

Report of the Head of Planning, Sport and Green Spaces

Address 136 GREEN LANE NORTHWOOD

Development: Two x 1-bed dwellings with associated parking, amenity space, refuse and cycle storage

LBH Ref Nos: 27501/APP/2016/3115

Drawing Nos: 15/058_LRO_S0
15/058_LRO_P0
15/058_LRO_P1
15/058_LRO_P3
15/058_LRO_P2
15/058_LRO_P4
15/058_LRO_P5
15_058_LRO_S1
15/058_LRO_P6
15/058_LRO_P7
Design and Access Statemen
Arboricultural Report (Ref: 20119)

Date Plans Received: 16/08/2016 **Date(s) of Amendment(s):**

Date Application Valid: 16/08/2016

1. SUMMARY

The property is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). This proposal considers the erection of 2 x 1 bed semi-detached dwellings.

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

The proposed dwellings are acceptable in design terms and would meet all relevant Council standards in terms of unit size, amenity space provision and car parking and as such would afford future occupiers with adequate levels of amenity. Also there would be limited impact on adjoining occupiers.

As such it is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15/058_LRO_P0, 15/058_LRO_P1, 15/058_LRO_P2, 15/058_LRO_P3, 15/058_LRO_P4 and 15/058_LRO_P5, 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).

3 RES7 Materials (Submission)

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

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

REASON

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

4 RES13 Obscure Glazing

The windows facing 138 Green Lane and 64 Bennet Close shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

5 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

2.b Hard Surfacing Materials

2.c External Lighting

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 RES8 Tree Protection

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

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

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

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

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

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

2.b No materials or plant shall be stored;

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

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

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

REASON

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

7 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 136 and 138 Green Lane and 64 Bennet Close.

REASON

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

8 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garages, sheds or other outbuildings, nor extension or roof alteration to any dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

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

9 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall meet the standards for M4(2) 'Accessible and adaptable dwellings' as set out in Approved Document M to the Building Regulations (2015). All such provisions shall remain in place in perpetuity.

REASON

To ensure an appropriate standard of housing stock is achieved and maintained which meet the needs of disabled and elderly people in accordance with policies 3.1, 3.8, and 7.2 of the London Plan (2016) and the National Planning Policy Framework (2012).

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) 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.
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.
H12	Tandem development of backland in residential areas
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
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 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.

4 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

6 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

from, any adjoining owner, where the building owner proposes to:
carry out work to an existing party wall;
build on the boundary with a neighbouring property;
in some circumstances, carry out groundworks within 6 metres of an adjoining building.
Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

8 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated to the rear of 136 Green Lane, a two storey dwelling situated on the Southern side of Green Lane, close to its junction with Church Road. It comprises approximately half of a generous rear garden, with vehicular access to the rear afforded by an unmade drive from Church Road that runs to the rear of the adjoining properties.

The street scene is residential in character with a varied mix of properties, including large detached houses and properties converted into flats. No.134 to the West is situated at a slightly higher level and is of a chalet style, having been converted into flats. To its rear Bennett Close is a modern, estate of terraced, two storey houses, which is part of a backland development on part of the rear gardens of the adjacent properties and sits level with the application site. To the East is No.138 which is similar in style to no. 136 and appears to be a single family dwelling. To the South are the rear gardens of the properties facing Church Road.

The application site lies within the Developed Area and is on the boundary of the Old Northwood Area of Special Local Character, as identified in the policies of the Hillingdon Local Plan - Part 2.

3.2 Proposed Scheme

The proposal is for the erection of two x 1-bed dwellings with associated parking, amenity space, refuse and cycle storage.

This scheme is to a considerably different plot, design and with other considerable differences to the schemes listed in the planning history below.

3.3 Relevant Planning History

27501/APP/2011/2187 136 Green Lane Northwood

Conversion of dwelling house to 3 x 1 bed and 2 x 2 bed flats with associated parking, involving two storey front and two storey rear extensions, raising of roof height and conversion of roof from hip to gable end with habitable roofspace, 1 rear dormer and 4 front rooflights.

