

Report of the Head of Planning, Sport and Green Spaces

Address ADJACENT TO 29 & 33 DOLLIS CRESCENT RUISLIP

Development: Two storey, 1-bed self-contained flat with associated parking and amenity space, involving demolition of existing garages.

LBH Ref Nos: 45159/APP/2016/2859

Drawing Nos: 1817/1 Rev. A
1817/10 Rev. A

Date Plans Received: 22/07/2016 **Date(s) of Amendment(s):**

Date Application Valid: 29/07/2016

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 complements or improves the amenity and the character of the area.

The scheme proposes to demolish the remaining garage block and erect a two storey building providing 2 ground floor parking spaces and a studio flat set over 2 levels. The proposal is considered to be an intrusive addition to the street scene which fails to respect the built form of the surrounding area. It fails to achieve suitable living conditions for future occupiers. It also fails and provide adequate off road parking provision in an area of high demand to the detriment of pedestrian and highway safety.

It is therefore recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal by reason of it siting, size and scale represents a cramped form of development in a prominent position, which is out of keeping with the existing built form and would detract from the open character of the street scene and fails to preserve the character and appearance of the wider area contrary to Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposal would provide an overall internal floor space of an unsatisfactory size for the proposed studio unit. The proposal would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policies BE19 and H7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 and Table 3.3 of the London Plan, The Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the National Space Standards.

3 NON2 Non Standard reason for refusal

The proposal fails to make adequate provision for off-street parking in accordance with the Council's adopted car parking standards and to demonstrate that the proposed development would not give rise to vehicular and pedestrian conflict. As such, the proposal is likely to give rise to additional on-street parking on a heavily parked road and be prejudicial to highway and pedestrian safety, contrary to policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved 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 (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.

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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. The submitted application form highlights that no pre-application advice was sought by the Developer in advance of this application.

3. CONSIDERATIONS

3.1 Site and Locality

The application site covers an area of approximately 440 square metres and previously accommodated 10 garages. These comprise a block of 3 garages at both ends and a detached block of 4 garages centrally located. The central and northern blocks of garages have been removed and the two storey block containing 2 flats in the centre of the site is now substantially complete. The site is enclosed with a 2m high wall to the west and a 2m high fence with a hedgerow beyond on the east.

Dollis Crescent is a cul de sac and the street scene is residential in character comprising two storey properties. These are a mixture of semi detached dwellings and flats. There is minimal off street parking provision along the road and none at all for the row of flats adjacent.

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

3.2 Proposed Scheme

This application seeks planning consent for the demolition of the remaining garage block and the erection of a two storey, 1 bed self contained flat with associated parking and amenity space. The building sits principally on the footprint of the existing garages and

measures 9.2m in width, 5.4m in depth with a pitched roof of 6.9m in height.

3.3 Relevant Planning History

45159/APP/2015/4405 Adjacent T0 29 & 33 Dollis Crescent Ruislip

Two storey building to provide 2 x 2 bed self-contained flats with habitable roofspace, 3 x rear rooflights, associated parking and landscaping works involving demolition of 9 existing garages

Decision: 25-01-2016 Approved

45159/APP/2015/527 Garages Adjacent To 29-33 Dollis Crescent Ruislip

Two storey building to provide 2 x 2 bed self-contained flats with associated parking and landscaping works involving demolition of 9 existing garages

Decision: 13-05-2015 Approved

Comment on Relevant Planning History

45159/APP/2015/4405 - Two storey building to provide 2 x 2 bed self-contained flats with habitable roofspace, 3 x rear rooflights, associated parking and landscaping works involving demolition of 9 existing garages (approved)

45159/APP/2015/527 - Two storey building to provide 2 x 2 bed self-contained flats with associated parking and landscaping works involving demolition of 9 existing garages (approved)

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting

and landscaping in development proposals.

H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.8	(2016) Housing Choice
LPP 5.3	(2016) Sustainable design and construction
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

28 neighbours were consulted for a period of 21 days expiring on the 22 August 2015. There were 9 responses from neighbours who raised the following issues:

- Huge impact regarding parking spaces, which is already a very big issue. There is not enough space for existing residents and there will be no space for cars to turn around and manoeuvre
- Strongly object to having a gate put in as this will also restrict cars manoeuvring and turning round in this small narrow road
- Installation of a gate is an invitation for thieves
- The builders for the original scheme have been starting before 8 and it has been very noisy
- Loss of privacy
- Overdevelopment
- Out of keeping with the area and street scene
- Fire hazard as accessibility for large vehicles is severely affected
- The two parking spaces under the flat are very tight and it is questionable whether access to the cars could be achieved
- The applicant states they will meet the Council's parking standard, however an overall assessment of parking in the area has to be made in line with advice given in the NPPF. This has not been done
- There are three existing parking spaces on the public road in front of the proposed gates which when occupied will make it very difficult for the occupants of the flats to manoeuvre through the gates to their home
- It appears that there is not sufficient room to swing out and straighten up a vehicle in order to enter through the gates without damage or highway safety issues
- The original application included 4 parking spaces for the two flats. There is no additional parking provision for this proposal which is reneging on the approved plans
- The lack of a turning head during the construction works has resulted in cars having to reverse down the road detrimental to highway safety

