

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

**Address** 5 GRANVILLE ROAD HILLINGDON

**Development:** Conversion of existing house to two self-contained flats.

**LBH Ref Nos:** 1404/APP/2016/1650

**Drawing Nos:** Block Plan  
15/HP/23 Rev. B  
15/HP/22  
15/HP/21  
15/HP/20  
15/HP/41 Rev. A  
15/HP/51 Rev. A  
Location Plan

**Date Plans Received:** 28/04/2016                      **Date(s) of Amendment(s):** 28/04/2016

**Date Application Valid:** 20/06/2016

### 1. **SUMMARY**

The application seeks planning permission for the conversion of the dwelling into 2 self-contained flats. The proposal does not involve any external alterations to the property and does not have any impact upon the character and appearance of the street scene. Furthermore the proposal does not result in any adverse impact upon residential amenity. The proposal would provide an adequate level of internal space and appropriate standard of living accommodation for the future occupiers of the flats in accordance with the requirements of the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

However, the proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the units would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal also fails to demonstrate that adequate and appropriate space for waste and recycling facilities can be provided within the application site boundary. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

### 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

#### **1            NON2            Non Standard reason for refusal**

The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the units, would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **2            NON2            Non Standard reason for refusal**

The proposal fails to demonstrate that adequate provision for refuse and recycling storage can be provided within the site, and that the proposal would result in refuse and recycling storage taking place on the public highway to the detriment of local visual amenity and the free and safe movement of pedestrians. The proposal is therefore contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## INFORMATIVES

### 1 I52 **Compulsory Informative (1)**

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

### 3 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.

#### **4**

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. The Council's supports pre-application discussions.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

### **3. CONSIDERATIONS**

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

The application property comprises of a mid terraced two storey dwelling located on the northern side of Granville Road which lies within the Developed Area as identified within the Hillingdon Local plan - Saved UDP Policies (November 2012). The property has been recently extended by way of a loft conversion involving a rear dormer window. A single storey rear extension has also been built. The property benefits from one off street parking space and a flat and an existing enclosed rear garden measuring approximately 80 square metres.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the conversion of the existing house to provide two self contained flats. There are not proposed to be any external alterations to the building. The ground floor flat would comprise of a 1 bed (2 person) flat with open plan kitchen, living area and study with an internal floor area of 61 square metres. The first and second floor 2 bed (4 person) flat would have an internal floor area of 74 square metres. The submitted plans confirm that each property would be provided with an area of external amenity space. The occupants of the second floor flat would be required to access their rear garden area via the shared driveway to the side (given the terraced nature of the property).

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

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

1404/APP/2014/4142      5 Granville Road Hillingdon

Single storey rear extension and conversion of roofspace to habitable use to include a rear dormer and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 18-02-2015      Approved

1404/APP/2014/4144 5 Granville Road Hillingdon

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres

**Decision:** 21-01-2015 PRN

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

1404/APP/2014/4142 - Single storey rear extension and conversion of roofspace to habitable use to include a rear dormer and 2 front rooflights (Application for a Certificate of Lawful Development for a Proposed Development). Approved and implemented.

1404/APP/2014/4144 - Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 2.8 metres. Approved and implemented.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

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.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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**

The Oak Farm Residents Association and 4 neighbouring properties were consulted by letter dated 22.6.16 and a site notice was displayed to the front of the site which expired on 22.7.16.

1 letter of comment has been received from the occupant at Number 3 Grnaville Road stating that if the application is approved then presumably there would be no objection to other properties being converted and as such no objection is raised. A further comment was made in respect of the boundary fence which the neighbour requests should be repaired.

Officer note: Applications for planning permission for development are considered on their own merit. Furthermore, the issue relating to the replacement of a boundary fence in poor condition is not a material planning consideration.

### **Internal Consultees**

Highways Officer

The site currently has one off-street parking space which should be allocated to the 2 bedroom unit. No off street parking space can be provided for the one bedroom unit. The site has a PTAL of 2, with Hillingdon Station at a short walking distance. The overall parking provision would comply with TFL standards. No objection is raised on highway grounds.

Landscape Officer

This site is occupied by a mid-terrace house to the East of the junction with Long Lane. There are no TPO's or Conservation Area designations affecting the site. No reference is made to the parking arrangements. However, in common with many of the neighbouring properties, the small front garden has already been paved over - contrary to Hillingdon's design guidance and recommended SUDS practice.

No objection subject to landscape conditions to secure satisfactory parking arrangements, bin storage and amenity space provision (to the rear).