Decision: 11-11-2011 Refused

27501/APP/2012/176 136 Green Lane Northwood

Conversion of dwelling house to 2 x 1 bed and 2 x 2 bed flats and 1 x studio flat with associated parking, involving single storey front and two storey rear extensions and conversion of roof space to habitable use involving conversion of roof from hip to gable end, 1 rear dormer and 4 front rooflights

Decision: 24-05-2012 Refused

27501/APP/2012/2373 136 Green Lane Northwood

Part two storey, part single storey rear extension to allow for conversion of single dwelling into 2 1-bed self contained flats and 2 x studios with associated parking and amenity space involving demolition of existing rear element

Decision: 11-12-2012 Refused

27501/APP/2014/3048 136 Green Lane Northwood

Part two storey, part single storey rear extension

Decision: 22-10-2014 Approved

27501/APP/2015/4363 136 Green Lane Northwood

Installation of a vehicular crossover to front

Decision: 21-01-2016 Approved

Comment on Relevant Planning History

64832/APP/2009/547 - 2 x 2 storey, 3 bed dwellings (refused)

64832/APP/2008/2464 - 2 x 2 storey, 3 bed dwellings (refused)

The schemes were for larger developments with the boundary between the plots much closer to the rear elevation of 136, and to designs which raised considerable issues and reasons for refusal, and were also in a rather different policy context.

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.

H12 Tandem development of backland in residential areas

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

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 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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

7 neighbours were consulted for a period of 21 days expiring on the 12 September 2016.

No responses were received.

Northwood Residents Association - No response.

A petition in support of the application, submitted by the applicants, with 29 signatures has been received.

Internal Consultees

Highways Officer: The proposal includes two parking spaces against a standard of 1.5 parking spaces per dwelling. The proposal therefore provides insufficient private parking; the proposed access arrangements would be substandard and unsafe in relation to the proposed intensification of use.

It is considered that the development would be contrary to Policies AM7 and AM14 of the adopted Hillingdon Local Plan, 2012, (Part 2) and an objection is raised in relation to the highway aspect of the proposals.

Officer Comment: Further discussions with the Highway Officer identified specific concerns regarding the intensification of use relating to traffic movements within the 'driveway' and the ability for vehicles to pass and pedestrian safety, as well as the visibility splays where the access joins the road. Additional information has been provided by the applicant and these issues are discussed in detail in Section 7.10.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF identifies that Local Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens. In line with this Policy H12 of the Hillingdon Local Plan (November 2012) advises proposals for backland development will only be considered if no undue disturbance or loss of privacy is likely to be caused. However the NPPF also has a requirement to encourage the effective use of land by re-using land. This is an existing area of rear garden forming part of the residential unit no. 136 Green Lane.

The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material

planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

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

It is further noted that a recent appeal decision (APP/R5510/W/16/3147270) for land to the rear of 140-142 Green Lane, Northwood, considered the principle of development of the rear garden of the those properties to form two semi detached properties and found it acceptable.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The 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

The site adjoins, although is not within the Old Northwood Area of Special Local Character (ASLC). Given its backland siting and limited visibility from public viewpoints, the proposal is considered to have limited impact on the ASLC. This is further discussed in Section 7.07 below.

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 the existing and adjoining sites.

The proposed dwellings are designed to mirror the adjacent properties in Bennett Close. They are of a more modern design, being two storey with a mono pitch roof of a maximum height of 7.3m at the rear dropping to 4.7m at the front. This design more carefully integrates with the adjacent development, which it will maintain a building line with, whilst respecting the proximity to the original dwellings to the rear. The overall scale of the proposed new dwellings in terms of footprint is considered acceptable. It is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) that uses that become detrimental to the amenity of the adjoining occupiers or area will not be approved. Policy BE24 states that the proposals should protect the privacy of the occupiers and their neighbours.

