

recommended for approval, subject to appropriate conditions.

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 03.01 Rev. F, 03.02 Rev. E, 03.03 Rev. G and Flood Risk Assessment (Final Report) Dated 10-08-2016 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 2 Saved UDP Policies (November 2012) and the London Plan (2016).

3 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.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012)

4 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012)

5 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 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012)

6 RES13 Obscure Glazing

The first and second floor windows/rooflights facing 43 and 47 Frays Avenue shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012)

7 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 garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the 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 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012)

8 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter, the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with policy OE8 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) and

policy 5.12 of the London Plan (2016).

9 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

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 surfacing/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

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

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 2 Saved UDP Policies (November 2012).

10 RES8 Tree Protection

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

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

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

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

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

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

2.b No materials or plant shall be stored;

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

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

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

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 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.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
H3	Loss and replacement of residential accommodation
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE5	New development within areas of special local character
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-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(2016) Waste capacity
LPP 6.13	(2016) Parking
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF12	NPPF - Conserving & enhancing the historic environment

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

This application relates to a detached bungalow located on the southeast side of Frays Avenue, Hayes. The existing property sits forward of the established building line of the surrounding properties within Frays Avenue. The character of the area comprises a multiplicity of building styles and designs, whilst the application property is more intimate in scale and height than the surrounding properties, there are a number of two storey properties which neighbour the application property.

The area to the front of the property is covered by a mixture of hard and soft landscaping, which accommodates 1 off-street parking space. The property is served by a large rear garden, which measures over 750sqm. The River Colne runs along the rear boundary of the application site.

A number of the surrounding properties, including the neighbouring property to the southwest no.47 have habitable roof spaces with many also having large dormers to their side roof slopes.

The application site is located within the Garden City, West Drayton Area of Special Local Character as designated within the Hillingdon Local Plan (November 2012). It is also within an Archaeological Interest Zone as designating within the emerging Local Plan.

3.2 Proposed Scheme

Planning permission is sought for the demolition of the existing bungalow and the erection of a two storey, 4-bed detached dwelling with habitable roofspace (incorporating a rear dormer and front/side rooflights), parking and amenity space and installation of vehicular crossover to front.

3.3 Relevant Planning History

24351/PRC/2015/19 45 Frays Avenue West Drayton
Proposed dwelling

Decision: 09-04-2015 OBJ

24351/PRC/2015/196 45 Frays Avenue West Drayton
Demolition of existing bungalow and erection of 1 x four-bedroom dwelling

Decision: 10-02-2016 OBJ

Comment on Relevant Planning History

The application site has been subject to previous pre-application discussions, which raised concerns regarding the proposed design of a replacement dwelling. The previous report concluded that a replacement two storey dwelling may be acceptable for the application site.

It is worth noting that planning permission was previously granted for a two storey replacement dwelling at 41 Frays Avenue, under application reference no: 27785/APP/2011/938.

The current application was presented to planning committee on the 13th October 2016

with a recommendation of approval, but was deferred to enable further details to be sought in respect of the impact on the adjoining occupiers and the proposed inset dormer windows.

Since that time, the applicant has revised the development by reducing its depth by 1.28m, replacing the front inset dormer with a rooflight, and replacing the rear inset dormer with a more traditional projecting dormer. The plans have also been corrected to address errors with regards to the positioning of neighbouring properties.

4. Planning Policies and Standards

Please see list of relevant planning policies below.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.H1 (2012) Housing Growth
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
 - (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
 - (iii) Convenient parking spaces
 - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- H3 Loss and replacement of residential accommodation
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE5 New development within areas of special local character
- 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.
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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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LPP 6.13	(2016) Parking
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF12	NPPF - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

5 Neighbouring properties were consulted by letter on the 15th April 2016 and a site notice erected to the front of the site on the 19th April 2016. Originally there were 3 letters of objection and a petition of objection (with 21 signatures) received. The primary concerns were as follows:

