

Report of the Head of Planning, Sport and Green Spaces

Address LAND BETWEEN 2 & 6 WOODSIDE ROAD NORTHWOOD

Development: Two storey, 3-bed dwelling with habitable roofspace, parking and amenity space and installation of vehicular crossover to front.

LBH Ref Nos: 70377/APP/2016/4221

Drawing Nos: Design & Access Statement
1251/P/5
1251/P/4
1251/P/3
1251/P/2
1251/P/1

Date Plans Received: 21/11/2016 **Date(s) of Amendment(s):**

Date Application Valid: 22/11/2016

1. **SUMMARY**

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

The proposed dwelling is considered acceptable in design terms and would respect the architectural character of the street scene and the wider Area of Special Local Character. It is not considered that the proposal would have a significant impact on the amenity of the neighbouring properties and would provide adequate, living and amenity space as well as parking provision.

It is therefore 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 1251/P/1;1251/P/2; 1251/P/3; 1251/P/4 and 1251/P/5, 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 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 2 and 6 Woodside Road.

REASON

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

5 RES13 Obscure Glazing

The windows facing 2 and 6 Woodside Road 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)

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

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

8 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 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)

10 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 Car Parking Layouts
 - 2.c Hard Surfacing Materials

- 3. Schedule for Implementation

- 4. Other
 - 4.a Existing and proposed functional services above and below ground
 - 4.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 and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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

2 147 **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).

3 115 **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.

4 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.

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Notwithstanding the submitted detail, the Local Planning Authority will expect a significant reduction in the amount of hardstanding shown on the submitted site plan when it comes to the submission of a landscaping scheme pursuant to condition 10 of this decision.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an area of open land situated on the Eastern side of Woodside Road and was formerly an area of garden attached to no. 2. The land is landscaped and well maintained, enclosed on three sides by mature well established hedgerows and partitioned from no. 2 by a closeboard fence.

The street scene is predominantly residential in character and is largely characterised by detached properties located within substantial plots.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and within the Gatehill Farm Estate Area of Special Local Character. It is also covered by TPO 99.

3.2 Proposed Scheme

The proposal is for the erection of a two storey, 3-bed, detached dwelling with habitable roofspace, associated parking and amenity space with the installation of vehicular crossover to the front.

It is noted that the proposal also includes a cinema room (13.3 sqm) and en-suite shower room within the loft space, which would be capable of use as an additional bedroom. Therefore for the purposes of the evaluation of this application, this is assessed as a 4 bed property.

3.3 Relevant Planning History

70377/APP/2015/3826 Land Between 2 & 6 Woodside Road Northwood

Two storey, 3-bed, detached dwelling with habitable roofspace, with associated parking and amenity space and installation of vehicular crossover to front

Decision: 18-02-2016 Refused **Appeal:** 20-07-2016 Dismissed

70377/APP/2016/3210 Land Between 2 & 6 Woodside Road Northwood

Two storey, 3-bed, detached dwelling with habitable roofspace, with associated parking and amenity space and installation of vehicular crossover to front

Decision: 16-11-2016 Withdrawn

70377/PRC/2014/107 Land Between 2 & 6 Woodside Road Northwood

Proposed detached part single, part two storey dwelling house

Decision: 20-02-2015 NO

Comment on Relevant Planning History

70377/APP/2016/3210 - Two storey, 3-bed, detached dwelling with habitable roofspace, with associated parking and amenity space and installation of vehicular crossover to front (withdrawn)

70377/APP/2016/3826 - Two storey, 3-bed, detached dwelling with habitable roofspace, with associated parking and amenity space and installation of vehicular crossover to front (refused, dismissed at appeal)

70377/PRC/2014/107 - Proposed detached part single, part two storey dwelling house

The previously decided application was refused on the scale and design of the proposed dwelling being an unsympathetic form of development which was out of keeping with the ASLC. This was endorsed by the Planning Inspector.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.

BE5 New development within areas of special local character

BE6 New development within Gate Hill Farm and Copsewood Estates areas of special local character

H5 Dwellings suitable for large families

OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.4	(2016) Local character
NPPF	National Planning Policy Framework
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

12 neighbours were consulted for a period of 21 days expiring on the 19 December 2016. A site notice was also erected on the site gates to the front, expiring on 28 December 2016.