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected and careful design can help minimise the negative impact of overbearing and overshadowing.

The proposed dwellings are set 15m to the rear of no. 136 and maintain a front and rear building line with the adjacent properties on Bennett Close. The main body of the building is set back a further 1.2m from the rear boundary and 1.5m from the side boundary with no. 64 Bennett Close. To the South the properties are set back 14.3m from the end of the elongated rear garden of no 21 Church Road. Given the degree of separation and the orientation of the buildings it is considered that the proposed dwellings would not result in an unacceptable degree of over dominance, visual intrusion and over shadowing and is considered to comply with Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In relation to any loss of privacy arising from the proposal, the principle windows will face South with side windows on the smaller rear projection serving the bathrooms, which could be conditioned to be obscure glazed and fixed shut below 1.8m. Additional light is provided by roof windows on the sloped roof. Therefore subject to the appropriate conditions, the proposal is not considered to result in a material loss of privacy and would comply with Policy BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London 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 1 bedroom (2 person) property to have a minimum internal floor area of 58 sq m with an additional 1.5 sq m of internal storage. The proposed layouts indicate the dwellings have a floor area of approximately 72 sq m, in excess of the standard required. The proposal therefore provides a satisfactory living environment for the future occupants of property in accordance with Policy 3.5 of the London Plan 2015.

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 Section 4.9.

The SPD advises that adequate amenity space should be provided for new dwellings and for a 1 bed property a minimum of 40 sq m of private usable garden space is required. It further advises that whilst front gardens are encouraged, areas that are closely overlooked from a road, footpaths or windows of habitable rooms of adjoining properties will not be included in this calculation. The development provides approximately 49 sq m of amenity space including a rear courtyard of approximately 4.5 sq m and a front garden of 44.5 sq m. Although it is acknowledged this area is to the front of the property, given the set back location from the main road (approximately 41m to the East) at the end of a private driveway, with the neighbouring properties set back and well screened from the application site, it is considered the amenity space provided would be consistent with a back garden provision. In accordance with SPD this could be further ensured with the inclusion of a condition for the provision of adequate landscaping and screening. The proposal therefore considered to comply with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards.

There is an existing vehicular access to the site from Church Road, which it is proposed to continue to use. The proposal includes 2 car parking spaces to the front of the dwellings. This access is currently used for the existing rear parking provision for nos. 140 and 142. There was previous parking provision for up to 6 cars also for no. 136. A recent approval for a crossover and parking from Green Lane has been given to replace the parking provision loss at the rear for No.136. Given the proposed parking for the new dwellings would be less than the existing parking provision, it is not considered that there would be an intensification of use of the access to the detriment of the occupiers of the adjacent properties or to highway safety.

Whilst the comments of the Highway Officer are duly noted, the area to the rear of the host property provides 6 existing parking spaces serving the large family dwelling (alternative parking for the house has recently been approved to the front). The reduction to 2 parking spaces serving the new dwellings would be a reduction of use, rather than an intensification. It is also noted that in a recent appeal decision APP/R5510/W/15/31409 at 50-52 High Street, Northwood (approximately 200m to the south), the Inspector commented as follows:

"3. The proposal would create 3 additional flats with no off-street parking spaces. Policy AM14 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies (UDP) indicates that new development must accord with the Council's adopted car parking standards. This indicates a maximum provision of 1.5 car parking spaces per flat. As this is a maximum standard, there is no conflict with the policy by not providing any parking at all.

4. The area has a PTAL score of 2 which is fairly low but the Council has not provided any useful information about PTAL in respect of the specific issue of parking and highway safety and I note the advice in the Mayor's Supplementary Planning Guidance that low PTAL scores do not by themselves preclude development.

