

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

**Address** ADJACENT TO 29 & 33 DOLLIS CRESCENT RUISLIP

**Development:** Two storey building to allow for a self-contained studio and car port with associated amenity space, involving demolition of existing garages.

**LBH Ref Nos:** 45159/APP/2017/325

**Drawing Nos:** Location Plan  
Design & Access Statement  
1817/1 A  
1817/10 B

**Date Plans Received:** 27/01/2017 **Date(s) of Amendment(s):**

**Date Application Valid:** 07/02/2017

### 1. **SUMMARY**

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

The scheme proposes to demolish the remaining garage block and erect a two storey building providing 2 ground floor parking spaces and a studio flat above. The proposal is considered to be an intrusive addition to the street scene which fails to respect the built form of the surrounding area. It also fails to achieve suitable living conditions for future occupiers.

It is therefore recommended for refusal.

### 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

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

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

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

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

## INFORMATIVES

### 1 159 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.

### 2

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. This is a resubmission of a previously refused scheme, where the Officer Report and reasons for refusal clearly identified the issues to be addressed.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

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

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

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

### 3.2 Proposed Scheme

This application seeks planning permission for the demolition of the remaining garage block and the erection of a two storey building, comprising a 1 bed self contained studio flat with associated parking, cycle storage and bin store. The building sits principally on the footprint of the existing garages and measures 9.15 m in width, 5.45 m in depth with a pitched roof of 7 m in height.

### 3.3 Relevant Planning History

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

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

**Decision:** 25-01-2016 Approved

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

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

**Decision:** 13-05-2015 Approved

45159/APP/2016/2859 Adjacent T0 29 & 33 Dollis Crescent Ruislip

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

**Decision:** 04-10-2016 Withdrawn

45159/APP/2016/3421 Adjacent T0 29 & 33 Dollis Crescent Ruislip

Details pursuant to conditions 3 (Materials) and 6 (Sustainable Water Management) of planning permission Ref: 45159/APP/2015/4405 dated 25/01/2016 (Two storey building to provide 2 x 2 bed self-contained flats with habitable roofspace, 3 x rear rooflights, associated parking and landscaping works involving demolition of 9 existing garages)

**Decision:** 17-11-2016 Approved

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

45159/APP/2016/3421 - Details pursuant to conditions 3 (Materials) and 6 (Sustainable Water Management) of planning permission Ref: 45159/APP/2015/4405 dated 25/01/2016 (approved)

45159/APP/2016/2859 - Two storey, 1-bed self-contained flat with associated parking and amenity space, involving demolition of existing garages.(withdrawn)

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

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

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

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

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.
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.2	(2016) An inclusive environment
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**

27 neighbours were consulted for a period of 21 days expiring on the 2 March 2017.

There were 2 responses from neighbours who raised the following issues:

- No change from before.
- No concern for disabled people having to deal with the disturbance that the building plan is causing. The works causes harassment and danger, what has happened to our human rights?
- Whilst housing is needed, overcrowding the area and forgetting about the existing residents who have spent their lives and money to live a happy life is being ruined.
- Cost to the Council to repair the road and road markings.
- Noise and inconvenience is anti social.

- No consideration by the workmen.
- We have put up with this for 18 months by refusing this application and bringing it to an end would be some kind of compensation for the distress caused.
- Less parking than previously agreed which is not acceptable.
- Out of keeping with the character of the street scene.
- No allocated amenity space.
- On street parking already a significant problem this will create additional highway safety issues.
- Overdevelopment and cramming.
- The Design and Access Statement advises 75 sq.m of garden space is retained to the rear of the main building, however this area is divided in 2 and specifically allocated to Flats 1 and 2.
- The Juliette balcony would have a direct, close sightline into the first floor bedrooms of flats 31 and 33, at roughly the same height and 8-10 m away. They will also have views to the ground floor bedroom of nos. 27 and 29 which are not currently overlooked.
- Also views of the rear garden of no. 8 and the front garden of no. 29 as well as the gardens of nos. 4 & 6 and flats 27 and 21.
- We urge the Committee to censure the applicant for their long standing disruptive presence in the Crescent and label them unfit to undertake another development there in.

A petition objecting to the proposal was also submitted.

Rodwell Close Residents Association - No response.

