

Report of the Head of Planning, Sport and Green Spaces

Address 38 AND 40 DUCKS HILL ROAD NORTHWOOD

Development: Erection of a three storey building to create 9 x 3-bed self-contained flats with car parking within basement, with associated parking and landscaping, installation of vehicular crossover to front and detached summerhouse to rear, involving demolition of existing houses (Resubmission).

LBH Ref Nos: 71798/APP/2017/803

Drawing Nos: 02 B - Landscape Concept Plan
106 A - 38 Ducks Hill Road Existing Elevations
107 A - 40 Ducks Hill Road Existing Elevations
108 A - Existing Adjoining Elevations
301 B - Proposed Basement Floor Plan
302 D - Proposed Ground Floor Plan
303 D - Proposed First Floor Plan
304 D - Proposed Second Floor Plan
04 - Indicative Summerhouse
306 C - Proposed North East Elevation
307 D - Proposed South East Elevation
308 D - Proposed South West Elevation
309 D - Proposed North West Elevation
330 A - Daylight and Sunlight Elevations
254 A - Proposed Street Scene
305 C - Proposed Roof Plan
03 B - Proposed Sections
Planning Statement - March 2017
Flatted Development Report - June 2016
161560-001 B - Transport Assessment and Appendices
Preliminary Ecological Report and Appendices
Highways Statement
Tree Survey
310 A - Proposed Main Entrance Gates Elevation
100 C - Location Plan
Design & Access Statement

Date Plans Received: 03/03/2017 **Date(s) of Amendment(s):** 03/03/2017
Date Application Valid: 13/03/2017 07/03/2017

1. SUMMARY

The proposed redevelopment of the site would result in the loss of two large and spacious family homes and their replacement with flatted development. Considerable amounts of flatted development has been constructed within close proximity of the site, particularly to the south, to the extent that the threshold of 10% of original dwelling plots (that still engage within the street scene) being converted to flatted development has already been reached.

Allowing further flatted development would compromise the original character and appearance of this stretch of Ducks Hill Road.

The northern flank wall of the proposed block of flats would also run parallel to a significant proportion of the side boundary of No. 36 Ducks Hill Road and would therefore appear overbearing and oppressive when viewed from the rear garden of that property.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development would result in coalescence of flatted development within the immediate surrounding area and a general over-concentration of flatted development on this part of Ducks Hill Road. The resultant intensification in the residential use of the site which would be detrimental to the traditional character of large, detached family homes on Ducks Hill Road. The proposal is therefore contrary to Policies BE 13 and BE 19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Paragraph 3.3 of the Council's adopted Supplementary Planning Document HDAS: Residential Layouts and Policy 7.4 of the London Plan (2016).

2 NON2 Non Standard reason for refusal

The proposed building by virtue of its height, depth and proximity to the side boundary of the site, would be detrimental to the amenities of the adjoining occupiers at 36 Ducks Hill Road, by reason of overbearing impact. Therefore the proposal would be contrary to Policy BE 21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the Council's adopted Supplementary Planning Document HDAS: Residential Extensions and Policy 7.6 of the London Plan (2016).

3. CONSIDERATIONS

3.1 Site and Locality

The site is located on a residential road that is broadly characterised by large detached dwellings that occupy generously sized plots. There is no uniform design to buildings, with a variety of architectural designs and features present within the street scene. Buildings are generally set well back from the highway with open or landscaped frontages, introducing a sense of spaciousness. The street scene is also verdant in appearance owing to the presence of grass verges and mature street trees.

More modern development has gained an increasing presence within the street scene. Original dwelling plots have been either subdivided to provide smaller dwellings or redeveloped in bulk as separate residential cul-de-sacs or mews. There are also a number of flats now lining the street, these have been purpose built rather than the result of conversions and, as such, are contained within modern buildings. Of particular note is a coalescence of flatted development on the eastern side of the road between Teal Drive and Glynswood Place.

The site itself is currently occupied by two plots each of which accommodate a detached two-storey dwelling of distinctive appearance. Both dwellings are vacant and the site has been closed off with hoarding. There are no other significant buildings on site. The rear garden areas are grass surfaced with no significant trees or hedging. There is a line of recently planted Leylandii type hedging on the northern boundary shared with No. 36 Ducks Hill Road. All site boundaries to the side and rear of the site are marked with approximately 1.8 metre high timber fencing with additional hedging and shrubbery in places.

The area to the front of the dwellings comprises a mix of grass and hard surfacing,

predominantly tarmac to the front of No. 38. There is a mature horse chestnut tree to front of No. 40, adjacent to the highway.

Site levels are predominantly flat, with a very slight rise towards the rear.

For clarity, the site does not incorporate the entire rear garden of No. 40 Ducks Hill Road, an approximately 50 metre portion, which backs on to Cygnet Close, would not be developed. The overall site area is approximately 1800 m² (0.18 hectares).

3.2 Proposed Scheme

The proposal involves the demolition of the two dwellings currently occupying the site and replacement with a three-storey block of flats which will also incorporate basement level parking for 20 cars (including 2 disabled bays) as well as storage for motorcycles and 9 bicycles. The building will house a total of 9 x 3 bedroom flats, with 3 flats on each floor.

The building will be set back from the road and consist of three main elements organised around a central glass atrium. Two of the elements form the frontage and this will be staggered in appearance. The rear element will be positioned more centrally within the site, away from site boundaries.

The main roof line of the building will be pitched with gable ends although some hipped roofing will also be incorporated. The atrium will have a flat roof and there will also be elements of crown roof over the main structure. The majority of the roof slopes of the building will include flat roof dormers as the second floor accommodation is to be housed within the roof space. Four of the upper floor units will be served by rear facing full balconies whilst the remaining two units, which are located within the rear wing of the block, will have juliet balconies. Ground floor properties will have their own private terraces which will be screened with hedge planting. The remainder of the grounds will be landscaped with a communal garden area and summer house provided.