5. The appellant has drawn my attention to 2 bus routes, the H11 and 282 which run close to the site and provide frequent peak services from Harrow Bus Station and Ealing Hospital to Mount Vernon Hospital. The site is also between Northwood and Northwood Hills stations

which are about 1km from the site. In my opinion, the site has reasonable access to public transport.....Therefore, given the site's location amongst such services and as it is within walking and cycling distance of trains and buses, it would not be necessary for the occupants of the dwellings to use a car to access day to day services.

6. I accept that parking is extremely limited on High Street especially as there are time-limiting parking restrictions in front of the site. However, I noted at my visit that there are surrounding streets without such restrictions. It is a small scale proposal and I consider that the additional amount of on-street parking it would add to the surrounding streets would be small and would not have a material impact upon highway or pedestrian safety."

Having regard to this decision and the fact that the proposal is for 1 bedroom dwellings and provides one parking space per unit it is considered that it would be unreasonable to refuse the application on the basis that there is a shortfall of 1 parking space.

It is also noted that the concerns over the intensification of use was the lack of ability to improve the existing visibility splays as the fence to the rear of no. 142 lies outside of the control of the applicant. Additional information has been submitted with regard to the visibility splays and potential conflict of users of the drive.

With regard to the visibility splays, it has been confirmed that the owner is agreeable to reducing the height of a section of fencing to the rear of no. 142 to provide an improved visibility splay. It is also noted that the recent appeal decision (APP/R5510/W/16/3147270) for the redevelopment of the land at the rear of nos 140-142 has a condition requiring the provision and maintenance of adequate visibility splays for those properties along that road frontage, which would incorporate the existing access to be utilised by this proposal.

With regards to the intensification and potential conflict of use of the driveway between cars and pedestrians, a Highways Technical Note has been submitted providing additional detail of the width and capacity of the driveway and potential conflict using the overarching guidance is prescribed in the Department for Transport (DfT) publication Manual for Streets (MfS). This identifies the frequency of vehicle movements using the driveway will be very low throughout a typical day, with no more than a couple of inbound and outbound vehicle movements in a day. Therefore the likelihood of two cars passing each other on the driveway is minimal. Similarly the risk posed to pedestrians on the driveway is minimal as vehicle activity is inherently limited, vehicle speeds on the driveway will be very low, and forward visibility is excellent as the driveway is completely straight. Having regard to the existing use it is not considered the proposal would result in an intensification of use and it would be unreasonable to refuse the proposal on this basis.

7.11 Urban design, access and security

These issues are discussed in other parts of the report.

7.12 Disabled access

A condition is recommended to secure the development is built to M4(2) in accordance with Policy 3.8c of the London Plan.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The site is not within a Conservation Area and there are no protected trees in or adjacent to the site. The supporting Tree/Landscape Report has identified 4 non protected trees which could be potentially influenced by the proposed development. The report demonstrates what

action is required to protect the retained trees and what action is required to ensure they are not adversely affected in the short and long term. It is also noted that due to the unique arrangement of the private amenity space careful landscaping will be needed with regard to hedges, planting and screening. All of these details can be conditioned.

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

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

No comments were raised in regard to this application.

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

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

Not applicable to this application.

10. CONCLUSION

Policy H12 advises that proposals for backland development will only be permitted if no undue disturbance or loss of privacy is likely. The original dwelling has a large rear garden with a separate access, the end of which was previously used for the parking provision for up to 6 cars. Alternative parking provision has been provided to the front of the dwelling which retains a good sized garden area. It is considered the potential traffic movements to and from the site would not increase and given the degree of separation from the neighbouring properties the proposal would comply with the requirements of Policy H12.

The proposed dwellings are acceptable in design terms and would meet all relevant Council standards in terms of unit size, amenity space provision and car parking and as such would afford future occupiers with adequate levels of amenity. Also there would be limited impact on adjoining occupiers.