There were 27 responses to the consultation raising the following issues:

- Contrary to a number of policies.
- Set a precedent for other areas to be developed.
- Further development of the estate would increase traffic and lead to congestion.
- Out of keeping with the Area of Special Local Character.
- The plot is a lot smaller than the surrounding properties.
- Hardly any parking for a 5 bed property.
- Garden development contrary to policy.
- Forward of the established building line.
- Too close to the boundaries.
- The applicant has illegally cut down a tree and concreted over the site.
- Design of the building too large and inappropriate.
- Loss of privacy.
- Loss of light.
- The footprint is bigger than the first application.
- The size of the plot has been exaggerated on the northern boundary.
- Does not meet the 1.5 m boundary rule.
- Should comply with 25% greenery on the frontage.
- Can barely accommodate 2 cars.
- Overdevelopment.
- A lot of local opposition to the development.
- Does not reflect the materials, design features and architectural style predominant in the area.
- No. 6 will be totally hemmed in by the extension to no. 8 and this proposed building.
- The boundary drawn on the plans is inaccurate and would not be set back 1.5 m from the boundary as a result.

Two petitions against the proposal have been submitted. One with 88 signatures on behalf of the Gateshill Residents Association and the other with 149 signatories, which was accompanied by a report also detailing the following issues:

- This is the third application for this site, the previous two having been refused as contrary to policy
- This is formally the back garden of no. 2
- This application is no different to the previous submissions
- Visually unsympathetic
- Breaches the front building line
- Out of keeping with the Gateshill Farm Estate ASLC
- Contrary to policy
- Plot narrower than others on the estate
- Set a precedent
- Incorrectly stating the boundary position with no.6 to maximise the plot
- Over development
- Back garden tiny and out of keeping with the Gateshill Farm Estate
- Loss of light to neighbouring properties
- Loss of privacy
- Unacceptable sense of enclosure to the rear if no. 6
- Loss of back garden to no. 2
- Fence between no. 2 and the application site is contrary to policy
- Proposal fails to maintain 1.5 m gap to the boundary
- Does not comply with lifetime homes
- applicant has already removed all the shrubs, grass, trees/hedges to the front and there is no mention of replacing TPO 99
- The CIL form is for a 'self building'. The developer and his wife have actively self built and extended 47 Nicholas Way (permission granted Jan 2012, sold June 2014) and 11 The Broadway (permission granted Nov 2015, sold July 2016)

Officer response: The issues raised are duly noted. Issues relating to site ownership are not material planning considerations in the assessment of a proposal. Notwithstanding the details submitted advising the inaccuracies of the boundary details, the agent has responded to advise that they have reviewed the details and can confirm they have been to site several times to take accurate measurements within the plot to all boundaries, so the plans put forward by 'DDA' are accurate and the distances from the proposed dwelling to the boundaries are correct and comply with policy. If planning approval was granted, a legal site reconciliation plan will be carried out to ensure that boundary locations on site are correct in respect to legal ownership, & distances from the proposed dwelling to all boundaries comply. Any approval would be conditioned to require the proposal to be built in accordance with the approved plans, which would require the correct set in from the boundary as shown. Failure to do so would probably effectively invalidate any permission. The CIL form matter has been subject to separate correspondence with the applicant's agent (no CIL exemption will be applied). All other issues are addressed in the report.

Gateshill Residents Association - We object to the proposal and support the letter of 18 December 2016 from Christine Turnbull. There has been very little back garden development within the estate and new development has adhered to the established building lines. This development is in conflict with these principles and detracts from the appearance of the road. The small wedge shaped site is less than other properties in the road and development would be contrary to policy. The development would be excessively dense with virtually all the front garden as parking. Historically this was garden for no. 2 and would be unacceptable back garden development. The proposal is contrary to policy. We wish to emphasise the previous comment by the Committee Chairman that no applicant should seek to assume pre-application discussions should immediately set the conditions for consideration of the application itself. These are naturally "office bound" possibly with an officer who does not know the site. The claim that the principle of a dwelling on this site must be acceptable is incorrect. All applications have incorporated five rooms at first and second floor to be used as bedrooms; the

applications have been misleadingly described. The substantial additions to no. 2 mean it is too large for the resultant site without this garden area.

Northwood Residents Association - We endorse the comments made in the letter 18 December 2016 from Christine Turnbull.

Northwood Hills Residents Association - This is the third application on this site, which varies little from the previous proposals. Contrary to policy, garden development. In reality a 5 bed house as the study and cinema could be classed as bedrooms. Breaches the building line.

Internal Consultees

Highways - Two parking spaces are provided. No objections are raised

Conservation and Urban Design - This plot, which is actually the 'back' garden of No. 2 Woodside Road, has recently been the subject of an application for a new house. This was withdrawn following negotiation to ensure that it was set back on the building line, was of a vernacular style, though more muted than originally designed and of simpler plan, with the removal of the single storey ground floor side element.

