

Report of the Head of Planning, Sport and Green Spaces

Address LAND BETWEEN 2 & 6 WOODSIDE ROAD NORTHWOOD

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

LBH Ref Nos: 70377/APP/2017/888

Drawing Nos: 1251/P2/6
1251/P2/1
Design & Access Statement
1251/P2/4A
1251/P2/5
1251/P2/3A
1251/P2/2A

Date Plans Received: 09/03/2017

Date(s) of Amendment(s):

Date Application Valid: 24/03/2017

1. SUMMARY

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

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

It is therefore recommended for approval. This recommendation is on balance, and recognises that the Committee refused the most recent previous similar application.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1251/P2/2A; 1251/P2/3A and 1251/P2/4A, and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 RES13 Obscure Glazing

The windows facing 2 and 6 Woodside Road shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

5 RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 2 and 6 Woodside Road.

REASON

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

6 RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been

submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

8 RES10 Tree to be retained

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

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

REASON

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

9 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

10 RES9 Landscaping (car parking & refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
 - 2.a Means of enclosure/boundary treatments
 - 2.b Car Parking Layouts
 - 2.c Hard Surfacing Materials
- 3. Schedule for Implementation
- 4. Other
 - 4.a Existing and proposed functional services above and below ground
 - 4.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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

2 Compulsory Informative (1)

The decision to GRANT 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 GRANT 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.
BE5	New development within areas of special local character
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
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.
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.4	(2016) Local character
NPPF	National Planning Policy Framework
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

6 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an area of open land situated on the Eastern side of Woodside Road and was formerly an area of garden attached to no. 2. The land was landscaped and well maintained, enclosed on three sides by mature well established hedgerows and partitioned from no. 2 by a closeboard fence. At the time of the last officer site visit a section of the front hedge had been removed and replaced with two site gates. The front section of the site has been concreted and the remainder laid with hardcore.

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

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

3.2 Proposed Scheme

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

It is noted that the proposal also includes a cinema room (11 sq m) and en-suite shower room within the loft space, which would be capable of use as an additional bedroom. Therefore for the purposes of the evaluation of this application, this development is assessed as a 4 bed property.

3.3 Relevant Planning History

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

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

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

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

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

Decision: 16-11-2016 Withdrawn

70377/APP/2016/4221 Land Between 2 & 6 Woodside Road Northwood

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

Decision: 22-02-2017 Refused

Comment on Relevant Planning History

70377/APP/2016/4221 - Two storey, 3-bed dwelling with habitable roofspace, parking and amenity space and installation of vehicular crossover to front (refused). An appeal against this decision was lodged on 2nd May 2017, no decision has been made on this appeal to date.

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

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

The previously decided recent application was refused on the scale and design of the

proposed dwelling which would appear a cramped and visually unsympathetic form of development which was out of keeping with the ASLC.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE5 New development within areas of special local character

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

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.

H5 Dwellings suitable for large families

OE1 Protection of the character and amenities of surrounding properties and the local area

LPP 3.3 (2016) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2016) Quality and design of housing developments

LPP 3.8 (2016) Housing Choice

LPP 7.4 (2016) Local character

NPPF National Planning Policy Framework

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **1st May 2017**

6. Consultations

External Consultees

40 neighbours and the Gatehill Residents Association were consulted for a period of 21 days expiring on the 20 April 2017. A site notice was also erected on the site gates to the front, expiring on 1 May 2017.

There were 29 responses to the consultation raising the following issues:

- House not in keeping with the character of the estate and seems excessive given the size of the plot.
- The loss of the garden is contrary to policy.
- Does not enhance the character of the Gatehill Estate.
- This is the fourth application and is pretty much the same. There is negligible reduction and is still cramped and visually unsympathetic
- The canopy is forward of the building line.
- The front canopy is out of character with the area.
- The garden area at 107 sq.m is the bare minimum and not in keeping with an area characterised by generous space standards.
- Less than average width plot for the area.
- The exterior chimney reduces the width from the boundary to 75 cm so in breach of policy.
- Loss of privacy.
- Loss of defensible private amenity space for no. 2.
- The South close board fence is ugly and out of keeping with the estate contrary to policy.
- Too much hard standing to the front.
- Does not comply with lifetime homes.
- This proposal needs to be studied carefully on technical grounds and principles of safe building construction simply because of its intended size and design in such a small gardens space between two existing homes.
- Loss of light.
- Described as 3 bed when it is 4.
- Insufficient parking.
- Set a precedent for other gardens to be sold off and developed.
- Over development.
- The applicants are abusing the system and should be banned from any more applications and wasting everyone's time and energy. They are adopting a lets tire them our tactic.
- Visual intrusion and loss of outlook.
- There is a misapprehension that this garden had a dwelling on it in the past but this is untrue it has always been garden.

