.

A refuse storage area, large enough to accommodate the above, is proposed.



Accordingly, subject to conditions, it is considered that this scheme is acceptable in terms of Policy 4A.22 of the London Plan.

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

The submitted documentation does not provide any detailed comment on the general sustainability credentials of the proposed design, however in accordance with the Council's standard practice for schemes below 10 residential units it is considered that the imposition of a condition requiring that the development achieves Code level 3 for Sustainable Homes would result in an appropriate level of sustainable design in line with the intention of Policies 4A.1, 4A.3, 4A.7 and 4A.16 of the London Plan.

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

The application site is not located in an area with an identified risk of flooding and no issues regarding flooding have been identified, however Policy OE8 of the UDP and Policy 4A.14 of the London Plan still require that developments seek to reduce surface water run-off and reduce the risk of flooding elsewhere.

Concrete block pavers that drain to a sustainable drainage system are proposed for the car parking area and access roadway. It is considered that this would adequately address any issues of surface water run-off as such no objection is raised to the development in terms of drainage of flood risk.

Building control regulations on this matter will also need to be complied with.

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

It is not considered that the provision of five residential units on this site will lead to significant noise or air quality issues.

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

This is addressed in 6.1 of the report.

#### **7.20 Planning obligations**

Policy R17 of the UDP states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals. The Director of Education has advised that a contribution of £11,649 towards school places is required. These funds are sought to provide local school places for the additional nursery, primary, secondary and post-16 school children that will be generated from this scheme. This contribution can be secured by an appropriate planning condition should approval be granted.

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

Not applicable.

#### **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**

In conclusion, it is considered that the proposed development would not be out of keeping with the character or appearance of the surrounding area, or impact on the amenity of

adjoining properties.

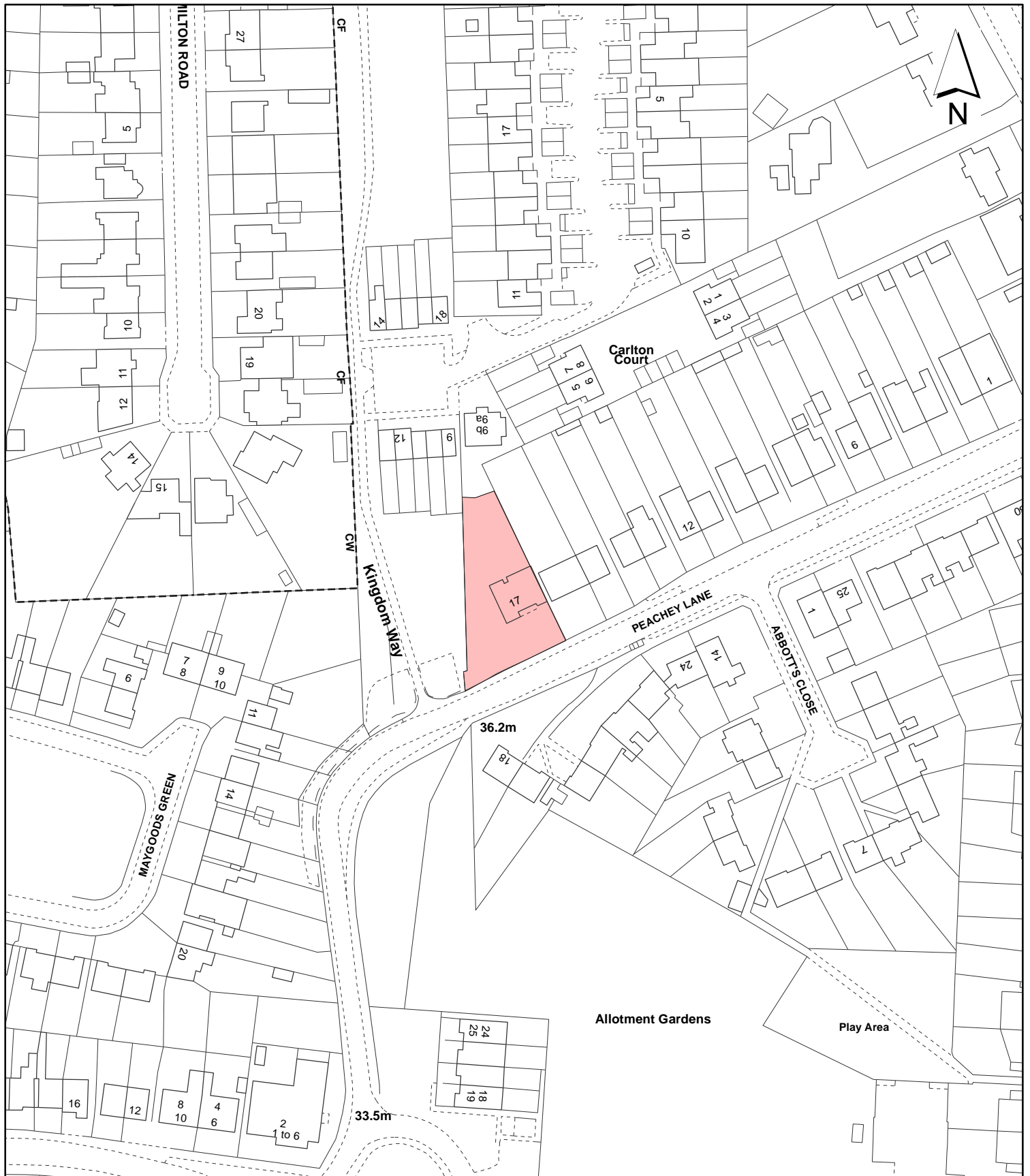
As such, it is considered that the proposed development complies with the relevant UDP and London Plan policies, and approval is recommended.

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

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan Part 2  
The London Plan (2016)  
Supplementary Planning Document 'Accessible Hillingdon'  
National Planning Policy Framework

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**Notes:**

 Site boundary

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Site Address:

**Land at 17 Peachey Lane  
 Cowley**

Planning Application Ref:  
**66643/APP/2009/2783**

Planning Committee:  
**Central and South**

Scale:  
**1:1,250**

Date:  
**September 2016**

**LONDON BOROUGH  
 OF HILLINGDON**  
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