The maximum height to ridge line will be approximately 10.9 metres with the side elevation flanking No. 36 stepped down to approximately 9.8 metres. The staggered frontage will measure approximately 24.7 metres in width. The overall footprint of the building will be approximately 485 m². The combined footprint of the existing dwellings is approximately 145 m².

All flats will be accessed via the central atrium with all floors being served by stairway and a lift.

3.3 Relevant Planning History

71798/APP/2016/2997 38 And 40 Ducks Hill Road Northwood

Erection of a three storey building to create 9 x 3-bed self-contained flats with car parking within basement, with associated parking and landscaping, installation of vehicular crossover to front and detached summerhouse to rear, involving demolition of existing houses.

Decision: 05-01-2017 Refused

Comment on Relevant Planning History

A previous application was refused for a number of reasons, these being amenity impact, drainage concerns and the subdivision of the former 40 Ducks Hill Road plot resulting in an inefficient use of the site.

The reason relating to the plot subdivision has been reappraised and it is not considered that this reason for refusal is reasonable as the remnant of the plot is of sufficient size for future residential development and also benefits from a street frontage on to Cygnet Close.

The current application attempts to address all other reasons for refusal.

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.
- AM15 Provision of reserved parking spaces for disabled persons
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- 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.
- H3 Loss and replacement of residential accommodation
- H4 Mix of housing units
- EM6 (2012) Flood Risk Management
- 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
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

- 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

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| LPP 5.12 | (2016) Flood risk management |
| LPP 5.13 | (2016) Sustainable drainage |
| LPP 7.13 | (2016) Safety, security and resilience to emergency |
| LPP 7.15 | (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes. |
| LPP 7.2 | (2016) An inclusive environment |
| LPP 7.3 | (2016) Designing out crime |
| LPP 7.4 | (2016) Local character |
| LPP 7.6 | (2016) Architecture |
| 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 |
| BE18 | Design considerations - pedestrian security and safety |
| NPP13 | |
| NPPF1 | NPPF - Delivering sustainable development |
| NPPF7 | NPPF - Requiring good design |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

No external bodies were consulted.

Internal Consultees

Site notices were displayed adjacent to the site on Ducks Hill Road and Cygnet Close. In addition, letters notifying of the proposed development and inviting comments were sent to neighbours.

A total of 21 letters of objection (from 10 addresses) have been received, the key points of which are summarised below:-

- Submitted flatted development study inaccurate and misleading.
- Density too high and contrary to policy.
- Negative street scene impact
- Building line too far forward
- Vacancy of existing dwellings not a planning consideration
- Gables too high - visual dominance
- Overly bulky
- Traffic impact - poor refuse plan. Inadequate parking provision. Query over visibility splays at entrance / exit.
- 45 degree rule breach - loss of privacy - balconies
- Gardens will be heavily surrounded.

- Flood risk due to hard landscaping.
- Land to rear will be landlocked due to TPO trees on Cygnet Close frontage.
- Overloading of infrastructure
- Deep excavation for basement could undermine foundations.
- The undeveloped land to rear needs to be maintained as attracts vermin.
- Three storeys is out of keeping with surrounding development
- Loss of garden land (backland development).
- Noise from cars in basement and balconies.
- No visitor parking
- Overshadowing at certain times of day
- Application form, planning statement and design & access statement are incorrectly filled in and is misleading.
- Previous applications for smaller footprint have been refused.
- Mature trees removed from site.
- Applicant suggests NPPF and London Plan guidelines more relevant than local plan. My understanding from Local Councillors is Hillingdon Policies take precedence.
- The need to remove trees is a symbol of overdevelopment.
- Summer house too close to neighbouring property and will result in noise and disruption.
- Design & Access Statement refers to emerging policies. Current policies take precedence.
- Does not provide a gap between buildings so out of keeping with surroundings.
- Extensive hard landscaping and loss of permeable areas.
- No turning area for servicing vehicles.
- Boundary fencing would be unsightly and disturb existing landscaping.
- Recommendations of ecology report not met by landscaping scheme.
- Very limited usable amenity space for future occupants.
- Materials not in keeping with surrounding red brick properties.
- Existing gardens important as provides a link between green belt land.
- A number of mature trees have been removed from the site.
- New landscaping is low level and will not provide sufficient screening.
- Design & Access Statement inaccurate and misleading.
- Loss of amenities - Overlooking. Overbearing. Overshadowing.
- No topographic survey for 40 Ducks Hill Road.
- Ecology report recommendations have not been followed.
- The development will not be compliant with lifetime homes standards
- Proposed sewage pipe will impact upon protected trees along Cygnet Close

A petition with 45 signatories that object to the application has also been received.

NORTHWOOD RESIDENTS ASSOCIATION:

The development includes the creation of a basement for which no geotechnical or hydrological surveys have been provided and it is not possible to determine whether the development would not have an unacceptable impact on drainage and flood risk in accordance with Policies OE7 and OE8 and proposed Local Plan Part 2 Policy DMHD3.

Officer Response: A ground survey was carried out by GS surveys in August 2016 and has been included in Appendix D. The ground investigation report found that significant groundwater would not be encountered up to 4 m below the existing ground level. Groundwater was not encountered during the investigation.

DRAINAGE OFFICER:

The Surface Water Drainage Strategy produced by by Ardent Consultant Engineers ref: 161560-03 dated March 2017 shows that a suitable scheme can be provided onsite. The proposals to reduce

the run off from the site to greenfield run off rates in even an extreme rainfall event is in accordance with government guidance.