One petition against the proposal of 253 signatories has been submitted detailing the following issues:

- The land is Greenfield undeveloped garden.
- Development of gardens contrary to Local and National policy.
- Breach of restrictive covenants.
- Detrimental impact on the immediate street scene, the wider Gatehill Farm Estate, which is an Area Of Special Local Character.
- Loss of open views between the properties.
- Character of the area derived from its planned layout, low density street scape, homogeneity in plot

sizes and number of large attractive and well detailed detached houses.

- The ASLC character assessment identifies importance of dominant features such as; well landscaped gardens, boundary hedges and grass verges; curving road layout and topography creating attractive street scene and providing short and long views within the area. This proposal is contrary to out of keeping.
- Size of plot out of keeping with wider area contrary to policy.
- Little difference from the previous submission.
- Design out of character.
- Rear garden space insufficient.
- Proposal within 1.5 m of the boundary contrary to policy.
- The North boundary is incorrectly positioned in relation to 6 Woodside Road on the applicants plans.
- Overlooking/visual intrusion/loss of outlook.
- Loss of daylight/sunlight.
- Loss of defensible private amenity space for no. 2.
- The South boundary treatment contrary to policy.
- Excessive hardstanding to front.
- No mention of replacing TPO 99 T.10 Malus Purpurea. In addition he has removed all the shrubs and grass and mature trees to the front plus part of the hedging.
- Does not adhere to lifetime homes.

Officer response: The issues raised are duly noted. Each application is assessed on its own merits having regard to the individual proposal and currently adopted plans. Issues relating to construction and proximity to boundaries are covered within Building Regulations and the Party Wall Act. Restrictive covenants are civil issues and any grant of planning approval does not override the requirement to comply with any other legal constraints. Issues relating to boundaries and site ownership are not material planning considerations in the assessment of a proposal. Notwithstanding the details submitted advising the inaccuracies of the boundary details, the agent has responded to advise that they have reviewed the details and can confirm they have been to site several times to take accurate measurements within the plot to all boundaries, so the plans put forward by 'DDA' are accurate and the distances from the proposed dwelling to the boundaries are correct and comply with policy. If planning approval was granted, a legal site reconciliation plan will be carried out to ensure that boundary locations on site are correct in respect to legal ownership, & distances from the proposed dwelling to all boundaries comply. Any approval would be conditioned to require the proposal to be built in accordance with the approved plans, which would require the correct set in from the boundary as shown. Failure to do so would invalidate any permission. The South boundary treatment with the erection of the fence between the site and the existing dwelling was formally erected under permitted development rights and as such is not subject to policy considerations. All other issues are addressed in the report.

Northwood Residents Association - We endorse the comments made in the letter 20 April 2017 from Christine Turnbull.

Northwood Hills Residents Association - There have been many applications and appeals for this site. The proposal takes away all rear amenity space for no. 2 leaving only front and small amount of the side, this is contrary to the NPPF and garden grab. The proposed side elevation would take light away from the extension at no. 2, the rooms will become dark and dreary. The applicant continues to argue this plot was originally for development but this area has been garden for decades so what was or was not planned in the distant past is of no relevance.

Internal Consultees

Access Officer - Any grant of planning permission should be conditioned for compliance with Category 2 M4(2) of Building Regs.

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

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

The current scheme has reduced the width of the house very slightly, but the depth to a significant degree. This has enabled the frontage to be set further back on the visual line between the front wall of No. 6 and the corner of No. 2. This is welcomed as it would render the house less obtrusive in the street scene. The applicant has now demonstrated that there would be a reasonable area of planting in the front garden. Acceptable.

Trees/Landscaping - The site is covered by TPO 99. However, no protected trees remain on site. The front hedge will be removed to accommodate the development but will be replanted as part of the site layout/landscape plan together with new tree planting. No objection subject to condition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Concern has been raised with regard to garden grabbing contrary to the NPPF, which identifies Local Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens. In line with this Policy H12 of the Hillingdon Local Plan (November 2012) advises proposals for backland development will only be considered if no undue disturbance or loss of privacy is likely to be caused. However the NPPF also has a requirement to encourage the effective use of land by re-using land. This is an existing area of side garden forming part of the residential unit no. 2 Woodside Road. The fact that the numbering goes from 2 to 6 might suggest this plot of land was originally intended for an additional residential unit, before being incorporated within no. 2 as part of the garden, but the real test is whether this is an acceptable development of the site, rather than how street numbers were allocated many years ago.

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

Given the residential character of the surrounding area, there is no policy objection to the development of the site to provide residential accommodation, subject to an appropriate design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

It should also be noted that the Inspectors Report (following refusal of planning application 70377/APP/2016/3826) did not consider the principle of the development (ie, backland development) to be unacceptable or a material consideration in the decision which was made. The principle reasons for the appeal having been dismissed related to design concerns and the impact of the proposals on the ASLC.

7.02 Density of the proposed development

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

this policy should be resisted.

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

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

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

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

The proposed dwelling measures 8.2 m in width by a maximum of 12.2 m in depth and has a maximum height of 8.45 m. This includes two storey projections to the front and rear with additional single storey elements to the front and rear. The street scene is characterised by attractive, good quality, plain neo vernacular style houses, set in large, mature tree lined gardens with deep grass verges and, often good quality front hedges.

