

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJACENT TO 68 KNOLL CRESCENT KNOLL CRESCENT
NORTHWOOD

Development: 2 x 3-bed, one and a half storey, semi-detached dwelling houses with associated parking and amenity space, involving demolition of existing outbuilding.

LBH Ref Nos: 70975/APP/2017/586

Drawing Nos: 17/3088/04B
17/3088/01
Site Survey
17/3088/02
17/3088/03
17/3088/05
Planning Statement
Arboricultural Impact Assessment
17/3088/00

Date Plans Received: 20/02/2017 **Date(s) of Amendment(s):** 20/02/2017

Date Application Valid: 21/02/2017

1. SUMMARY

This application seeks permission for a pair of semi detached dwellings with associated parking and amenity space within an area of land to the rear of 41 and 43 The Drive, Northwood. The house would be accessed off the Southern arm of Knoll Crescent.

The proposed development is considered to constitute backland development. In the light of changes in policy and guidance in relation to backland development, and given the harm that would be caused to the character and appearance arising from this development it is considered that the development would be unacceptable.

Furthermore two appeals have been dismissed in 2014 and 2016 concerning dwellings on this site. In both cases Planning Inspectors supported the Council's stance that such development was inappropriate in principle.

This area currently forms an essential break in the built form and an area of amenity that contributes to the street scene. There is also a useful turning area for vehicles, which serves to emphasise its openness. The loss of this area to further buildings would harm this openness and amenity of the area. Similarly the open aspect from the rear of the properties in The Drive, including the donor property and No.41, would be lost. The proposal would therefore fail to retain the open and green nature that is characteristic of the area.

The scheme is therefore unacceptable in principle, and contrary to planning policies, as set out below.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development would constitute a piecemeal form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area. The proposal is therefore contrary to Part One Policy BE1 and Part 2 Policies BE13 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and Policy 3.5 of the London Plan (March 2016).

2 NON2 Non Standard reason for refusal

The proposed development, by reason of its design, would result in a building which would detract from the character and appearance of the street scene, causing harm to the visual amenities of the surrounding area. The proposal is, therefore, contrary to Part 1 Policy BE1 and Part 2 Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012).

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), the London Plan Policies (2015). 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 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H3	Loss and replacement of residential accommodation
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
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 3.8	(2016) Housing Choice
LPP 5.13	(2016) Sustainable drainage
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 7.14	(2016) Improving air quality
LPP 7.4	(2016) Local character

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You are advised that the proposed development represents chargeable development under the London Borough of Hillingdon and the Mayor's Community Infrastructure Levy Charging Schedules. Should the application be subject to an appeal which was allowed the development would be liable.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated to the rear of Nos. 41 and 43 The Drive. It should be noted that all of the application land is in the ownership of No. 43 The Drive. The site is rectangular in shape, measuring 19.1 m wide by 71.7 m deep, and comprises the rear garden of No 41 The Drive and also extends to the rear of No. 43 The Drive. The site comprises of areas of lawn, trees and vegetation, has an overall area of 0.13 Ha, can best be described as verdant in character, and is the subject of area TPO No. 124 which covers land at 35-49 The Drive.

It is worth noting that since the refusal of planning permissions for a previous scheme, the applicant, has obtained a Certificate of Lawful Development (ref: 43995/APP/2016/3262) for the construction of an enclosed swimming pool in the rear garden of no. 43 the Drive. The proposed house is proposed to sit broadly on the footprint of the swimming pool building enclosure. At the time of the Officer's site visit it should be noted that whilst works had begun on the swimming pool enclosure building, they were not completed.

The Southern boundary of the site adjoins the Southern arm of Knoll Crescent, which currently terminates in the form of a turning area adjacent to the site. Knoll Crescent is characterised by relatively modern properties of several different designs situated within a pleasant semi-urban environment.

The application site forms part of an area of generally wooded garden land which separates the Northern and Southern arms of Knoll Crescent.

The application site remains similar as that for the two previously refused schemes, however it has been extended to the South East and terminates adjacent to no. 113 Knoll Crescent.

The application site slopes down in an Easterly direction from the host dwelling. Therefore, the properties in Knoll Crescent [to the South] are at a considerably lower level than those in The Drive.