- The inclusion of the metal gate is not in keeping with the immediate area and is contrary to the concept of an inclusive community
- Concern the noise of electric gates would be disturbing particularly at night
- The provision of the balcony will give direct sight lines into the bedrooms and over private amenity space of nearby properties
- No evidence of an ecological assessment or arboricultural survey
- The original plan provided 4 spaces plus an existing garage, this proposal therefore effectively loses 1 parking space with the loss of the garage
- The DAS advises that 75sqm of garden space is retained to the rear of the main building. This is irrelevant as the approved plans show the garden area split to provided 2 separate gardens one for each flat
- The DAS references PP3 which has been superseded
- Loss of light to my house and garden

A petition objecting to the proposal was also submitted.

Rodwell Close Residents Association - No response

Eastcote Residents Association - No response

Internal Consultees

Access Officer - No comments

Trees/Landscaping - No objection subject to landscaping conditions

Flood and Water Management - This proposal must comply with information submitted for conditions proposed for 45159/APP/2015/4405 which permitted a two storey building to provide 2 x 2 bed self contained flats with habitable roofspace, 3 x rear rooflights, associated parking and landscaping works involving demolition of 9 existing garages. This included a condition for drainage proposals for this whole site.

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 area of side garden forming part of the residential unit no. 3 Olivia Gardens, which within planning considerations 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 the Hillingdon Local Plan (November 2012).

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) 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 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

The proposed building is situated in a prominent position at the edge of the turning head for the cul-de-sac. The existing garage, which currently occupies the same footprint, is a relatively modest structure. When viewed from Dollis Crescent it presents a wall with a depth of 5.3m and a mono pitch roof the maximum height of which is 3.05m adjacent to the boundary with no. 8 and decreasing in height of 2.4m into the site. This form of development, with small garage blocks at the end of a cul-de-sac is a characteristic for housing developments of this era.

The proposed coach house is significantly larger with an increase in height to 6.9m with a gabled roof form facing the street scene. The adjacent blocks including the 2 flats currently under construction have gabled roof forms; however the ridge lines of the roofs are parallel with the road. The property to the side no. 8 is set much further forward with a hipped roof design. The proposed siting of the coach house does not respect the return building line formed by no. 8 and it is considered that the proposed building fails to respect the built form of the rest of the cul-de sac and the area in general. Overall, the design and layout of the building is considered unacceptable in the context of the site and surrounding area and would have a detrimental impact on the character and appearance of the street scene.

The proposal also includes the provision of a 2m high wall/fence and gates across the access onto Dollis Crescent. The area is open in character with the front gardens typically enclosed with small dwarf walls. It is noted that no. 8 has a high close board fence running along the side boundary to provide privacy to the rear of their property however this at the side of the road not facing the end of the road, which would be visually intrusive and out of keeping.

It is therefore considered that the proposed development would be out of keeping with the character and appearance of the surrounding area and that its visual impact is unacceptable. As such the proposal fails to comply with the requirements of policies BE13 and BE19 of the UDP saved policies.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to safeguard neighbouring residential amenity from inappropriate development.

The proposed coach house is situated at the end of the cul-de-sac with the principle first floor window and balcony facing down the road. The nearest property with near direct views from this window is no. 8 which is situated approximately 34.4m away. It is further noted that there is an existing well established tree on the boundary of the garden of no. 8, slightly forward of the site, which would provide additional screening of the private amenity space to that property, particularly in the summer months.

On the other side of the application site, the properties are at right angles to the primary window. Concerns have been raised regarding the potential loss of privacy from the window and balcony with views directly into the bedroom windows of the adjacent flats. HDAS advises that in order to ensure adequate daylight, sunlight and privacy for the

occupiers of the existing and proposed dwellings, a 45 degree principle will be applied. This involves drawing a 45 degree line of sight from the mid-point of an existing or new window. If the proposed building breaches that line it is unlikely to be acceptable. HDAS further advises that an adequate distance should be maintained to any area from which overlooking may occur and as a guide, not be less than 21m between facing habitable rooms. The proposed balcony is enclosed to the side at in part to the front thereby restricting the visibility from the balcony to that comparable with a normal window. Taking a 45 degree line of sight from the centre point of the balcony, it would intersect with the properties nos. 27/31 at approximately 22m; therefore any overlooking would be at an oblique angle.

To the side of the proposed property it is intended to include 3 rooflights facing the new flat development. The proposals are separated by approximately 12.8m, however the rooflights are high level set at approximately 1.75m above floor level. Therefore on balance it is considered that the proposal would not result in a significant loss of privacy to the occupiers of the adjoining properties. As such the proposal would be in accordance with policies BE21 and BE24 of the UDP saved policies and HDAS Residential Layouts.