The scheme has been much improved and it is now considered to respect the line of the adjacent and corner buildings between which it would sit. There is a concern that the front 'garden' appears to be largely paved, a factor resulting from the narrow plot width, but this could be remedied through a landscaping condition. Acceptable.

Trees/Landscaping - The site is covered by TPO 99. However, no protected trees remain on site. The site lies within the locally listed Gatehill ASLC.

Much of the front hedge will be removed to accommodate the development (site access and storage). hedges to the side will be retained - if adequately protected during construction. The fruit trees to the rear will be retained- subject to details.

The site layout plan indicates an excessive area of hardstanding in the front garden which will be detrimental to the character and appearance of the ASLC. - Hillingdon's design guidance suggests that at least 25% of front garden space should be retained as soft landscape. If the application is recommended for approval, the car park area will have to be reduced in size and landscape conditions will be required to ensure that the scheme preserves and enhances the character and appearance of the area. No objection subject to the reduction of the area of hard standing in the front and conditions for the submission of details for the levels, landscaping, trees to be retained and tree protection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Concern has been raised with regard to garden grabbing contrary to the NPPF, which states 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 side garden forming part of the residential unit no. 2 Woodside Road. The fact that the numbering goes from 2 to 6 might suggest this plot of land was originally intended for an additional residential unit, before being incorporated within no. 2 as part of the garden, but the real test is whether this is an acceptable development of the site, rather than how street numbers were allocated many years ago.

The previous appeal decision was dismissed it should be stressed solely because the

dwelling proposed was considered to have a design that was not acceptable. The Inspector did not object in principle to a dwelling on the site. The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

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.

7.02 Density of the proposed development

Policy 3.4 of the London Plan 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

With specific reference to the site location within an Area of Special Local Character, Policy BE5 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in such areas. This is supported by Policy 7.4 of the London Plan (2016) which requires developments to have regard to local character.

The Gatehill Farm Estate was originally built during the inter-war period, in the early 1920s. The sales brochure stated that spacious and gracious were obvious characteristics of the area. The estate evolved in an irregular way according to when the plots were bought and it is noted that there are a number of instances of missing house numbers. The houses were individually designed to harmonise with their environment and to provide an interesting variation of style. Therefore the addition of a new property would need to respect the established character of the area.

The proposed dwelling measures 8.5 m in width by a maximum of 12.75 m in depth and has a maximum height of 8.6 m. This includes two storey projections to the front and rear with additional single storey elements to the front and rear. The street scene is characterised by attractive, good quality, plain neo vernacular style houses, set in large, mature and well treed gardens with deep grass verges and, often good quality front hedges.

The Conservation Officer has advised that this proposal has been negotiated to ensure that the main wall of the front elevation was set back on the building line, was of a vernacular style, though more muted than originally designed and of simpler plan, with the removal of the single storey ground floor side element.

The scheme has been much improved and it is now considered to respect the line of the adjacent and corner buildings between which it would sit. There is a concern that the front

'garden' appears to be largely paved, a factor resulting from the narrow plot width, but this could be remedied through a landscaping condition. As such it is considered that the proposed dwelling would respect the architectural character and appearance of the Gate Hill Estate ASLC and would comply with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. 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. Furthermore Policy BE6 advises new dwellings within the Gatehill Estate ASLC should be constructed on plots of a similar average width to the surrounding development; be constructed within a similar building line and be of a similar proportion to the adjacent houses and reflect the architectural style. Policy BE19 also seeks to ensure that new development will compliment or improve the character of the area. The NPPF notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

There are a diverse range of styles, designs and materials in the makeup of the existing properties within the street scene. This comprises two storey and two and a half storey properties, many of which have been extended. Concern has been raised over the width of the plot, which is narrower than many on the Gatehill Estate. It is acknowledged that the plot does narrow to the rear to a maximum width of 9.2 m , however as viewed from the front the plot has a width of 15.2 m, which is comparable with other plots in the street, including no. 3 and 5 opposite, which measure 15 m and 16 m respectively. The proposed dwelling has been reduced in scale to the previous submissions and the design amended to respect the local character. The proposed dwelling is set back from the side boundaries by 1.5 m to maintain the visual gap between the houses. The Conservation Officer has advised that the revised scheme is acceptable. As such in terms of design the proposal is considered to be in keeping with the character and appearance of the street scene and surrounding Area of Special Local Character and that its visual impact is acceptable. Therefore the proposal complies with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New 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. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

It is noted that concern was raised over the position of the boundary as shown on the submitted plans, suggesting that the boundary of the site had been moved further North. Officers have no evidence to suggest the plans are incorrect. Any approval would have to be carried out in complete accordance with the approved plans. Inability to do so due to errors in the plans would render any approval invalid. However particular regard is paid to the distances between the existing dwelling and the proposed dwelling as a gauge for adequate separation.