An outbuilding allowed under permitted development has been built in the same position as the proposed pair of semi-detached houses. The outbuilding is for the use of a swimming pool, however, no swimming pool has been built.

Beyond the south eastern boundary is land designated as Green Belt and a Site of Interest for Nature Conservation.

3.2 Proposed Scheme

The application proposes a pair of 3 bedroom semi detached houses to be built within the rear garden area with access from Knoll Crescent, effectively forming an extension of the existing Knoll Crescent street scene. The proposed house would be to the west of the site.

The proposed pair of semis would be single storey with a maximum height of 6.1m incorporating a steep pitch roof with all the bedrooms in the roof space. The building would have two front gables and two front dormers to all sunlight/daylight to and outlook form the bedrooms. The building would be 15m wide, 9m deep. Internally these family sized dwellings provide 3 bedrooms on the first floor and a ground floor kitchen/diner and lounge space creating 105sq.m of internal floorspace for each house.

3.3 Relevant Planning History

43995/APP/2016/2016 43 The Drive Northwood

Single storey outbuilding to rear for use as a swimming pool (Application for a Certificate of Lawf Development for a Proposed Development)

Decision: 01-08-2016 Refused

43995/APP/2016/3262 43 The Drive Northwood

Single storey outbuilding to rear for use as a swimming pool (Application for a Certificate of Lawf Development for a Proposed Development)

Decision: 25-10-2016 Approved

68458/APP/2012/779 Land Rear Of 41 & 43 The Drive Northwood

4 x two storey, 4-bed, detached dwellings with associated amenity space and parking and

installation of vehicular crossover to front

Decision: 08-08-2012 Refused

68458/APP/2013/1405 Land Rear Of 41 & 43 The Drive Northwood

2 x two storey, 4-bed, detached dwellings with associated amenity space and parking and installation of vehicular crossover

Decision: 28-08-2013 Refused **Appeal:** 20-02-2014 Dismissed

70975/APP/2015/2012 Land Adjacent To 68 Knoll Crescent Northwood

Two storey detached dwelling with associated parking and amenity space

Decision: 26-08-2015 Refused **Appeal:** 16-04-2016 Dismissed

70975/APP/2015/3737 Land Adjacent To 68 Knoll Crescent Knoll Crescent Northwood

Two storey detached dwelling with associated parking and amenity space

Decision: 18-02-2016 Refused **Appeal:** 26-04-2016 Withdrawn

Comment on Relevant Planning History

43 The Drive

43995/APP/2016/3262 - Single storey outbuilding to rear for use as a swimming pool (Application for a Certificate of Lawful Development for a Proposed Development). Granted on 16/10/2016.

Land Adjacent to 68 Knoll Crescent

Under ref: 70975/APP/2015/2012 and 70975/APP/2015/3737, planning permission was refused for the two storey detached dwelling with associated parking and amenity space for the following reasons:

1. The proposed development would constitute a piecemeal form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area. The proposal is therefore contrary to Part One Policy BE1 and Part 2 Policies BE13 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and Policy 3.5 of the London Plan (March 2015).
2. The proposed development, by reason of its design, would result in a building which would detract from the character and appearance of the streetscene, causing harm to the visual amenities of the surrounding area. The proposal is, therefore, contrary to Part 1 Policy BE1 and Part 2 Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012).
3. The proposal fails to make adequate provision for the protection and long-term retention of valuable trees. The proposal therefore does not comply with Policy BE38 of the

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and Policy 3.5 of the London Plan (March 2015).

Under ref: 68458/APP/2012/779, planning permission was refused for the erection of 4 x two storey, 4-bed, detached dwellings with associated amenity space and parking and installation of vehicular crossover to front on the same area of land for the following reasons:

1.The proposed development would constitute backland development that would fail to maintain the open and verdant character and appearance of the surrounding area. The proposal is therefore contrary to Policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), and Policy 3.5 of the London Plan (July 2011).

2.The proposal would result in the loss of a significant number of trees (including protected trees)and would adversely impact on the green vista and arboreal character of the area. The proposal does not take into account the future growth / size of trees and the impact that this growth would have on the amenities of the proposed occupiers. The proposal therefore does not comply with Policy BE38 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

3.The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, including a contribution for education facilities. The scheme therefore conflicts with Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Hillingdon Planning Obligations Supplementary Document (July 2008).