Eastcote Residents Association - We ask the application be refused. The floor area appears substandard and there is no dedicated amenity space. The original 4 car parking space will be shared between more people leading to an increase of on road parking problems. Dollis Crescent is a no-through road and this site is at the dead end of it.

### **Internal Consultees**

Access Officer - No response.

Trees/Landscaping - The proposed planting around the car park is relatively low and ineffective. Amendments to the planting scheme are recommended. No objection subject to landscaping conditions

Flood and Water Management - This proposal must comply with information submitted for conditions proposed for 45159/APP/2015/4405 which permitted a two storey building to provide 2 x 2 bed self contained flats with habitable roofspace, 3 x rear rooflights, associated parking and landscaping works involving demolition of 9 existing garages. For information there is an ordinary watercourse which flows across the site and is connected to the proposed drainage as specified in previous applications. The drawings propose permeable paving which is considered acceptable. A surface water condition is required.

Highways - The site has a PTAL of 3 (moderate) and means there will be a strong reliance on private cars for trip making. The proposed development will add a small amount of additional traffic to existing levels. The proposal results in 3 flats with 4 car parking spaces which meet the Council's policies for off street parking provision. The cycle stand shown does not meet the requirements for secure cycle parking but this can be conditioned for submission if the application is considered for approval. The proposed refuse/recycling bins store is acceptable. The previous proposal includes gates at the entrance but these are not shown on the current application. I would oppose any such facilities in such a narrow local road.

## **7. MAIN PLANNING ISSUES**

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

The NPPF has a requirement to encourage the effective use of land by re-using land. This

is an developed area, which within planning considerations is considered to be a brownfield site. That said, the site of which this recently formed a part is already being redeveloped.

The site lies within an established residential area where there would be no objection in principle, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

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

Policy 3.4 of the London Plan (2016) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed within this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

#### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

Not applicable to this application.

#### **7.04 Airport safeguarding**

Not applicable to this application.

#### **7.05 Impact on the green belt**

Not applicable to this application.

#### **7.07 Impact on the character & appearance of the area**

The proposed building is situated in a prominent position at the edge of the turning head for the cul-de-sac. The existing garage, which currently occupies the same footprint, is a relatively modest structure. When viewed from Dollis Crescent, it presents a wall with a depth of 5.3 m and a mono pitch roof the maximum height of which is 3.05 m adjacent to the boundary with no. 8 and decreasing in height of 2.4 m into the site. This form of development, with small garage blocks at the end of a cul-de-sac is a characteristic for housing developments of this era. The proposed "coach house" is significantly larger with an increase in height to 7 m with a gabled roof form facing the street scene. The adjacent blocks including the 2 flats currently under construction have gabled roof forms; however the ridge lines of the roofs are parallel with the road. The property to the side no. 8 is set much further forward with a hipped roof design. The proposed siting of the coach house does not respect the return building line formed by no. 8 and it is considered that the proposed building fails to respect the built form of the rest of the cul-de sac and the area in general. Overall, the design and layout of the building is considered unacceptable in the context of the site and surrounding area and would have a detrimental impact on the character and appearance of the street scene.

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

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

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to safeguard neighbouring residential amenity from inappropriate development. The proposed coach house is situated at the end of the cul-de-sac with the principle first floor window and Juliette balcony facing down the road. The

nearest property with near direct views from this window is no. 8 which is situated approximately 34.4 m away. It is further noted that there is an existing well established tree on the boundary of the garden of no. 8, slightly forward of the site, which would provide additional screening of the private amenity space to that property, particularly in the summer months. On the other side of the application site, the properties are at right angles to the primary window. Concerns have been raised regarding the potential loss of privacy from the window and balcony with views directly into the bedroom windows of the adjacent flats. HDAS advises that in order to ensure adequate daylight, sunlight and privacy for the occupiers of the existing and proposed dwellings, a 45 degree principle will be applied. This involves drawing a 45 degree line of sight from the mid-point of an existing or new window. If the proposed building breaches that line it is unlikely to be acceptable. HDAS further advises that an adequate distance should be maintained to any area from which overlooking may occur and as a guide, not be less than 21 m between facing habitable rooms. Taking a 45 degree line of sight from the centre point of the window, it would intersect with the properties nos. 27/31 at approximately 22 m; therefore any overlooking would be at an oblique angle. To the side of the proposed property it is intended to include 3 rooflights facing the new flatted development. The proposal are separated by approximately 12.8 m, however the rooflights are high level set at approximately 1.75 m above floor level. Therefore on balance it is considered that the proposal would not result in a significant land unacceptable loss of privacy to the occupiers of the adjoining properties. As such the proposal would be in accordance with policies BE21 and BE24 of the UDP saved policies and HDAS Residential Layouts.