The proposed dwelling is set parallel to no. 2 and at an angle with no. 6. The rear wall of the proposed dwelling is set back very slightly from the line of the rear of no. 6 with the single storey projection of 1 m in depth set back 1.5 m from the shared boundary and 2.5m from the side wall of the neighbouring property. The two storey rear projection is 2 m in depth and set back 5 m from the neighbouring boundary. At the front the properties are set 4.75 m apart. It is noted that there are windows on the side elevation of no. 6 facing the application site and these include 2 at ground floor, 2 at first floor and 1 serving the loft space; however these are all secondary windows, serving the lounge and dining room at ground floor level; two bedrooms at the first floor and a games room in the loft space. The only windows proposed in the new dwelling on the side elevation facing no.6 serve a bathroom and a secondary window to the kitchen, which could be conditioned to be obscure glazed and fixed shut below 1.8 m. The proposal does not compromise the 45 degree line of sight from the first floor rear windows.

To the South the two storey rear projection of the proposed dwelling is slightly deeper than the rear of the main dwelling of no. 2 but set back from the rear of the single storey side and rear extensions. It is set back 1.5 m from the boundary and 2.5 m from the side wall of the single storey element. It is noted there are windows on the side elevation of no. 2 facing the application site. The first floor windows are set back 7.2 m from the proposed flank wall of the new dwelling; however the ground floor window, although not significantly impacted by the proposed dwelling, now faces a 1.8 m high boundary fence set 1 m away. Plans for the approved alterations to no. 2 under application 46761/APP/2016/1533 indicate the window serves a reception area. There is a garage to the front and there are additional windows to the rear. The proposed side windows facing no.2 are all secondary windows or serve bathrooms or the stairs and can be conditioned to be obscure glazed and fixed shut.

In order to protect privacy, the design of the dwelling should avoid creating significant opportunities for direct overlooking from any upper floor windows into the private garden, kitchen or any habitable room windows of the neighbouring properties. Concern has been raised over potential loss of privacy to 7 Gatehill Road, which is situated to the rear of the site. The proposed dwelling is situated approximately 14.5 m away from and at right angles to that dwelling. It is further noted that this dwelling has an existing single storey extension with the windows facing towards the boundary with no. 9. The nearest first floor windows serve a dressing room and a bathroom. Given the degree of separation and the orientation of the dwelling, it is not considered that the proposed dwelling increases overlooking to that already experienced from the adjacent two storey buildings. The impact on the amenities of the neighbouring properties is therefore considered to be satisfactory.

As such it is not considered that the proposal is an un-neighbourly form of development and complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved 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 proposed floor space of

approximately 186.50 sqm is in excess of the minimum requirements and therefore is considered acceptable.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

The proposal provides approximately 120 sqm of usable private amenity space in excess of the Council's adopted standard. The proposal therefore complies 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 AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 2 spaces per dwelling.

The proposed dwelling is served by two parking spaces to the front in line with adopted standards. The Highway Officer has advised that the proposal would be acceptable and such would comply with the requirements of policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012)

7.12 Disabled access

The Access Officer has not raised any concerns relating to Lifetime Home Standards and to achieving level access.

7.14 Trees, Landscaping and Ecology

Although the site is covered by TPO 99, no protected trees remain on the site and there are none which merit a protection order. The plans indicate the retention of the north boundary hedge and the fruit trees to the rear. The Tree Officer has advised that the site layout plan indicates an excessive area of hardstanding in the front garden which will be detrimental to the character and appearance of the ASLC. - Hillingdon's design guidance suggests that at least 25% of front garden space should be retained as soft landscape. If the application is recommended for approval, the car park area will have to be reduced in size and landscape conditions will be required to ensure that the scheme preserves and enhances the character and appearance of the area.

7.19 Comments on Public Consultations

The issues raised have been addressed appropriately in the report.

7.20 Planning Obligations

The Council's Community Infrastructure Levy Charging Schedule was adopted on 1st August 2014. The additional habitable floor space created will be chargeable at £95 per square metre.