Under ref: 68458/APP/2013/1405, planning permission was refused and dismissed at appeal for the 2 x two storey, 4-bed, detached dwellings with associated amenity space and parking and installation of vehicular crossover for the following reasons:

1. The proposed development would constitute a piecemeal form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area. The proposal is therefore contrary to Part One Policy BE1 and Part 2 Policies BE13 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and Policy 3.5 of the London Plan (July 2011).

2. The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development, including a contribution for education facilities. The scheme therefore conflicts with Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Hillingdon Planning Obligations Supplementary Document (July 2008).

4. Planning Policies and Standards

The proposed development is assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2015, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

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

Part 2 Policies:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H3 Loss and replacement of residential accommodation
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- 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 3.8 (2016) Housing Choice
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.18 (2016) Construction, excavation and demolition waste
- LPP 5.3 (2016) Sustainable design and construction
- LPP 5.7 (2016) Renewable energy
- LPP 7.14 (2016) Improving air quality

LPP 7.4 (2016) Local character

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

18 neighbouring properties and the Northwood Residents Association were notified of the proposed development on 24th February 2017 and a site notice was erected adjacent the site on 26th February 2017.

By the close of the consultation period 13 neighbouring residents had objected to the proposed development and a petition with 122 signatures was received which objects to the proposal and asks for it to be refused.

The objections can be summarised as the following:

- i) Backland development.
- ii) Illegal access on to site from Knoll Crescent.
- iii) Under provision of parking;
- iv) Traffic impact & harm to highway safety;
- v) Proposal would result in loss of trees and the Tree Survey is out of date from 2015;
- vi) Set a precedent for more houses to be developed on this site;
- vii) Harm to character and appearance of the surrounding area;
- viii) Potential foundation issues;
- ix) Loss of parking spaces on Knoll Crescent;
- x) Potential Flooding and Drainage issues;
- xi) Proposed house is identical to the previous refused scheme, other than repositioning it slightly.
- xii) Numerous applications and appeals have been rejected already and the PD swimming pool should not be used as a fallback for approval. The application is making a mockery of the planning system.
- xiii) Loss of turning space at end of cul de sac.

Case Officer Comments: These above concerns will be considered in the main body of the report.

Concerns raised relating to impact on foundations, and the legality or otherwise of the access are matters dealt with under other legislation.

Internal Consultees

Trees and Landscape comments:

This site is covered by TPO 124. There are several large, mature protected trees on and adjacent to this site. The tree report that has been submitted refers to a previous application, which is completely different from this current one. In order to show that this scheme makes adequate provision for the protection and long-term retention of valuable trees, a relevant and up-to-date tree report (arboricultural impact assessment, arboricultural method statement and tree protection plan) is required. Please re-consult on receipt of the requested information; if the information is not forthcoming, then the scheme will be considered unacceptable because it does not make adequate provision for the protection and long-term retention of valuable trees.

Officer Comment: A revised arboricultural impact assessment has been submitted dated March 2017 providing an updated method statement and tree protection plan that address the concerns of Hillingdon's Tree Officer.

EPU comments:

No environmental health comments received for the current application, however, previous comments still apply:

I refer to your consultation of 16 October, and to our previous comments on the same application that was refused in 2012. We would have no additional comments. As advised a condition to test the garden soils is advised to ensure that the gardens are clean and free from contamination for the new residents.

Highway comments:

No highway comments received for the current application, however, previous comment still apply: As there is no garage with the property, provision should be made for secure and covered cycle storage.

The four parking spaces are accessed off a turning head, a condition is required to ensure no parking takes place at any time on the turning head.

Subject to the above, no objections are raised on highway grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

As with the previous applications, this proposal would represent backland development to which there have been recent changes to policy, as contained within both the London Plan 2016 and the National Planning Policy Framework.

With regard to the London Plan, Policy 3.5 states that developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the plan to protect and enhance London's residential environment and attractiveness as a place to live. Boroughs may in their LDF's introduce a presumption against development on back gardens where this can be locally justified.