Concern has been raised over the potential noise from the electric gates. Generally there is very little noise generated from this type of automated gates and the movements to and from the site are as would be expected from other residential units.

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The standards require a one person dwelling with a shower room, set over 1 storey should have a minimum internal floor area of 37sqm with an additional 1sqm of internal storage. The proposed layouts indicate the property has a floor area of approximately 43.9sqm (although it is noted that this is set over 2 floors and includes the staircase covering approximately 6.4sqm). Whilst the overall floorspace would appear to comply with these requirements, note 3 of table 3.3 advises that the national space standard sets a minimum height of 2.3 metres for at least 75% of the gross internal area of the dwelling. The measurements taken from the submitted plans indicate 32.25sqm achieve a height over this requirement which is just over 73%. Given that of that space approximately 5sqm would be within the staircase and as such non-usable floorspace, on balance it is considered the proposal therefore fails to provide a satisfactory living environment for the future occupants in accordance with Policy 3.5 of the London Plan 2016.

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.

HDAS: Residential Layouts advises that studio flats should provide at least 20sqm of amenity space. Exceptions to the garden area requirements will only apply in special circumstances such as the provision of small non family housing in town centres. The

proposal provides 4.2sqm of private amenity space in the form of a balcony. Although the Design and Access statement makes reference to 75sqm of garden space behind the main building, in line with the approved plans for that development that garden area was subdivided to provide individual private amenity space for the 2 approved flats. Therefore any alteration to those approved plans would require further consent. As such in the context of the assessment of this proposal, that area of amenity space is not considered accessible to the future occupants of the coach house. However, this is a one person studio development and it is noted that there is an area of open space situated on Columbia Avenue to the north of the site with easy access through a footpath from Dollis Crescent and Cavendish Recreation Ground is within easy walking distance to the south. As such it may be unreasonable to raise an objection to the proposal on this basis. Therefore the proposal is considered to comply with the principles of 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 1.5 spaces per dwelling.

The site has a PTAL rating of 3 (moderate). Eastcote Underground Station and available bus routes are within walking distance from the site.

The previously considered proposal provide the 2 x 2 bed flats with 1 parking space each and 2 additional visitor spaces including a disabled parking space, against a requirement of 3 spaces and as such was considered acceptable. The inclusion of an additional residential unit on the site would increase the parking requirement to 4.5 spaces against a provision of 4 spaces. It is further noted that the 2 garage spaces only have a width of 2.5m against a standard garage width of 3m. This would make parking within the garages difficult and lead to the potential increase in on road parking in an area of high parking stress. As such, the proposed development is considered to result in sub-standard car parking provision to the Council's approved car parking standards, leading to on-street parking, in an area where such parking is at a premium, to the detriment of pedestrian and highway safety and contrary to Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Hillingdon's Adopted Parking Standards and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

The concerns over the proposed inclusion of 2m high gates and the loss of the turning head are noted. However this land, whilst it may have previously facilitated turning, does not form part of the turning head and is in private ownership. The three spaces referred to in the neighbour consultation form part of the existing turning head.

Secure cycle parking spaces for both developments have also been provided within the site.

7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The replacement of the existing garage block with the coach house would have a minimal impact on the approved landscaping for the site. The Landscape Officer has raised no objection subject to the provision of a condition for the landscaping.

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 Flood and Water Management Officer has advised that this proposal must comply with the information submitted for conditions of the approved plans for the site (45159/APP/2015/4405), which related to drainage proposals for the site as a whole.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Concern has been raised that it is not just a requirement for an application to adhere to the Council's car parking standards, but in line with paragraph 39 an overall assessment of parking in the area should be made. Paragraph 39 lies within the section for Delivering Sustainable Development, which sets the parameters of the formation of Local Planning Policy and advises that local planning authorities should take into account issues of accessibility; type of development; opportunities for public transport; local car ownership and overall need to reduce the use of vehicles, when setting their car parking standards. This is not an issue for the applicant to address in their submission.

The issues relating to the starting times of the builders on site for the existing development are controlled within Environmental Protection legislation and any breach of hours of operation should be reported to the Council's Environmental Protection Unit.

Other issues raised have been addressed appropriately in the report.

7.20 Planning Obligations

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The proposal identifies suitable cycle and bin storage facilities to the front of the site.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The proposal is considered to be an intrusive addition to the street scene which fails to respect the built form of the surrounding area. It also fails to achieve suitable living

conditions for future occupiers and provide adequate off road parking provision is an area of high demand to the detriment of pedestrian and highway safety.

It is therefore recommended for refusal.

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.

Contact Officer: Liz Arnold

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Notes:

 Site boundary

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Site Address:

**Land adj 29-33
 Dollis Crescent
 Eastcote**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

45159/APP/2016/2859

Scale:

1:1,250

Planning Committee:

North

Date:

October 2016



HILLINGDON
 LONDON