The proposal includes a basement level. A ground survey was carried out by GS surveys in August 2016 and has been included in Appendix D. The ground investigation report found that significant groundwater would not be encountered up to 4m below the existing ground level. Groundwater was not encountered during the investigation.

Some consideration has been given to drainage options within the drainage hierarchy.

Geo cellular attenuation is considered to be the most viable option for the site.

Surface water from all impermeable areas of the site will be attenuated via the storage tank which will provide a volume of approximately 22.8m³ which can accommodate all rainfalls events up to the 1 in 100 year event with 40%

climate change. Discharge from the site will be restricted to the greenfield runoff rate of 2.5 l/s providing 88% betterment on the 1 in 100 storm event. Calculations have been included in Appendix E.

Discharge from the site will be connected to a Thames Water surface water sewer which will require consent from Thames Water.

The drainage strategy will implement a pumped surface water system as the site will be lowered below existing ground levels. A gravity system is not considered to be viable for this reason.

Surface water will be treated by a vortex separator located downstream of the attenuation tank.

The drainage system has been included in Drawing No. 161560-002C Appendix E.

A private management company will be set up to manage and maintain the drainage system. A management and maintenance plan has been provided in Appendix F.

CONSERVATION & URBAN DESIGN OFFICER:

The Charles Voysey inspired character and street scene appearance of the proposal would be considered in keeping with the original Arts and Crafts style that Northwood was originally developed. The scheme has been designed to appear as two houses with a staggered building line to the front and a glazed section connecting the two blocks to the front.

Whilst there are no objections to the style, character and appearance of the proposal there are concerns regarding the flat roofed areas and depth of the proposed building. It would project a substantial distance into the site increasing the developed nature of the site. The general footprint and mass of the building would take up a significant portion of the site.

Conditions recommended regarding external materials and fenestrations.

LANDSCAPES:

Comments as per previous application.

This development was subject to a pre-application meeting where agreement in principle was agreed in relation to landscape issues. The site is not affected by TPO or Conservation Area designations. A Tree Report by Tree Sense has assessed the condition and value of two trees within the front garden of number 40. T1 horse chestnut (grade B1) and T2, holly (C1) will both be

safeguarded and retained as part of the development. The report includes an Arboricultural Method Statement (section 10.1) and Tree Protection Measures. A Landscape Concept Plan, dwg. ref. 02 provides a comprehensive landscape master plan for the site which includes private patios and communal gardens with new infrastructure planting, including trees and hedging.

Two areas of design needing particular attention will be the detailing of the ramp to the car park with associated retaining walls and pedestrian barriers and the bin store - which has been sited outside the site. The bin store should be re-sited, and screened, within the site boundary. If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

HIGHWAYS:

This is a resubmission of a previously refused application (not on highway grounds) for the redevelopment of two dwellings to create 9x3b flats on the site in Ducks Hill Road. Ducks Hill Road is a classified road and the site is opposite Mallard Way with two existing access points. There is a narrow footway past the two plots. The site has a PTAL of 1 (poor) which indicates there will be a strong reliance on private cars for trip making. The applicant has supplied a revised Transport Statement by Ardent (dated March 2017) which was supplied in support of the application. The proposals involve demolishing the existing detached houses and constructing a block of 9 x3b flats with basement parking. The proposed development will generate slightly more traffic than the existing use but this is not significant. The basement contains 20 car parking spaces which is in accordance with Council Policies.

There are 9 cycle parking spaces but this is below Council Policy but each flat has a storage area where a cycle could be stored. There is also a motorcycle bay provided in the basement. There is a new refuse/recycling bin store proposed adjacent to the Ducks Hill Road frontage. A new access to the site is proposed which will mean re-instating the footpath at the applicant's expense. The new access has an electronic gate entrance with appropriate set backs and the sight distance for exiting traffic is sufficient. There is a separate pedestrian entrance to the site of Ducks Hill Road. On the basis of the above comments I have no significant highway concerns over the application.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within an established urban setting and would involve the redevelopment of land that has been previously developed. The overarching objective of the National Planning Policy Framework (NPPF) is to maintain a presumption in favour of sustainable development. Para. 17 of the NPPF sets out a raft of core planning principles, one of which is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

It is therefore considered that the principle of the redevelopment of the site is acceptable, subject to it satisfying relevant local, regional and national planning policies. The proposal will be assessed against these policies in the main body of this report.

The site is considered to represent a suitable example of a windfall site as defined within para. 48 of the NPPF, the development of which would represent a more efficient use of land as encouraged with Policy 3.4 of the London Plan (2016) and para. 1.2.25 of the London Plan Housing SPG (2016) which recognises the crucial role small sites play in securing housing delivery within London.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks to optimise housing potential and includes a sustainable residential quality (SRQ) matrix for calculating the optimal density of residential

development of a particular site. Optimal density levels vary based on the Public Transport Access Level (PTAL) score for the area in which the site is located, the character of the area (central, urban or suburban) and the type of accommodation being provided (based on the amount of habitable rooms per unit). In this instance, the site is located within a suburban setting, given the distance from district centres, public transport hubs and main arterial roads. The PTAL score for the site is 1b which is poor. Having consulted the matrix, the optimal residential density for the development of this site would be between 35 and 55 units per hectare or 150 - 200 habitable rooms per hectare.

The proposal will intensify the use of the site, which is currently occupied by two detached dwellings. The provision of 9 x 3 bedroom residential units within the site, which has an overall area of 1811 m² according to measurements of the submitted plans. This equates to 50 dwellings per hectare or 200 habitable rooms per hectare.