The London Plan comments in Paragraph 3.34 comments that "Directly and indirectly back gardens play important roles in addressing many of these policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local concern. This Plan therefore supports development plan-led presumptions against development on backgardens where locally justified by a sound local evidence base..."

The Hillingdon Local Plan: Part 1 Strategic Policies (November 2012) in policy BE1 requires that all new development should improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Point 9 of policy BE1 seeks to prevent proposals that would result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

Consideration also needs to be given to 'saved' Unitary Development Plan policy H12. This policy seeks to prevent backland development where it would cause undue disturbance or loss of privacy to adjoining neighbours.

It is considered that this proposal is clearly a backland development. The loss of the rear garden area and the impact of the new building proposed on an otherwise green space, adjacent to the Green Belt (to the South East) and clearly visible from both public and private areas would be detrimental to the character of the area.

7.02 Density of the proposed development

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

The site is not within or adjacent a special character area.

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

The site is not situated within Green Belt land although it is adjacent to it. However, given the existing built environment and its relationship with the boundary, it is considered on balance that there would be no adverse impact on the openness of the Green Belt. Where seen from within the adjoining Green Belt the buildings would be seen as a continuation of the Knoll Crescent properties. No Green Belt issues are therefore raised by this application.

7.07 Impact on the character & appearance of the area

As detailed elsewhere in this report, the proposed development would impact on the character and appearance of the area, resulting in the loss of an area of open space that contributes to the character of the area and the amenities of existing residents that surround the site.

This is particularly apparent from the end of Knoll Crescent, where the access to the proposed site would be created and the house constructed. This area currently forms a break in the built form and an area of amenity that contributes to the street scene. This break in built form is considered essential to allow for the prominence of the trees to remain the dominant visual feature safeguarding the current character of the area.

Fronting towards the turning area for vehicles, the site is prominent emphasising its openness. The loss of this area to further buildings would harm this openness and amenity value. Similarly the open aspect from the rear of the properties in The Drive, including the donor property and No.41, would be lost.

The submission documentation argues that approved the swimming pool enclosure in the rear of No.43 the Drive granted under a Certificate of Lawful Development already impact on the openness of the area and therefore an argument that the proposed house would impact on the open character of the area cannot be made by Officers.

It must be noted however, that at the time of the Officer's site visit the whilst works had commenced the swimming pool enclosure had been constructed but not completed and a swimming pool had not been dug inside the partially constructed enclosure. It is clear that the approved swimming pool enclosure and the 'existing plan' on the submission differ. The size of the approved swimming pool enclosure was 14.89m x 11.695m whereas the existing plan on the submission shows an enclosure 14.89m x 8.695m.

Additionally the approved swimming pool structure was to be a maximum of 4 m in height whereas the proposed semi detached dwellings would be 6.1 m in height, an increase in height of 2 m or 50%, which have a far greater impact on the open character of the back gardens.

The proposal would therefore fail to retain the open and green nature that is characteristic of the area, and would be contrary to Policy BE1 of the adopted Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policies BE13 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (March 2016).

7.08 Impact on neighbours

The Council's Supplementary Planning Document HDAS: Residential Layouts requires buildings of two or more storeys to maintain at least a 15 m separation distance from adjoining properties to avoid appearing overdominant and a 21 m distance maintained between facing habitable room windows and private amenity space, considered to be a 3 m deep 'patio' area adjoining the rear elevation of a property to safeguard privacy.

Whilst the proposed development would result in a harmful change in character of the area, it is considered that there would be no material impact on the amenities of adjoining occupiers. Appropriate conditions could be imposed on any planning permission granted to ensure that there would be no adverse impact on the amenities of the adjoining occupiers, such as, for example through the provision of obscure glazing, or preventing the installation of roof extensions and dormers, or outbuildings.

The new buildings would be sited at a lower level than the properties in The Drive, similar to the existing relationship with other properties in The Drive and Knoll Crescent. The relationship between the new buildings with the properties adjacent in Knoll Crescent would also be satisfactory.

There would thus be no significant adverse impact in terms of loss of light or privacy, or overlooking or any overbearing impact or visual intrusion that would justify a refusal of planning permission.