1. The development being out of keeping with the street scene
2. Loss of privacy from rear balcony
3. The proposed house is excessively deep resulting in the breach of the 45 degree angle

Subsequent to the deferral of this application at planning committee, revisions have been received to reduce the overall depth of the building and to remove the inset dormers. The plans have also been corrected to address errors with regards to the positioning of neighbouring properties. Re-consultation was carried out and the consultation period expired on the 6th December 2016. A further 6 neighbour responses (including correspondence forwarded by councillors) and 2 petitions of objection (56 and 26 signatures respectively) have been received, which raise the following

summarised concerns:

- Out of keeping with the character and appearance of the area
- The property will be the largest property on one of the narrowest plots
- Presentation at committee was biased as they showed predominately Nos. 47 and 49 rather than No. 43 which is lower and less bulky than the proposal
- Detrimental to the residential amenity of No. 43
- Cause overlooking of neighbouring properties
- Overshadowing and loss of daylight to neighbours
- The development will lead to parking stress in surroundings streets
- Over development of the site
- The depth and height of the building is excessive
- The design is overdominant, out of scale, bulky and visually obtrusive
- Insufficient living space at ground floor for the likely number of inhabitants
- The building projects beyond the established building line of the street
- The 45 degree angle on neighbouring property 43 as measured by the planners is incorrect
- The proposal is for a 6 bedroom house not a 4 bedroom house
- Some of the material submitted in support of this application is inaccurate or misleading
- The boundary line is shown in different locations in various plans/elevations
- The view of councillors at planning committee
- Impact on flooding

It should be noted that some of the correspondence mentioned above was received following the previous planning committee, but prior to the receipt of the revised drawings and re-consultation. As such, some of these matters have been directly addressed by the revised plans.

WEST DRAYTON CONSERVATION AREA ADVISORY PANEL

Comments: The new proposals are less bad than those we previously considered, but despite the reduction in size and other changes we believe that all the points we made in our original comments are still valid. We refer you to those comments, and summarise them as follows:

Although we do not object in principle to the proposal to replace the existing bungalow with a two-storey house we feel that the proposed building still has too large a footprint, and as it is effectively a three-story house we feel it is out of character and scale with its surroundings. The openness of the area would be compromised by the proposed new house which appears as a massive block; this is most obvious in the side elevation because of the excessive depth of the building. Even in its reduced form the proposals will have an overbearing effect on the properties on both sides. We consider the current proposals are over-development of the site so we hope that planning consent will not be granted.

- Original Comments

We do not object in principle to the proposal to replace the existing bungalow with a two-storey house but feel that the proposed building is too large for the site. The surrounding houses are mainly chalet-style with the second floor contained within the roof, while the one two storey house shown on the submitted streetscape (No 49) has wide open spaces to the sides. These design features contribute to the openness of the area while the proposed new house is a massive block. The 'elephant in the room' effect is even larger than appears from the front elevation because of the excessive depth of the building. Placing it further back on the plot regularises the building line, but because it is so deep, it will take light from the rear of the house to the north of it and will have an overbearing effect on the properties on both sides. We note that there appear to be no plans or sections showing what use is proposed for the roof space. However, the windows in the front and back elevations and the Velux-type windows in the side roof slopes suggest what is actually being

proposed is a three-storey house - which would be quite out of character here. We consider the current proposals are over-development of the site so we hope that planning consent will not be granted.

Internal Consultees

FLOOD AND WATER MANAGEMENT OFFICER:

Comments (summary): The Flood Risk Assessment provided shows that the increase in footprint of the house, will not have an increase in flood risk as flood compensation is to be provided. As drainage controls will be provided and flood resilience and resistance measures are proposed there are no objections subject to a sustainable water management condition.

EPU

Comments (summary): No objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

This application seeks planning permission for replacement of an existing residential property with a new, larger residential dwelling. Policy H3 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) states: 'the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site'. Other local, regional, and national planning policies are generally supportive of replacing and improving London's existing building stock.