The development is therefore at the very upper end of the spectrum but can be regarded as representing an optimal use of the site. It is noted that residential density of Cygnet Close is at a similar level. Particular attention is drawn to para. 1.3.49 of the London Plan Housing SPG (2016) which states that small sites may require little land for internal infrastructure such as internal roads, amenity space and social infrastructure, and it is appropriate for density to reflect this. The density of the development is therefore considered to be in keeping with that of the surrounding area and be appropriate for the site, in accordance with Policy 3.4 of the London Plan (2016).

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

The site is not located within, or adjacent to, any designated Conservation Area, Area of Special Character or Area of Archaeological Interest. There are no Listed Buildings or Heritage Assets which would be affected directly, or have their setting impacted upon, as a result of the proposed scheme.

7.04 Airport safeguarding

There are no safeguarding concerns that are applicable to this scheme.

7.05 Impact on the green belt

The rear of the site is within fairly close proximity to the green belt area which provides a buffer between Northwood and Harefield. However the proposed development would not interrupt or obscure any existing views out towards the green belt area as it is located within an established built up area and is not of sufficient scale to be visible from greenbelt. It is therefore considered that the proposed development is in accordance with Policy OL 5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (hereon in referred to as the Local Plan).

7.07 Impact on the character & appearance of the area

The proposed development would replace two detached two-storey dwellings with a block of flats. The building frontage is defined by two sections of three-storey buildings that are linked by a central glazed atrium. The design has attempted to make each section distinctive by way of using different external materials and by staggering the frontage. These measures, combined with the setting back of the building frontage from the highway, would serve to prevent the building from appearing monotonous or poorly defined and would complement the mix of building designs which are a strong feature within the street scene. The Council's Urban Design Officer has supported the street scene impact of the proposal, regarding it as in keeping with the original Arts and Crafts style in which Northwood was originally developed.

The proposed building will provide accommodation on 3 floors, with third floor accommodation largely contained within the roof of the building, assisted by the use of

dormer windows. Three-storey elevation walls are confined to the gable end projections to the front and rear of the building and the eaves height of all roofing is consistent with that of a two-storey building. There are dwellings on Muscovy Place, adjacent to the site, with a similar roof arrangement as well as nearby at No. 29 Ducks Hill Road ('Kirbygate') and the flatted development at Marchbank House. The overall height of the building will not be significantly greater than that of neighbouring two-storey properties and, therefore, will not be to the extent that the building appears overly dominant towards those properties when viewed within the street scene. It is noted that building heights on Ducks Hill Road fluctuate and the proposed development is considered to be in keeping with this general pattern.

There is, however, concern in regard to the depth of the proposed building and the resultant degree of projection towards the rear of the site. Whilst this would not be immediately perceptible within the Ducks Hill Road street scene it will increase the prominence of the building within the Cygnet Close street scene, closing off visual gaps maintained between buildings and, thereby, having an urbanising impact. Whilst the rear section of the building would be stepped in from site boundaries, it will remain visually apparent within the gap maintained between No. 4 Cygnet Close and 5 Cygnet Close.

Para. 3.3 of the SPD for Residential Layouts requires the redevelopment of plots occupied by individual dwellings from flatted development to be restricted in order to prevent more than 10% of the overall amount of buildings on a 1 km section of street from being flatted development. This is in order to preserve a supply of larger family homes and to guard against over-intensive development. The proposed development will be subject to this criterion. Extant planning permissions for flatted development will be included within the calculation.

A number of plots on Ducks Hill Road has been the subject of redevelopment to flats in recent years, generally prior to the adoption of the Residential Layouts SPD in 2006. These redevelopments have resulted in the loss of large family homes. Whilst the need for smaller residential units is acknowledged by Policy H 4 of the Local Plan, a balance has to be maintained in order to prevent the overall character of the area being permanently altered through over-intensive flatted development. Para 3.3 of the Council's SPD for Residential Layout sets a threshold for the redevelopment of properties on a residential street at a ratio of 10%. In the case of a street, such as Ducks Hill Road, which is longer than 1km, the ratio is derived from the amount of redevelopment that has taken place on a 1 km long stretch of road, with the site itself as the mid-point. Ducks Hill Road continues extends 300 metres northwards of the site where it meets Rickmansworth Road and it is logical that the starting point for calculating the site redevelopment ratio is located here. As such, in order for a full kilometre of road to be assessed, the stretch of road continuing 700 metres to the south of the site will also be included within the calculation.

Residential development on this stretch of road that is part of Cygnet Close Way, Eaton Gate, Mallard Way, Northgate, Opulens Place, Manor House Drive and Teal Drive will not be included within the calculation. Denville Hall has also been omitted as it appears to have been in use as a retirement home prior to 1948. Flatted development will be counted on the basis of the number of original residential plots which it replaced. Overall, 64 original individual plots are applicable to the study and will be included within the assessment. The following plots have been redeveloped or have extant planning permission for redevelopment:-

- 31 - 35 Ducks Hill Road - Replacement of three dwellings with flatted development (44987/APP/2001/404);

- 50 Ducks Hill Road - Replacement of single dwelling with flatted development (45985/A/99/0766);
- 64 Ducks Hill Road - Replacement of single dwelling with flatted development (45985/A/99/0766);
- 89 Ducks Hill Road - Replacement of single dwelling with flatted development (47304/APP/2006/3332);
- 91 Ducks Hill Road - Replacement of single dwelling with flatted development (45234/APP/2014/2613);
- 95 Ducks Hill Road - Replacement of single dwelling with flatted development (9241/APP/2000/1551);
- 97 - 101 Ducks Hill Road - Replacement of three dwellings with flatted development (50537/D/98/1685);
- 104 Ducks Hill Road - Replacement of single dwelling with flatted development (18072/APP/2002/1934);
- 103 - 107 Ducks Hill Road - Replacement of three dwellings with flatted development (64345/APP/2012/1966);

It is noted that the developments at 31 -35, 103 - 107 and 91 Ducks Hill Road were approved after the Residential Layouts SPD had been adopted in 2006. However, these sites had both benefited from earlier planning permissions for flatted development.