On the 1st April 2012 the Mayoral Community Structure Levy came into force. The London Borough of Hillingdon falls within Charging Zone 2, therefore, a flat rate fee of £35 per square metre would be required for each net additional square metre added to the site as part of the development.

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

10. CONCLUSION

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.

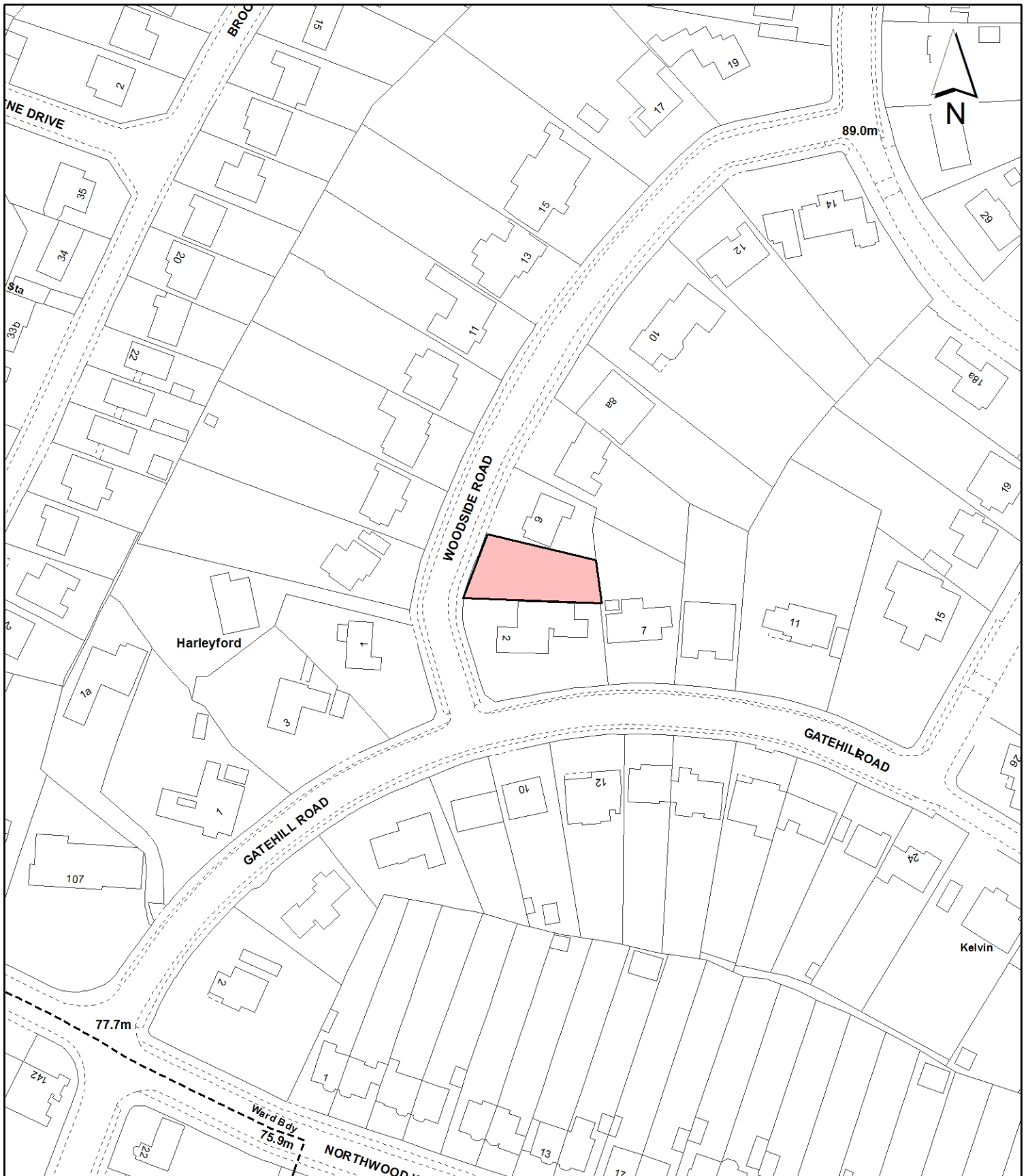
The proposed dwelling is considered acceptable in design terms and would not significantly impact on the amenity of the neighbouring properties. It would provide adequate living accommodation and private amenity space as well as parking provision.

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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Site Address:

Land Between 2 & 6 Woodside Road

Planning Application Ref:
70377/APP/2016/4221

Planning Committee:
North

Scale:
1:1,250

Date:
February 2017

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section
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