

Report of the Head of Planning, Sport and Green Spaces

Address LAND FORMING PART OF 7 BROOKSIDE UXBRIDGE

Development: Two storey, 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front

LBH Ref Nos: 72693/APP/2017/1026

Drawing Nos: 1235-02 Rev. B
1235-04 Rev. A
1235-03 Rev. A
1235-01 Rev. A
Location Plan (1:1250)
Design and Access Statement

Date Plans Received: 20/03/2017 **Date(s) of Amendment(s):** 31/03/2017

Date Application Valid: 31/03/2017

1. SUMMARY

The application seeks planning permission for the erection of a two storey 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front. The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in an un-neighbourly form of development and would provide a satisfactory living environment to the future occupants. However, due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The application is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed crossover required to access the proposed parking spaces, by reason of its excessive width would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES

1 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).

2 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
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.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

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In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises of a two storey semi-detached house located on the Western side of Brookside, a residential cul-de-sac which is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no recent planning history of relevance to this application site.

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:

AM7 Consideration of traffic generated by proposed developments.

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.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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 7.4 (2016) Local character

NPPF1 NPPF - Delivering sustainable development

NPPF6 NPPF - Delivering a wide choice of high quality homes

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

The North Uxbridge Residents Association and 8 neighbouring properties were consulted by letter dated 5.4.17 and a site notice was displayed to the front of the site which expired on 25.5.17.

1 letter of support has been received and 2 letters of objection have been received. The objections raise concerns relating to:

1. Inadequate parking in Brookside.
2. A concern that the established semi-detached character of Brookside would be compromised by a development which would turn the semis into a terrace.
3. Concerns about drainage.

A petition of objection has also been received signed by 21 residents raising concerns about:

1. Out of character with semi-detached dwellings.
2. Increased parking stress.
3. Increased risk of crime.

North Uxbridge Residents Association:

Our Association has been asked by adjoining owners in Brookside to support their objection to the proposal to form a 2 bedroom house attached to No 7. Many of the Brookside houses have had substantial side extensions, but I understand they are all maintained as single family dwellings. The proposed side area at No 7 is inadequate for a separate house of an appropriate scale and would be markedly out of character with the other properties in this cul de sac. The provision of only 2 car parking spaces for Nos 7 and 7A fails to accord with the Council's adopted standard. Accordingly it is recommended that the application be refused.

Internal Consultees

Highways Officer:

Brookside is a narrow local road on the Council road network subject to weekday waiting restrictions. The site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. The existing dwelling has a vehicular crossover that accesses a drive and a garage. Nearly all of the existing dwellings have off-street car parking. The proposals involve demolishing the existing garage and erecting an extension that provides a 2 bed family dwelling. The driveway shown on the layout plans has parking for 1 car for each dwelling whereas the current policy is for 1.5 spaces per dwelling (3 in total for two dwellings).

COMMENTS ON REVISED DRAWING:

The proposed footway crossover to access the driveway would be over 8 metres in length with no refuge for pedestrians. By reason of its excessive width there are road safety concerns as this would place pedestrians walking along the footway at risk of being hit by a vehicle entering or leaving the driveway. Other road users not least cyclists using the highway would also be placed in a vulnerable situation.

Landscape Officer:

These houses benefit from generous spacing between the blocks, each with wide side access to the rear gardens. In this case the front garden has already been largely paved over to provide two off-street parking spaces with hedging along the side boundaries. There are no tree / landscape constraints associated with the site.

COMMENT: No change is proposed to the front garden - with two parking spaces indicated. This appears to be inadequate to provide sufficient parking for both the existing and proposed dwellings. If all of the house in this street extended in this way, the character and appearance of the street would be detrimentally changed.

RECOMMENDATION: If the application is recommended for approval, landscape conditions should be imposed: RES9 (parts 1, 2, 5 and 6).

Flood and Water Management:

The site is located in Flood Zone 1 which can be found on the Environment Agency Flood Maps. The development needs to manage surface water on site in order to reduce the pressure on the main surface water sewer.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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

7.02 Density of the proposed development

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

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

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the

Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

It is considered that it would be appropriate to consider the proposal against the design criteria set out in the Hillingdon Residential Extensions SPD. HDAS requires side extensions should be set back 1 m from the main front wall of the dwellinghouse at both levels and a gap of 1 m should be provided between the extension and the shared boundary with No. 9. The width and height of the extension in relation to the original house should be considerably less than that of the original house and be between half and two thirds of the main house. The proposal does not strictly comply with the HDAS guidance given that the side extension is not set back at both levels. However consideration is given to the form of the extended adjoining semi detached property at Number 5 which is not set back at ground floor level by the required 1 m. The current proposal would add balance to the pair of semi's and would thus would not detract from the visual amenities of the street scene. As such it is considered that the proposed dwelling would not a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing an adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible over-domination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

The proposed dwelling would be partially screened from the host dwelling, with a 3.3 m

projection to the rear. Given that the closest residential window at first floor level of the host dwelling serves a bathroom, the 45 degree angle from the centre point of the first floor rear facing bedroom would not be breached. As such it is considered that the proposal would not result in an unacceptable loss of light or outlook to the occupants of the host dwelling. Given the separation between the proposed dwelling and adjacent number 9 Brookside, the proposed dwelling would also not result in an unacceptable loss of light or outlook. Had the application been acceptable a condition to ensure that the side facing window is obscure glazed and retained as such and that no additional windows are inserted would have been recommended. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A 2 bedroom 3 person house is required to provide 70 square metres which the proposal complies with.