#### **7.09 Living conditions for future occupiers**

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The standards require a one person dwelling with a shower room, set over 1 storey should have a minimum internal floor area of 37 sq m including 1 sq m of internal storage. The proposed layouts indicate the property has a floor area of approximately 38.5 sq m including the staircase leading up to the studio apartment. Given that of that space approximately 4.8 sq m would be within the staircase and as such is non-usable floorspace, on balance, it is considered the proposal fails to provide a satisfactory living environment for the future occupants in accordance with Policy 3.5 of the London Plan 2016.

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

HDAS: Residential Layouts advises that studio flats should provide at least 20 sq m of amenity space. Exceptions to the garden area requirements will only apply in special circumstances such as the provision of small non family housing in town centres. Although the Design and Access statement makes reference to 75 sq m of garden space behind the main building, in line with the approved plans for that development that garden area was subdivided to provide individual private amenity space for the 2 approved flats. Therefore any alteration to those approved plans would require further approval. As such, in the

context of the assessment of this proposal, that area of amenity space is not considered accessible to the future occupants of the coach house. Therefore no amenity space is provided within this proposal, however, this is a one person studio development and it is noted that there is an area of open space situated on Columbia Avenue to the North of the site with easy access through a footpath from Dollis Crescent, and Cavendish Recreation Ground is within easy walking distance to the South. As such it may be unreasonable to raise an objection to the proposal on this basis. Therefore the proposal is considered to comply with the principles of policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

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

It is noted that concerns have been raised over the existing parking stress within Dollis Crescent and the potential impact of the development as a whole and the provision of an additional residential unit. The previously considered proposal provided the 2 x 2 bed flats with 1 parking space each and 2 additional visitor spaces including a disabled parking space, against a requirement of 3 spaces and as such was considered acceptable. The Highways Officer has advised that the inclusion of an additional residential unit on the site would increase the parking requirement to 4 spaces against a provision of 4 spaces, which would be in compliance with the parking standards. As such, the proposed development is considered to provide adequate parking and would be in compliance with the requirements of Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Hillingdon's Adopted Parking Standards and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

A cycle stand is shown within the car port, however this would not comply with the requirements for secure cycle storage. However details for this could be conditioned if all other aspects of the proposal were considered acceptable.

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

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

#### **7.12 Disabled access**

Not applicable to this application.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

The replacement of the existing garage block with the coach house would have a minimal impact on the approved landscaping for the site. However the Landscape Officer has advised that the proposed planting around the car park is relatively low and ineffective. Amendments to the planting scheme are recommended and this could be secured through the inclusion of a condition for the landscaping, if all other aspects of the proposal were acceptable.



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

Not applicable to this application.

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

Not applicable to this application.

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

The Flood and Water Management Officer has advised that there is an ordinary watercourse which flows across this site and is connected to the proposed drainage as specified on previous applications. The permeable paving as proposed would be acceptable but there must be a clear plan of the drainage across the site relating to surface water. This could be conditioned for submission.

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

Not applicable to this application

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

Disruption caused by development works are transitory in nature and as a consequence are not a material consideration sufficient to refuse an application. The 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, which includes hours of operation, noise, dust and smoke. Any breach of these requirements should be reported to the Council's Environmental Protection Unit.

Other issues raised have been addressed appropriately in the report.

#### **7.20 Planning Obligations**

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

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

Not applicable to this application.

#### **7.22 Other Issues**

The proposal identifies suitable bin storage facilities within the car port.

### **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**

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

It is therefore recommended for refusal.

### **11. Reference Documents**

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).  
Hillingdon Local Plan Part 2.  
The London Plan (2016).  
Supplementary Planning Document 'Accessible Hillingdon'.  
National Planning Policy Framework.

**Contact Officer:** Liz Arnold

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**Land adjacent to  
 29-33 Dollis Crescent**

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

Planning Application Ref:  
**45159/APP/2017/325**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**April 2017**



**HILLINGDON**  
 LONDON