All other demolitions within the assessed area have been replaced by single dwellings. Therefore, 15 single dwelling plots along the 1 km stretch of Ducks Hill Road Road have been replaced with flatted development whilst 49 remain occupied by single dwellings.

This presents a ratio of 23%, already well in excess of the 10% threshold, owing primarily to pre-2006 development. Allowing a further loss of a two dwellings to flatted development would increase the ratio to 27%, representing a significant proportion of development facing on to the street.

It is considered that whilst the threshold itself may not be regarded as a determining factor, it directly relates to Local Plan policies BE 13 and OE 1 and London Plan Policy 7.4 and which seek to safeguard the established character and appearance of the surrounding area. The Council has consistently refused applications which breach the 10% threshold and will continue to take this stance to prevent areas which provide spacious family homes from being overwhelmed by higher intensity development. It is also noted that the site is within close proximity of both Marchbank House and Kendall Manor, which are sizeable blocks of flats and it is therefore considered that the proposal would result in a concentration of large buildings housing flats within the immediate vicinity.

The proposed development is therefore contrary to Local Plan Policies BE 13 and BE 19 and London Plan Policies 7.4 and 7.6.

Should the application be approved, further development would be encouraged which would further erode the levels of family housing on the street, resulting in the loss of its

historic context, intensifying land use to the point that it would compromise the suburban nature of the surrounding area and removing large family dwellings for which there is a demand within the district as per Local Plan Policy H 5 and London Plan Policy 3.8 (f).

7.08 Impact on neighbours

The side and rear boundaries of the development site are bordered by neighbouring residential development. The rear projection of the development would be stepped in from the side boundary by approximately 3.6 metres and will project along the entire depth of the rear garden of No. 36 Ducks Hill Road. It is noted that 36 Ducks Hill Road has a side facing dormer window, which serves a bedroom, that will face directly towards the flank elevation of the proposed development. In addition, there are a number of windows serving habitable rooms on the rear elevation of the neighbouring dwelling as well as a terrace to the rear of the dwelling. The Council's SPD for Residential Layouts para. 4.9 provides guidance on assessing potential overshadowing caused by new development. A 15 metre long splay extending 45 degrees either side of the midpoint of any window serving a habitable room on the neighbouring property should not be obstructed by any elevation wall of two or more storeys. In this instance, splays taken from the ground floor living room window on the rear elevation and the easterly facing kitchen / dining window and first floor bedroom windows on the rear elevation and an easterly facing dormer window serving a bedroom at 36 Ducks Hill Road will be interrupted by the flank wall of the proposed building. In the case of the living room and kitchen / dining room, these rooms are served by other windows that would not be obstructed by the development. The bedroom windows affected are the primary light source for those rooms. However, based on the height of these windows and that of the neighbouring building, a 25 degree vertical angle taken from these windows would remain unobstructed as per the requirements of para. 4.15 of the Residential Extensions SPD. The proposed development is therefore considered to be in accordance with Local Plan Policy BE 20 and London Plan Policies 7.4 and 7.6.

With regards to potential for overlooking, all windows on the side elevation, which face towards 36 Ducks Hill Road and 4 Cygnet Close will be obscure glazed in order to prevent intrusive views towards neighbouring properties. A condition would be attached to any approval given requiring obscure glazing to be maintained at all times and for these windows to be fixed shut other than parts over 1.7 metres above finished floor level (for example fanlights to provide ventilation). The windows on the northern side facing elevation of the rear projection are a sufficient distance or angled in such a way as to ensure no habitable windows on neighbouring properties are within 21 metres of these windows based upon a 45 degree visibility splay either side of the midpoint of relevant windows. This is also the case for balconies which are a sufficient distance from surrounding properties to prevent invasive views being offered. It should be noted that the rear elevation of the flats is stepped further back than that of the previously refused scheme with the result that a sufficient separation distance is now maintained between habitable windows on the proposed building and on neighbouring properties on Cygnet Close and Ducks Hill Road. In addition, all bedroom windows on the closest part of the rear elevation to neighbouring properties are now proposed to be obscure glazed and, as with the other obscure glazing on the building described above, a condition can be attached to any approval to secure this arrangement in perpetuity. The previous scheme included balconies that would have directly overlooked the rear of properties on Cygnet Close which have now been substituted for a 'juliet' balcony arrangement, thereby addressing previous concerns. It is therefore considered that the proposed development satisfies Local Plan Policy BE 24 and London Plan Policies 7.4 and 7.6.

It is noted that the existing dwellings on the site already compromise the 45 degree rule both in terms of the 15 metre distance to be maintained between buildings and the 21

metre distance to be maintained between windows serving habitable rooms. The proposed building will project moderately further towards the front of the site than the existing dwelling at 42 Ducks Hill Road. However, it is not considered that the additional projection will substantially or harmfully alter the amenity impact upon 42 Ducks Hill Road by way of overshadowing or overbearing. It is also noted that the dwelling at 42 Ducks Hill Road is angled away from the site, reducing the impact of the proposed building.