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans demonstrate that the retained dwelling would be served by a garden area measuring 84 square metres and the proposed two bedroom dwelling would achieve a private rear garden area measuring 42 square metres which would comply with the Council's minimum standards.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Brookside is a narrow local road on the Council road network subject to weekday waiting restrictions. The site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. The Highways Officer has requested a revised plan to show the provision of 3 car parking spaces, to meet the Council's Parking Standards. Revised plans have been submitted to reflect this advice. However, the revised plans indicate that the crossover required to gain access to the parking spaces would measure 8.3m in width which significantly exceeds the Council's advice with regard to such crossovers. Due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.11 Urban design, access and security

The issues are addressed in the sections above.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The established garden contains a number of trees and shrubs, with the most significant trees situated on, or close to, the rear boundary. The Council's Landscape Officer has raised no objection to the proposal subject to a condition requiring the retention of trees and hard and soft landscaping by condition.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The site is located in Flood Zone 1 which can be found on the Environment Agency Flood Maps. The Council's Flood and Water Management Officer as advised that development needs to manage surface water on site in order to reduce the pressure on the main surface water sewer. A condition is therefore recommended accordingly.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues are addressed in the sections above.

7.20 Planning obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning

applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application seeks planning permission for the erection of a two storey 2-bed attached dwelling with associated parking and amenity space and extension to vehicular crossover to front. The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in an un-neighbourly form of development and would provide a satisfactory living environment to the future occupants. However, due to the excessive width of the crossover that would be required to access the proposed parking spaces, the proposal would make inadequate provision for pedestrian

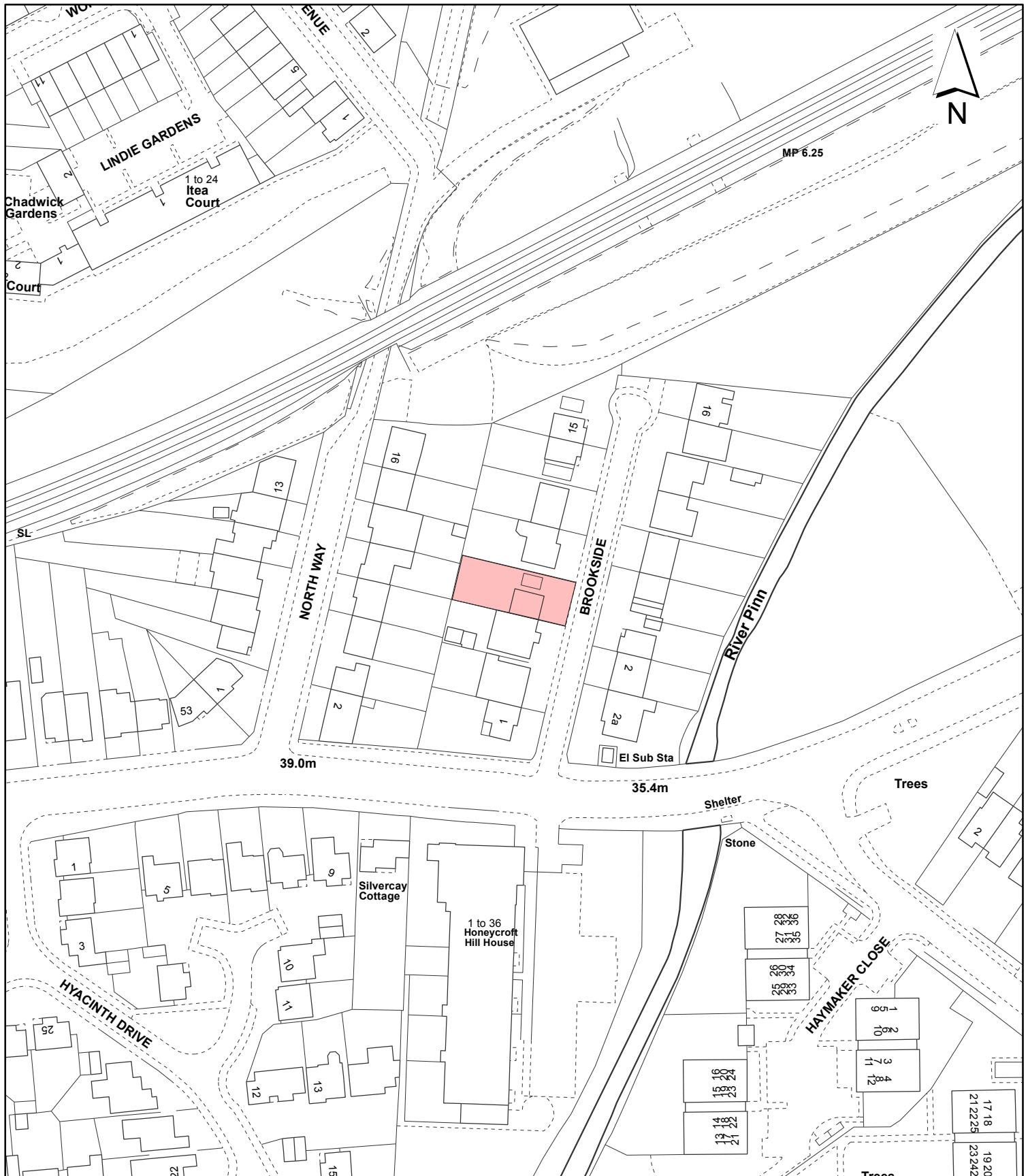
refuge and would therefore prejudice the safety of pedestrians and vehicles using the highway. As a result it would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts. The application is therefore recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

**Land Forming Part of
7 Brookside**

Planning Application Ref:
72693/APP/2017/1026

Planning Committee:
Central & South

Scale:
1:1,250

Date:
June 2017

**LONDON BOROUGH
OF HILLINGDON**
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