In this respect the proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

The National Housing Standards came into effect on the 1 October 2015. Mayor's Housing Standards: Transition Policy Statement sets out that from this date relevant London Plan policy and associated guidance in the Housing SPG should be interpreted by reference to the nearest equivalent new national technical standard.

Mayor's Housing Standards: Transition Policy Statement sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. Table 3.3 requires a 2 storey, 3 bedroom, 5 person dwelling, to have a minimum size of 93 sq.m. The proposed new dwellings would each be approximately 107 sq.m and would comply with the required standard resulting in a satisfactory residential environment for future occupiers.

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

houses and the character of the area.

The side/rear amenity space meets these requirements and therefore would provide a satisfactory standard of residential amenity for future householders. The level of amenity space retained for the use of no.43 The Drive would also remain acceptable in accordance with the Council's guidance. As such, the scheme complies with Policies BE23 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed bedrooms would be screened by hedges and set more than 21 m from neighbouring properties and would therefore not be overlooked by adjoining properties.

It is also considered, that all the proposed habitable rooms would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2016).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Two parking spaces are provided for each of the two proposed dwelling. This is considered satisfactory and in accordance with the Council's parking standards.

As such, it is considered that the scheme complies with Policies AM7 and AM14 of the adopted Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The impact of the development on the verdant character of the area, the design of the houses, and their relationship with each other, in their own right, are considered unacceptable.

The scheme proposes a pair of chalet style semi-detached houses, with 1st floor accommodation located in large pitched roofs with large front gables and two front dormers.

The proposed design would not follow the pattern of development with the houses on Knoll Crescent and The Drive which have a clear consistency to their design. It is therefore considered that the design of the house as proposed would detract from the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

With regard to access and security, had the application not been recommended for refusal, conditions would have been sufficient to ensure compliance with the requirements of Policy BE18 of the adopted Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) and the Council's Supplementary Planning Guidance on Community Safety by Design.

7.12 Disabled access

If the scheme had been found acceptable a condition would have been recommended to ensure the development would meet building regulation M4 (2) 'accessible and adaptable dwellings' in accordance with Policy 3.8 c of the London Plan (March 2015) and the Mayor's Housing Standards: Transition Policy Statement.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Local Plan requires development proposals to retain and utilise landscape features of merit and provide new planting wherever appropriate.

This site is covered by TPO 124. There are several large, mature protected trees on and adjacent to this site. The tree report that has been submitted and has been updated since the previously refused scheme.

The current scheme has been amended in such a way as to minimise harm to the valuable, protected Ash trees (T40 & T41 on TPO 124).

The proposal addresses the previous reason for refusal and the scheme makes adequate provision for the protection and long-term retention of valuable tree/s, subject to conditions

7.15 Sustainable waste management

The houses would have individual bin stores and the future occupiers could bring their rubbish to the end of the proposed access drive on refuse collection day accordingly the waste management provision is not considered to raise a concern.

7.16 Renewable energy / Sustainability

The proposal would be required to achieve appropriate standards of sustainable design and reduce water consumption in accordance with policies contained within section 5 of the London Plan. Had the development been acceptable in other respects this matter could have been dealt with by way of appropriate conditions.

7.17 Flooding or Drainage Issues

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

7.18 Noise or Air Quality Issues

It is considered that the proposal would not give rise to any additional noise or air quality issues of concern.

7.19 Comments on Public Consultations

No further comments with regards to public consultation.

7.20 Planning Obligations

Not applicable.

7.21 Expediency of enforcement action

There is now a separate planning enforcement case under investigation concerning the swimming pool building being constructed under the occupiers permitted development rights.

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

The proposed development would constitute a piecemeal form of backland development that would fail to maintain the open and verdant character and appearance of the surrounding area. Furthermore, the proposed development, by reason of its design, would result in a building which would detract from the character and appearance of the street

scene, causing harm to the visual amenities of the surrounding area.