## **7. MAIN PLANNING ISSUES**

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

The application site lies within an established residential area, as such, there would be no objection in principle to the intensification of the residential use of the site, providing that it accords with all relevant planning policies.

In particular, paragraph 7.15 of the Hillingdon Local Plan (November 2012) recognises that Policy H7 of the Hillingdon Local Plan (November 2012) serves to ensure that 'conversions achieve satisfactory environmental and amenity standards'.

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

Policy 3.4 of the London Plan (2016) seeks to ensure that new development 'takes into account local context and character, the design principles in Chapter 7 and that public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals that 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, or not, 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) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposal does not include any external alterations to the property. It is therefore considered, in visual terms, that the proposal would not result in any harm to the visual amenity of the area and that it would be in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposal would not result in any external alterations to the property and is not considered to result in an unacceptable loss of residential amenity to occupants of nearby properties. No details have been provided to demonstrate that adequate sound insulation could be provided; however, this could be dealt with by way of condition in the event of an approvable scheme.

#### **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. A two bedroom (4 person) flat

is required to provide an internal floor area of 70 m<sup>2</sup> and a one bedroom (2 person) dwelling is required to provide 50 m<sup>2</sup> of internal floor area. With floor areas of approximately 74 m<sup>2</sup> and 61 m<sup>2</sup> respectively, both flats meet the minimum internal floor area standards in accordance with the London Plan.

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

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The submitted plans indicate that one parking space is to be provided for the two bedroom flat with 2 secure cycle spaces being provided to the rear.

The Highways Officer has confirmed that no objection is raised to the proposal in that Hillingdon Station is located within a short walking distance. The application is therefore considered acceptable in accordance with Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

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

Section 4 of the Council's HDAS: Residential Layouts states that developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats which they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The private rear garden area measures approximately 80 square metres in area. The supporting statement confirms that the area closest to the rear of the building would be utilised by the the ground floor flat ( 1 bed), with the area of the existing garden furthest away being allocated to the first floor 2 bed flat. This rear area would be accessed via a shared walkway to the rear of the site access to which is between a gated entrance located between 7 & 9 Granville Road.

Not only is this a rather long and convoluted route for the prospective occupiers to access their external amenity space it also falls outside of the application red-line site boundary. Access cannot therefore be reasonably gained to this area of private amenity space, given the mid-terraced nature of the application property. The applicant has provided confirmation that a right of access is available to the applicant throughout the course of the application. However, this access is not included within the application site area and notice has not been served on the other owners of this access.

As such the occupants of the larger two bedroom first and second floor 2 bedroom flat would not be provided with any usable external amenity space. The proposed development would therefore, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the units would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **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**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The Council's landscape Officer has confirmed no objection is raised to the proposal subject to the imposition of landscaping conditions to secure acceptable landscaping, refuse storage and car parking layout within the frontage. The proposal is therefore considered acceptable in accordance with Policy BE38 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

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

No details of waste or recycling storage have been provided in the application. In the absence of such details and given the relatively narrow frontage of this mid-terraced property, officers are concerned that insufficient space exists within the site to provide an appropriately sized and screened refuse storage area capable of meeting the requirements of both proposed flats as well as providing the required car parking space. This is therefore likely to result in refuse and recycling storage taking place on the public highway to the detriment of local visual amenity and the free and safe movement of pedestrians.

The proposal is therefore contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

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

Not applicable to this application.

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

Not applicable to this application.

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

Noise issues are addressed in the section above.

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

The comments raised by consultees are addressed in the report above.

#### **7.20 Planning obligations**

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

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

Not relevant to the consideration of this application.

#### **7.22 Other Issues**

No other issues raised.

### **8. Observations of the Borough Solicitor**

General

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

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



application concerned.

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

#### Planning Conditions

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

#### Planning Obligations

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

#### Equalities and Human Rights

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

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

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

### **9. Observations of the Director of Finance**

Not applicable

### **10. CONCLUSION**

In summary, The principle of development is considered acceptable. The proposal does not involve any external alterations to the property and does not have any impact upon the character and appearance of the street scene. Furthermore the proposal does not result in any adverse impact upon residential amenity. The proposal would provide an adequate

level of internal space and appropriate standard of living accommodation for the future occupiers of the flats in accordance with the requirements of the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