However, the relationship towards 36 Ducks Hill Road will be materially altered. The flank walls will run the close to the entire depth of the rear garden of 36 Ducks Hill Road and, whilst planning legislation does not protect rights to a view, it does instruct that negative impact towards neighbouring amenities caused by overbearing is a material consideration. Given the depth of the flank wall and its proximity to the side boundary shared with 36 Ducks Hill Road, it is considered that it would appear overbearing and oppressive towards the occupants of 36 Ducks Hill Road, particularly when viewed from within the rear garden.

It is therefore considered that the proposed development would result in a significant loss of residential amenity by reason of its siting, bulk and proximity to the side boundary of the site. The proposed development is therefore in conflict with Local Plan Policy BE 21 and London Plan Policies 7.4 and 7.6.

7.09 Living conditions for future occupiers

The proposed development provides 9 x three bedroom residential units. The internal space standards enshrined within the London Plan (2016) stipulate minimum Gross Internal Area (GIA) for residential units based on the amount of bedrooms provided, occupancy rate and the amount of storeys over which the space is distributed. These standards correspond directly with the Department for Communities and Local Government (DCLG) Technical housing standards - nationally described space standard (2015).

The minimum GIA for a 3 bedroom single-storey unit is 74 m² assuming occupation by 4 individuals, 86 m² assuming occupation by 5 individuals and 95 m² assuming occupation by 6 individuals. The GIA of each apartment varies between approximately 118 m² and 124 m² but in all instances the GIA is comfortably above the minimum threshold. It is therefore considered that the proposed development satisfies London Plan Policy 3.5 in this regard.

The use of obscure glazing for windows, including a number serving habitable rooms, is not considered to compromise internal living conditions for future occupants as all habitable rooms that include obscurely glazed windows are dual aspect and therefore also served by a clear glazed window which will provide adequate natural light and ventilation. One of the reasons of refusal attached to the previous scheme was concern over whether adequate natural light would be provided to rear facing living rooms within the flats contained in the front section of the building, owing to their proximity to the flank wall of the rear projection. The revised scheme has not altered the general positioning of these fenestrations but has reduced the depth of the rear projection and this has alleviated concerns regarding natural light permeation to the aforementioned rooms. The proposed development therefore satisfies Local Plan Policy BE 20 and London Plan Policy 3.5.

Policy BE 23 of the Local Plan requires that all new development both preserves private amenity space serving existing properties and provides sufficient private amenity space for future occupants of said development. The Council's SPD for Residential Layouts provides standards for the amount of private amenity space that should be provided for the occupants of a residential unit. This takes the form of a sliding scale based on the amount of bedrooms that the unit provides.

The minimum amount of shared amenity space recommended for flatted development is 30 m² per 3 bedroom flat. Communal space is located to the rear of the building and is secured by boundary fencing and a gate. The overall amount provided is approximately 610 m² which is in excess of the minimum amount and is considered to be appropriate given the suburban nature of the site. The communal space provided is considered to be easily accessible, clearly defined in relation to private terraces that are also included within the development, well exposed to natural light and is overlooked by all properties within the development, ensuring security. The communal space therefore satisfies Standard 4 and para. 2.2.11 of the London Plan Housing SPG.

In addition, Standard 26 of the London Plan Housing SPG stipulates that a minimum of 5 m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1 m² should be provided for each additional occupant. Ground floor units are all served by an approximately 15m² private terrace area, accessed directly from the unit. Four of the upper floor flats have private balconies measuring approximately 8m². The upper floor flats within the rear section of the building do not have balconies. This is due to site constraints as any balconies provided would overlook neighbouring dwellings on Cygnet Close at an intrusive level. Para. 2.3.32 of the London Plan Housing SPG states that in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA. As all units have well over the minimum required GIA, it is considered that this is acceptable for the units without balconies.

It is therefore considered that the proposed development would be in accordance with Local Plan Policy BE 23 and London Plan Policy 3.5 in this regard.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The application was accompanied by a Transport Statement and this, along with all other plans, has been assessed by the Council's Highway Engineers. The low PTAL score for the site has been noted as well as the consequence that this will result in a strong reliance on private cars for future occupants of the development. The basement parking which would serve the development provides 20 parking bays, including a 10% provision of disabled parking bays, and this amount is in accordance with relevant parking standards based on the PTAL score and number of bedrooms provided.

It is not anticipated that the development will result in a significant increase in traffic over that generated by the use of the site as two separate dwellings.

Access to the site will be taken via a dropped kerb on to Ducks Hill Road. The site will be secured by automatic sliding gates which are set back a sufficient distance from the highway to prevent vehicles waiting to enter the site from obstructing traffic. The visibility splays provided at the site entrance / exit are sufficient to allow for good visibility of approaching traffic and pedestrians. Pedestrians will access the site by a separate gateway and path and will therefore not be at risk of encountering vehicles entering and leaving the site.

9 cycle parking spaces are provided within the basement parking area. Whilst this is below the Council's standards, additional storage can be provided within the internal storage areas available in each unit.

It is therefore considered that the proposed development would satisfy the requirements of Policies AM 8, AM 14 and AM 15 and London Plan Policy 6.13.

7.11 Urban design, access and security

The design of the building has been discussed within section 7.07 of this report. To summarise, it is considered that the building design reflects the 'arts and crafts' style that is characteristic of this part of Northwood. The breaking up of the building into segments arranged around a central atrium and the staggering of front and rear elevations helps to distribute the mass of the building in such a way that it does not appear overly bulky or oppressive.

The building will be constructed in accordance with Part M of the Building Regulations which relates to accessibility. All floors, including basement parking, will be served by a lift and all access points will be level. Rooms are laid out in a logical way and all, other than en-suite facilities, are accessible from a central hallway. The rear communal space features a clearly defined level pathway. It is therefore considered that the proposed development would provide good levels of accessibility.