For these reasons it is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan (November 2012)

London Plan (2016)

National Planning Policy Framework

HDAS: Residential Layouts

Supplementary Planning Guidance - Community Safety by Design

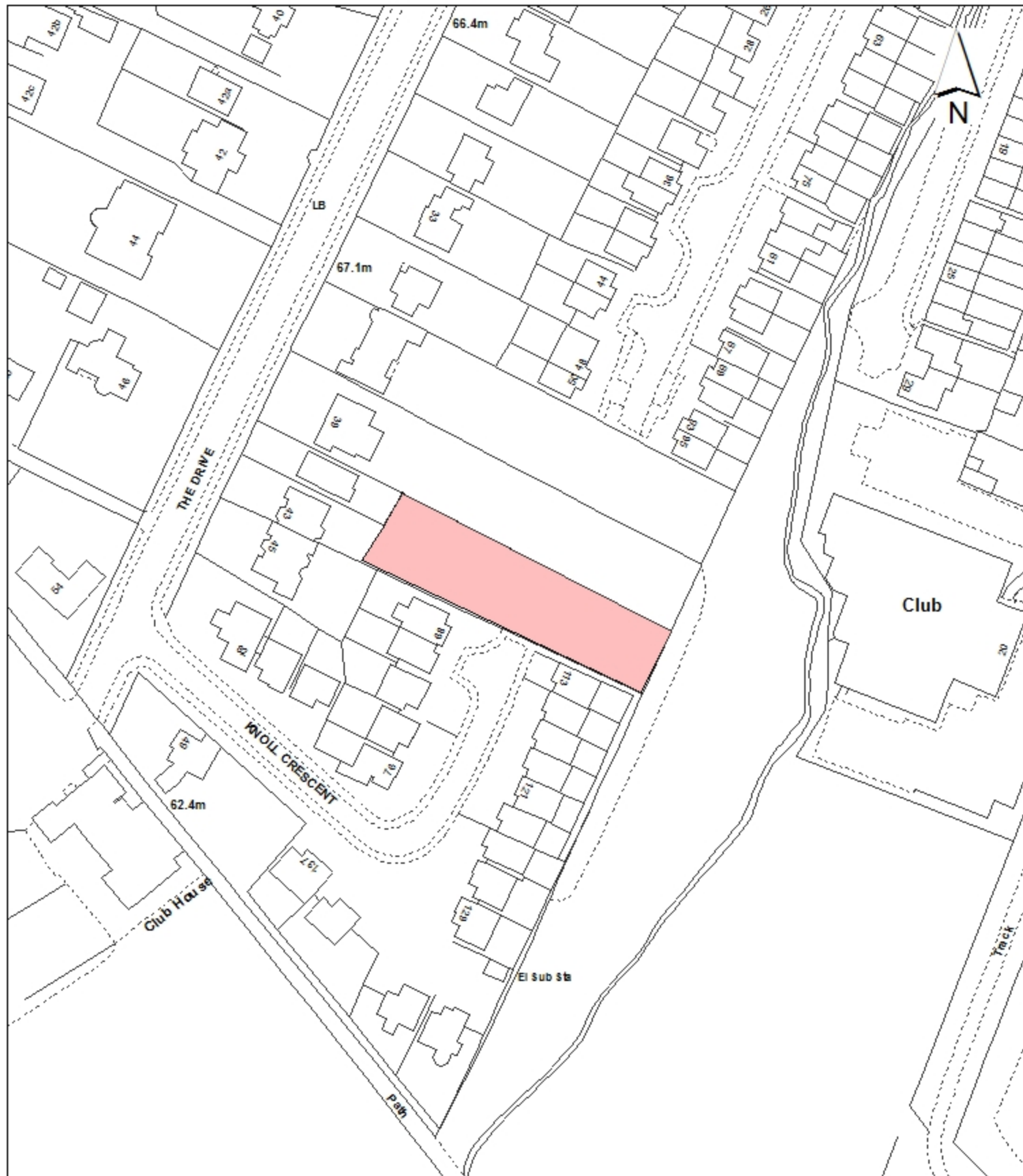
Supplementary Planning Guidance - Noise

Supplementary Planning Guidance - Air Quality

HDAS: Accessible Hillingdon

Contact Officer: Mandeep Chaggar

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**Land Adjacent to
68 Knoll Crescent**

Planning Application Ref:

70975/APP/2017/586

Planning Committee:

North

Scale:

1:1,250

Date:

May 2017

**LONDON BOROUGH
OF HILLINGDON**

Residents Services
Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
LONDON