As such it is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

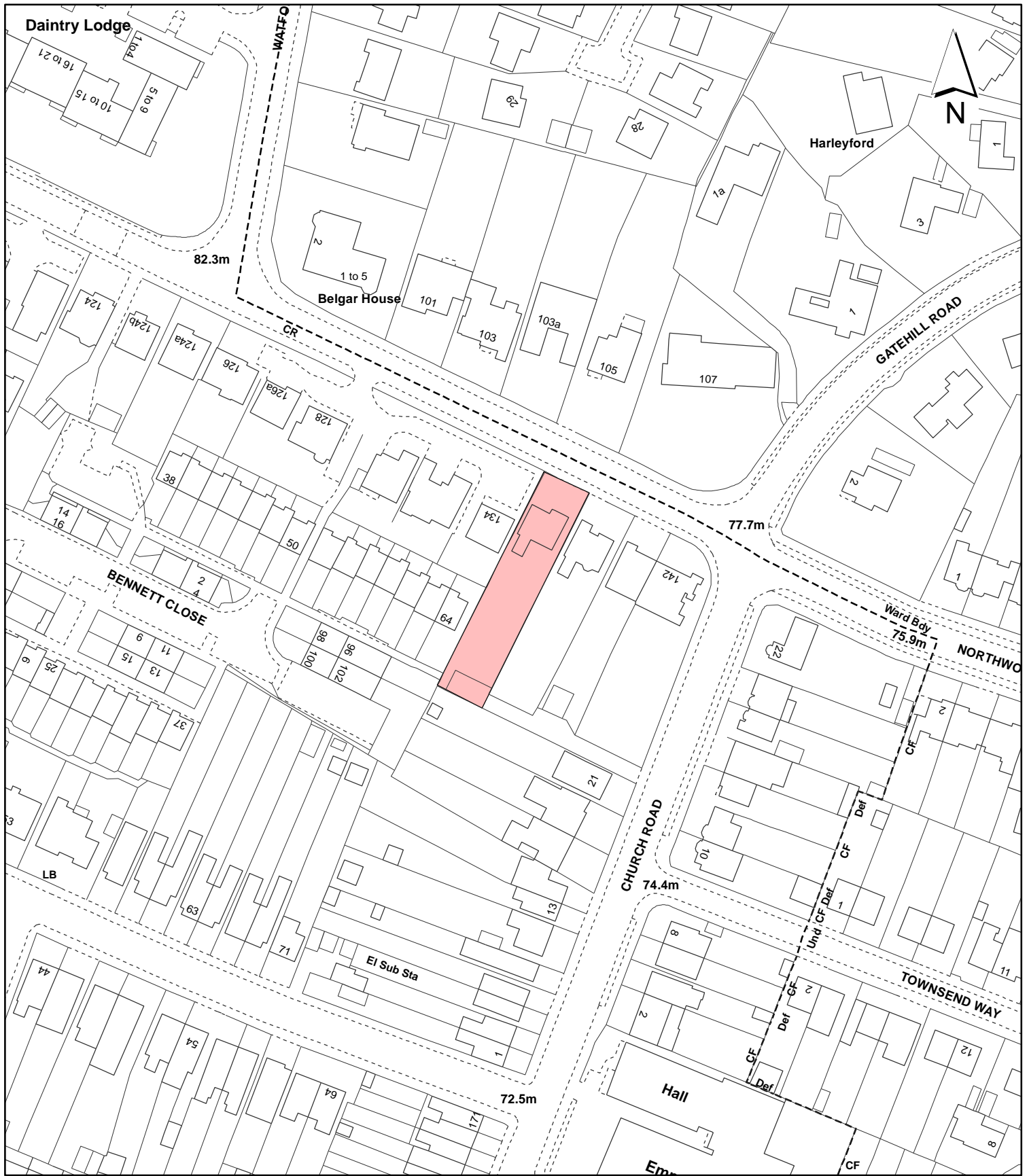
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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Planning Application Ref:

27501/APP/2016/3115

Scale:

1:1,250

Planning Committee:

North

Date:

January 2017



HILLINGDON
 LONDON