Therefore, the principle of a replacement dwelling within this site is considered acceptable, provided the development accords with adopted planning policy and guidance discussed below.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

Density is not particularly relevant in determining applications of this scale. The proposal would not change the density in terms of units per hectare. Although, there would be a slight increase in habitable rooms. Utilising the density matrix to assess small scale development is only of limited value. 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 is located within an Archaeological Priority Zone. Given the scale and nature of the proposal, the development is not considered likely to adversely affect assets of archaeological interest.

The application site is located within the Garden City, West Drayton Area of Special Local Character (ASLC) and its impact upon the ASLC is addressed in section 7.07.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

states 'All new developments should, achieve a high quality of design in all new buildings', and ' be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties'.

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that the Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policies 7.4 and 7.6 of the London Plan (2016) and chapter 7 of the National Planning Policy Framework (2012) stipulate that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future. In addition, Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Policies 7.8 and 7.9 of the London Plan (2016) and chapter 12 of the National Planning Policy Framework are concerned with conserving and enhancing the historic environment.

The application property is located within the designated Garden City, West Drayton Area of Special Local Character. Therefore, all new developments within this area should reflect and contribute to the special character of this area, in compliance with policy BE5 of the Hillingdon Local Plan (November 2012).

At present, the application property is a more intimate in scale than the surrounding properties, and sits significantly forward of the established building line within the street scene. The proposed dwelling would be of an increased scale over the existing property and would appear more dominant within the street scene. However, following amendments within the application process, the front building line of the development would be staggered, stepping back to align with the main front wall of No. 47. In addition, the ridge of the proposed replacement dwelling would exceed marginally (0.2m) above the height of the adjacent property at No. 47. Given the hipped roof design of the development with pitched roofs sloping down on all four sides, the proposal is unlikely to appear higher from the perspective of the street.

Furthermore, the proposal retains sufficient separation distances to each of the side boundaries to reflect the spacing of development within the locality.

The design of the proposed dwelling is traditional in its form, with a hipped, pitched tiled roof and brick and render finish. The inset dormers have been removed from the scheme following concerns raised at the previous planning committee. Nevertheless, the proposal retains some contemporary elements, such as the fenestration details. Overall, given the variety of designs and scale of development within the street, it is considered that the proposal would not have a negative impact upon the visual amenity of the site or the surrounding West Drayton Area of Special Local Character in compliance with policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012); policies 7.4, 7.6, 7.8 and 7.9 of the London Plan (2016); and

chapter 12 of the National Planning Policy Framework (2012).

7.08 Impact on neighbours

The Hillingdon Design and Accessibility Statement (HDAS) SPD: Residential Layouts (July 2006), gives advice on sunlight and daylight considerations, and specifies that where a two or more storey building abuts a property or its boundary, adequate distance should be maintained to overcome possible domination.

The HDAS SPD specifies that the distance provided will be dependent on the bulk and size of the building, but, generally, 15m will be the minimum acceptable distance. The HDAS SPD further specifies that as a guide, the distance between facing habitable room windows in adjoining/adjacent residential properties should not be less than 21m.

The property would be in close proximity to the side dormer windows found on the neighbouring property at 47 Frays Avenue. However, no clear glazed windows would be included within this flank elevation. Nevertheless, a condition is recommended to ensure that the side facing windows remain obscure glazed to protect the residential amenities of both adjacent properties.

The plans have been amended throughout the course of the application to reduce the rearward projection of the dwelling to ensure that the 45 degree angles from the first floor windows of both adjacent properties would not be breached. Following the deferral of this application at planning committee on the 13th October 2016, the proposal has been further reduced in depth by 1.28m.

Both adjoining properties are extended at ground floor level, such that the rear projection beyond these properties would not exceed 4m and combined with the set in from the boundaries, the proposal would not unduly impact on the amenities of these adjoining properties in terms of overdominance, overshadowing, visual intrusion, loss of light or loss of outlook.