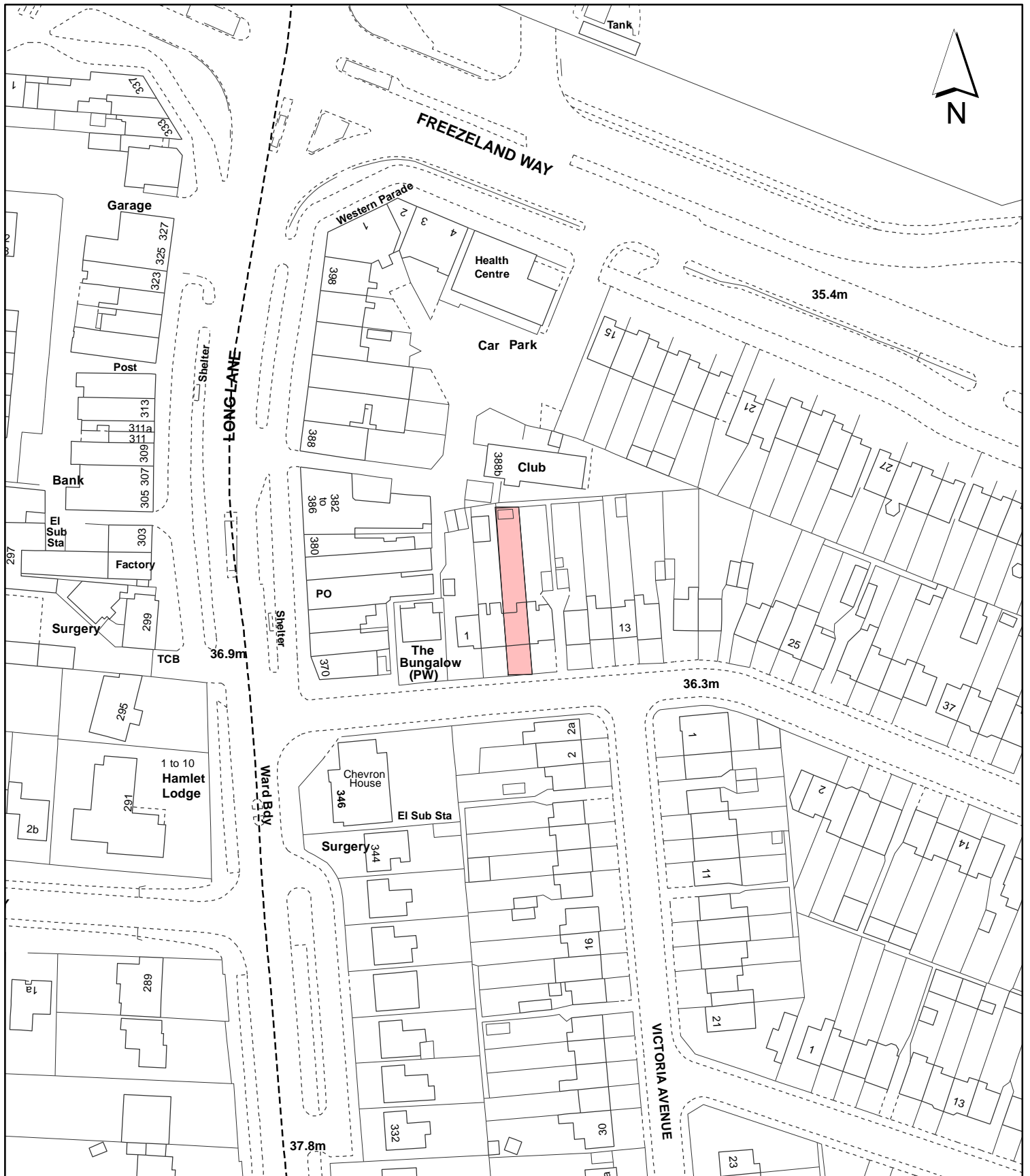
The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the units, would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal also fails to demonstrate that adequate and appropriate space for waste and recycling facilities can be provided within the application site boundary. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## **11. Reference Documents**

The London Plan (2016).  
Hillingdon Local Plan Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
Mayor of London's Housing Supplementary Planning Guidance (November 2012)  
Housing Standards Minor Alterations to The London Plan (March 2016)  
Parking Standards Minor Alterations to The London Plan (March 2016)  
Supplementary Planning Document HDAS: Residential Layouts (July 2006)  
Supplementary Planning Document HDAS: Accessible Hillingdon (January 2010)  
National Planning Policy Framework (March 2012)

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**Notes:**

 Site boundary

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Site Address:

**5 Granville Road**

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

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

Planning Application Ref:  
**1404/APP/2016/1650**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**November 2016**



**HILLINGDON**  
 LONDON