The proposed building has fenestrations on all aspects and all private and communal spaces are overlooked. There are a number of windows and openings on the frontage and, as such, the building fully engages within the street scene. The presence of the building will not result in any isolated or secluded spaces being created within the public realm which would have the potential to encourage anti-social activity. The site will be secured by boundary fencing and automatic gates. A condition will be attached to any approval given requiring 'Secure by Design' standards to be adhered to for the site and for details of how these standards are to be implemented to be provided to the Council and approved prior to commencement of development. If carried out to the approved specification, the development would be in accordance with Local Plan Policy BE 18.

7.12 Disabled access

Accessibility matters are discussed in section 7.11 of this report.

7.13 Provision of affordable & special needs housing

The proposed development is for less than 10 residential units (with a net gain of 7 given the loss of the two existing dwellings on site). As such, it falls below relevant thresholds for the provision of affordable and / or special needs housing.

7.14 Trees, Landscaping and Ecology

The site has been partially cleared and it is understood that this has included the removal of trees within the garden, none of which were the subject of Tree Protection Orders or located within a Conservation Area.

The proposal includes a comprehensive landscaping scheme and the retention of two significant existing trees to the front of the site, namely one Holly and one Horse Chestnut tree. The Council's Landscape Officer has reviewed the proposed landscaping scheme and found it to be acceptable subject to additional detail being provided as to the appearance around the basement parking ramp, with particular reference to retaining walls and pedestrian barriers. In addition, the current siting of the bin store would need attention in the form of either repositioning further within the site or submitting details of sympathetic screening to be employed in order to prevent a negative impact upon the street scene.

Suitable landscaping to the frontage is particularly important in order to ensure that the open and verdant nature of the current street scene is preserved and enhanced.

It is therefore considered that, subject to satisfactory landscaping details being received, the development would be in accordance with Local Plan Policy BE 38.

7.15 Sustainable waste management

The scheme provides bin storage facilities that would be accessible to waste collection operatives. Refuse vehicles would not need to enter the site and would stop on the adjacent highway as is the case for neighbouring properties.

7.16 Renewable energy / Sustainability

The development will be subject to relevant Building Regulations legislation in regard to energy efficiency. In addition, it is intended for photovoltaic panels to be installed on the flat roof elements of the building although no details of their location or the mounting method have been received with the application. As such, a condition requiring details of the siting, panel size and mounting structure to be submitted to and approved by the Council prior to the commencement of development would be attached to any approval given.

7.17 Flooding or Drainage Issues

The application was accompanied by a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy. The Council's drainage engineers have reviewed both documents and are satisfied with the results and mitigation measures that would be adopted. These include:-

Surface water from all impermeable areas to be attenuated at the storage tank which will provide a volume of approximately 22.8 m³. This volume can accommodate all rainfall events up to the 1 in 100 year event with 40% climate change.

Discharge from the site will be restricted to the greenfield runoff rate of 2.5 l/s providing 88% betterment on the 1 in 100 storm event.

Discharge from the site will be connected to a Thames Water surface water sewer. This will require consent from Thames Water and an informative will be attached to any approval given drawing the applicants attention to this matter.

A pumped surface water system will be implemented as the site will be lowered below existing ground levels. A gravity system is not considered to be viable for this reason.

Surface water will be treated by a vortex separator located downstream of the attenuation tank.

A private management company will be set up to manage and maintain the drainage system.

Provided that the measures set out in the Flood Risk Assessment and Surface Water Drainage Strategy are implemented and maintained, the development would be in accordance with Policy OE 8 of the Local Plan.

7.18 Noise or Air Quality Issues

The proposal is for residential development and it is not considered that it would generate a level of noise that would be incompatible with the surrounding residential environment. Further, it is not considered that the balconies are of a sufficient size to allow sustained use by a significant number of people and, as such, it is not considered that they would lead to undue disturbance towards neighbouring properties.

The basement parking facility would be within close proximity of neighbouring properties and given this, and its proposed use, it is considered that any approval given should include a condition requiring a noise assessment to be provided in order to satisfy the Planning Authority that sufficient sound proofing measures will be employed to prevent disturbance towards neighbouring occupants as well as occupants of the development itself. Any such

measures would need to be included within construction and maintained in perpetuity thereafter.

Provided satisfactory details are received, it is considered that the proposed development would be in accordance with Local Plan Policy OE 1 and London Plan Policy

7.19 Comments on Public Consultations

With regard to the accuracy of the application form, planning statement and design and access statement. It is not considered there has been any attempt to mislead, the accompanying plans clearly show a development of flats on the current site of 38 - 40 Ducks Hill Road. Typographical errors are not a valid reason to refuse an application.

The proposal does not represent backland development as the proposed building has a clear street frontage. The backland development designation relates to garden land to the rear of a dwelling that is to be retained.

With regard to policy considerations, Local Plan Policies take precedence provided they reflect the general aims and objectives of regional and national policies and legislation. The Council's Local Plan Policies date from 2007 and were reviewed in 2012, with some of the original policies not saved as they were superseded by Local and National Policy. When applying Local Plan policies, regard has to be paid to the following direction contained within the NPPF which states that planning permission should be granted 'where the development plan is absent, silent or relevant policies are out of date.'

The Council's emerging local plan has not been adopted and the proposed development has been determined based on current Local Plan policies.

Infrastructure works such as new sewage pipes are not considered as part of this application. In most instances, the works will be performed by or on behalf of a statutory undertaker and planning permission will not be required as per Schedule 2, Part 13, B of the General Permitted Development Order (2015) (as amended).

The Council no longer applies lifetime homes standards to development.

All other points raised relate to matters that are discussed within the main body of this report.