The inset dormers have now been removed from the scheme which is considered to address the concerns raised by objectors and planning committee regarding the potential for overlooking. Therefore, the proposal is not considered to cause loss of privacy.

The proposed dwelling would not result in an unacceptable loss of light, outlook or privacy to the occupants of both 43 and 47 Frays Avenue. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

The Government's national space standards contained in the Technical Housing Standards and policy 3.5 of the London Plan (2016) set out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants.

The plans demonstrate that the level of residential floor space provision exceed the minimum standards of policy 3.5 of the London Plan (2016) and Technical Housing Standards. In addition, it is clear from the plans that all of the habitable room windows would benefit from adequate access to outlook and natural daylight.

With regards to the provision of private usable external amenity space, the HDAS SPD guidelines require a minimum of 100 sq.m of rear garden amenity space for a four-

bedroom dwelling. The proposed dwelling would significantly exceed this standard. As such, the proposed amenity space would be adequate to provide satisfactory standards of amenity for the future occupiers of the proposed dwelling, thereby compliant with policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the guidance contained in the HDAS SPD: Residential Layouts (July 2006).

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) specifies that new development will only be permitted where it is in accordance with the Councils adopted car parking standards.

The application site has Public Transport Accessibility Level (PTAL) rating of 1a, which is classified as poor and as such a minimum of 2 spaces would be required for the proposed dwelling which should be accommodated within the site. The dimensions of the crossover adhere to the Council's guidelines and the proposal provides in excess of 2 off street car parking spaces. Therefore, the proposal is 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

Urban design issues have been covered elsewhere in the report and with regard to access and security, conditions would ensure compliance with these requirements.

7.12 Disabled access

Technical Housing Standards as prescribed in Approved Document M to the Building Regulations 2010 (2015 edition) as reinforced by the Housing Standards Transition Statement require minimum width of hallways and other circulation spaces inside the home to comply with Part M4(2). The Council's Access Officer has not raised any concerns in respect of this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

The proposal would not result in the loss of any trees within the site. There is an opportunity to achieve additional landscaping and landscaping conditions are imposed to secure detailed landscaping.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

A condition is recommended to ensure that the utilisation of water within the dwelling is minimised in accordance with adopted planning policy.

7.17 Flooding or Drainage Issues

The application site is located within Flood Zone 2 and partially within Flood Zone 3. A Flood Risk Assessment has been submitted in support of this application. The Council's Flood and Water Management Officer has confirmed that the increase in footprint of the house will not have an increase in flood risk as flood compensation is to be provided. As drainage controls will be provided and flood resilience and resistance measures are proposed there are no objections subject to a condition requiring the submission of a scheme for sustainable water management.

7.18 Noise or Air Quality Issues

Not relevant to this application.

7.19 Comments on Public Consultations

The comments are addressed in the sections above. It is also noted that the revised plans have reduced the rearward projection of the dwelling to ensure that the 45 degree angle is not breached and the front and rear inset dormers have been omitted.

7.20 Planning obligations

CIL:

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.

Therefore, the Hillingdon & Mayoral CIL Charges for the proposed development of 156sq metres of additional floorspace are as follows:

Hillingdon CIL = £14,820

Mayoral CIL = £5,460

Total = £20,280

7.21 Expediency of enforcement action

Not applicable to 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 to this application.

10. CONCLUSION

It is considered that the principle of a replacement dwelling on this site is acceptable, and that the proposed building and use would not have a negative visual impact on the site, and locality which lies within the Garden City, West Drayton Area of Special Local Character, nor the amenities of nearby residents.

Parking and highway safety matters and the impact upon the flood plain are also satisfactory. The application accords with the Council's planning policies. Therefore, it is recommended for approval, subject to appropriate conditions.

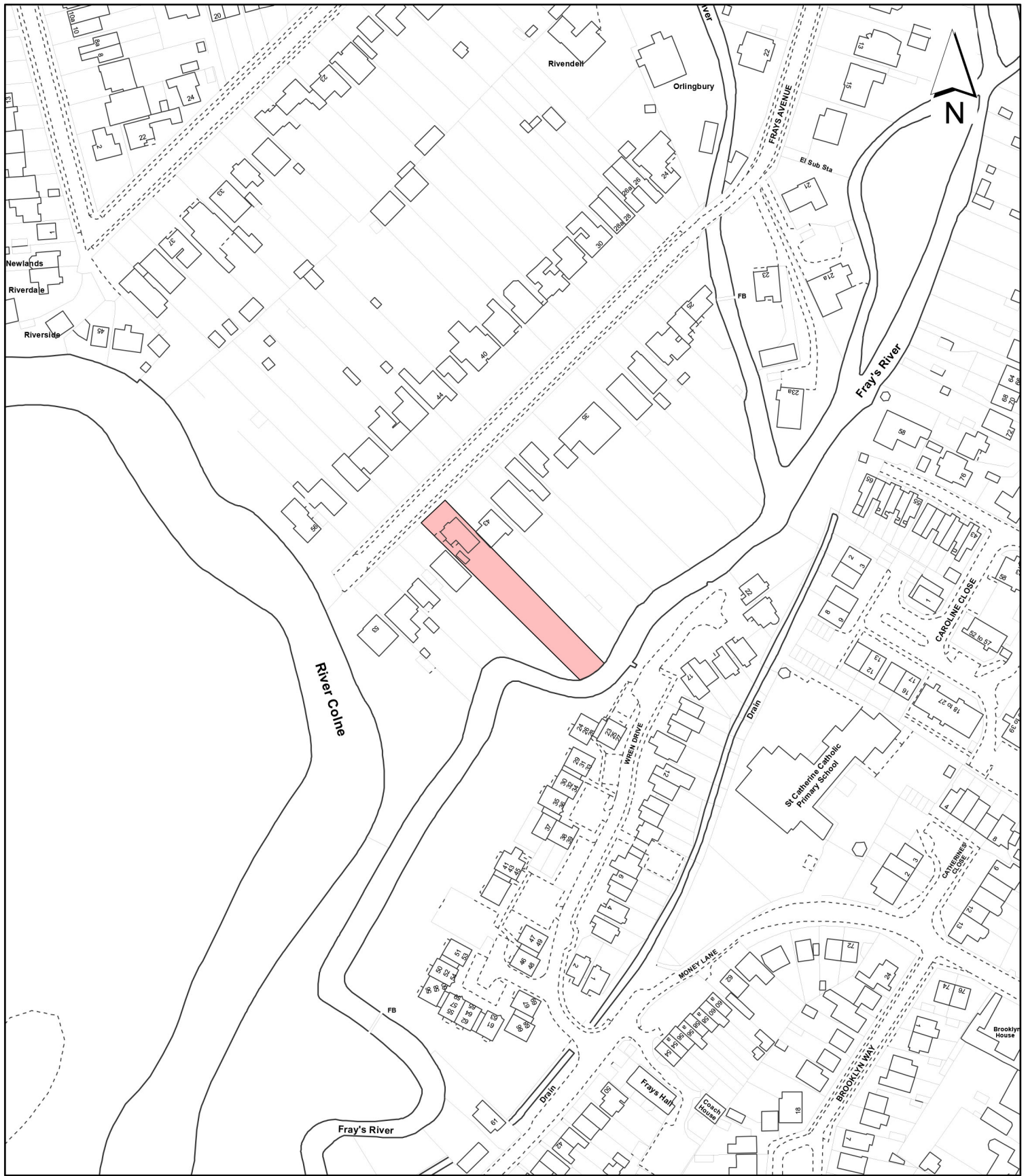
11. Reference Documents

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: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Richard Conroy

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Notes:

 Site boundary

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 Telephone No.: Uxbridge 250111

Planning Application Ref:
24351/APP/2016/1304

Scale:
1:2,000

Planning Committee:
Central & South

Date:
January 2017