7.20 Planning Obligations

Policy R 17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), requires that where developments generate the need for additional facilities, financial contributions will be sought.

The proposed development is not considered generate such a need and, as such, there are no requirements for planning obligations to be attached, should approval be granted.

All planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £35 per square metre. The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon

Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable will be £95 per square metre.

7.21 Expediency of enforcement action

7.22 Other Issues

The proposal involves the partitioning of the current plot at 40 Ducks Hill Road, with the western end (which backs on to Cygnet Close) remaining undeveloped. Whilst the site is within a residential area, is of sufficient size for residential development and includes a road frontage, it is considered that access to any potential development in the future would be obstructed by a line of TPO trees and, as such, the site does not represent a viable development site. It is therefore considered that the partitioning of the site would result in a land locked parcel of land with no realistic opportunity for development.

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 has addressed some of the reasons for refusal attached to the previous scheme, namely by providing a suitable drainage scheme and amending the design and layout so as to prevent unacceptable overlooking and overshadowing impact towards neighbouring properties.

However, a fundamental objection is raised against additional flatted development on Ducks Hill Road given the degree to which its original character has already been eroded through the loss of large, detached family homes and replacement with flatted development.

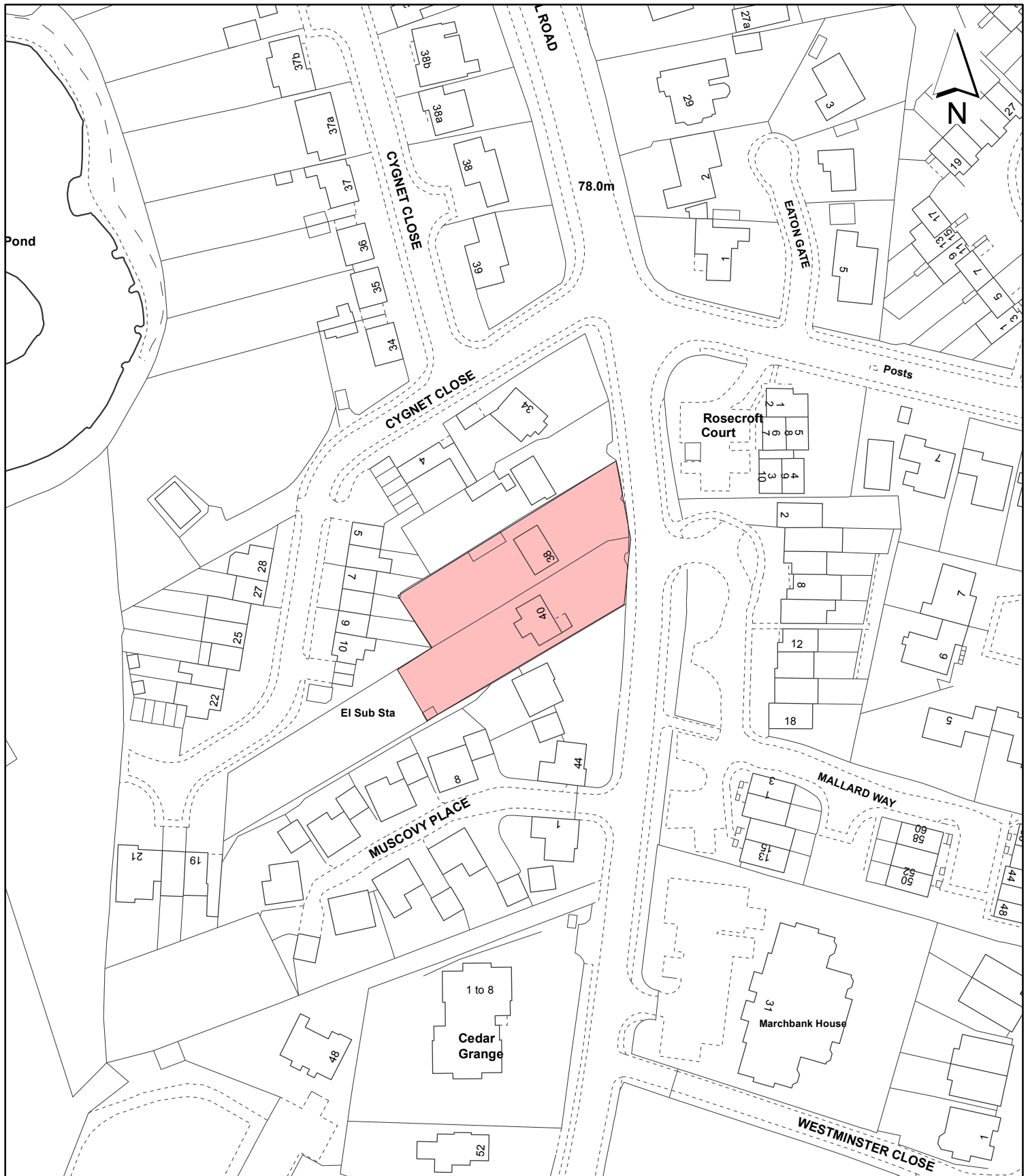
The depth of the proposed building is also considered to be unacceptable as the flank wall will extend virtually the entire depth of the garden of No. 36 Ducks Hill Road, thereby introducing a sense of enclosure and appearing as an overbearing and oppressive presence.

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)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework
The Housing Standards Minor Alterations to The London Plan (March 2016)
DCLG Technical housing standards - nationally described space standard (2015)

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Notes:

 Site boundary

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Site Address:

38 - 40 Ducks Hill Road

Planning Application Ref:

71798/APP/2017/803

Planning Committee:

North

Scale:

1:1,250

Date:

May 2017

LONDON BOROUGH OF HILLINGDON

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