The Conservation Officer has advised that this proposal has been amended from the previously negotiated scheme to further reduce the width slightly and the depth more significantly, which enables the frontage to be set further back on the visual line between the front wall of no.6 and the corner of no. 2. This renders the house less obtrusive in the street scene. The applicant has also demonstrated that there would be a reasonable area of planting in the front garden.

The scheme has been much improved and it is now considered to respect the line of the adjacent and corner buildings between which it would sit. As such it is considered that the proposed dwelling would respect the architectural character and appearance of the Gate Hill Estate ASLC and would comply with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.04 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: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

Furthermore Policy BE6 advises new dwellings within the Gatehill Estate ASLC should be constructed on plots of a similar average width to the surrounding development; be constructed within a similar building line and be of a similar proportion to the adjacent houses and reflect the architectural style. Policy BE19 also seeks to ensure that new development will compliment or improve the character of the area. The NPPF notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

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

7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination.

It is noted that concern was raised over the position of the boundary as shown on the submitted plans, suggesting that the boundary of the site had been moved further North. This is refuted by the applicant who has signed a declaration as part of the application submission to indicate all land included in the application is in their ownership. Any approval would have to be carried out in complete accordance with the approved plans. Inability to do so due to errors in the plans would render any planning decision invalid.

The proposed dwelling is set parallel to no. 2 and at an angle with no. 6. The rear wall of the proposed dwelling is set back very slightly from the line of the rear of no. 6 with the single storey projection of 1 m in depth set back 1.6 m from the shared boundary and 2.6 m from the side wall of the neighbouring property. The two storey rear projection is 2 m in depth and set back 5 m from the neighbouring boundary. At the front the properties are set 5.1 m apart. It is noted that there are windows on the side elevation of no. 6 facing the application site and these include 2 at ground floor, 2 at first floor and 1 serving the loft space; however these are all secondary windows, serving the lounge and dining room at ground floor level; two bedrooms at the first floor and a games room in the loft space. The only windows proposed in the new dwelling on the side elevation facing no.6 serve a bathroom and a secondary window to the kitchen, which could be conditioned to be obscure glazed and fixed shut below 1.8 m. The proposal does not compromise the 45 degree line of sight from the first floor rear windows.

To the south the two storey rear projection of the proposed dwelling is slightly deeper than the rear of the main dwelling of no. 2, but set back from the rear of the single storey side and rear extensions. It is set back 1.5 m from the boundary and 2.5 m from the side wall of the single storey element. It is noted there are windows on the side elevation of no. 2 facing the application site. The first floor windows are set back 7.2 m from the proposed flank wall of the new dwelling; the ground floor window, although not significantly impacted by the proposed dwelling, faces a 1.8 m high boundary fence set 1 m away. Plans for the approved alterations to no. 2 under application 46761/APP/2016/1533 indicate the window serves a reception area.

There is a garage to the front and there are additional windows to the rear. The proposed side windows facing no.2 are all secondary windows or serve bathrooms or the stairs and can be conditioned to be obscure glazed and fixed shut.

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

As such it is not considered that the proposal is an un-neighbourly form of development and complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.09 Living conditions for future occupiers

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The proposed floor space of approximately 172.00 sq.m is in excess of the minimum requirements and therefore is considered acceptable.

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

The proposal provides approximately 107 sqm of usable private amenity space in excess of the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

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

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

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

7.11 Urban design, access and security

These issues are considered in other sections of the report.

7.12 Disabled access

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

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Although the site is covered by TPO 99, no protected trees remain on the site and there are none which merit a protection order. The plans indicate the retention of the North boundary hedge and the fruit trees to the rear. The Tree Officer has advised that the site layout plan indicates the site layout plan shows protective fencing to protect the trees at the far end of the site and the mature hedge along the front boundary will be replanted together with new tree planting as part of the landscape plan. They have raised no objection subject to suitable conditions for tree retention and protection and the submission of a landscape scheme.

Concern has been raised regarding the loss of a 'rear' garden or defendable private amenity space' for no. 2 as a result of this proposal. Previous discussions identified that no. 2 was originally orientated toward Gateshill Road, although it is numbered as 2 Woodside Road. Notwithstanding this no. 2 is now orientated towards Woodside Road and the garden area to the South provides a large fully enclosed private garden area for that property providing in excess of 350 sq.m of usable amenity space. Comments have advised this is indefensible and would be lost if the tall hedge was removed or died. However given that former garden area currently under consideration was also only adjacent to the road and separated from the wider area by a tall hedge, the retained garden space provides no greater or lesser level of privacy than the area of garden lost.

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

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues raised have been addressed in the report.

7.20 Planning Obligations

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

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

The relevant amounts in this case presently are;

LBH CIL £19,856.20

Mayor of London CIL £ 7,774.71

Total £27,630.91

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

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

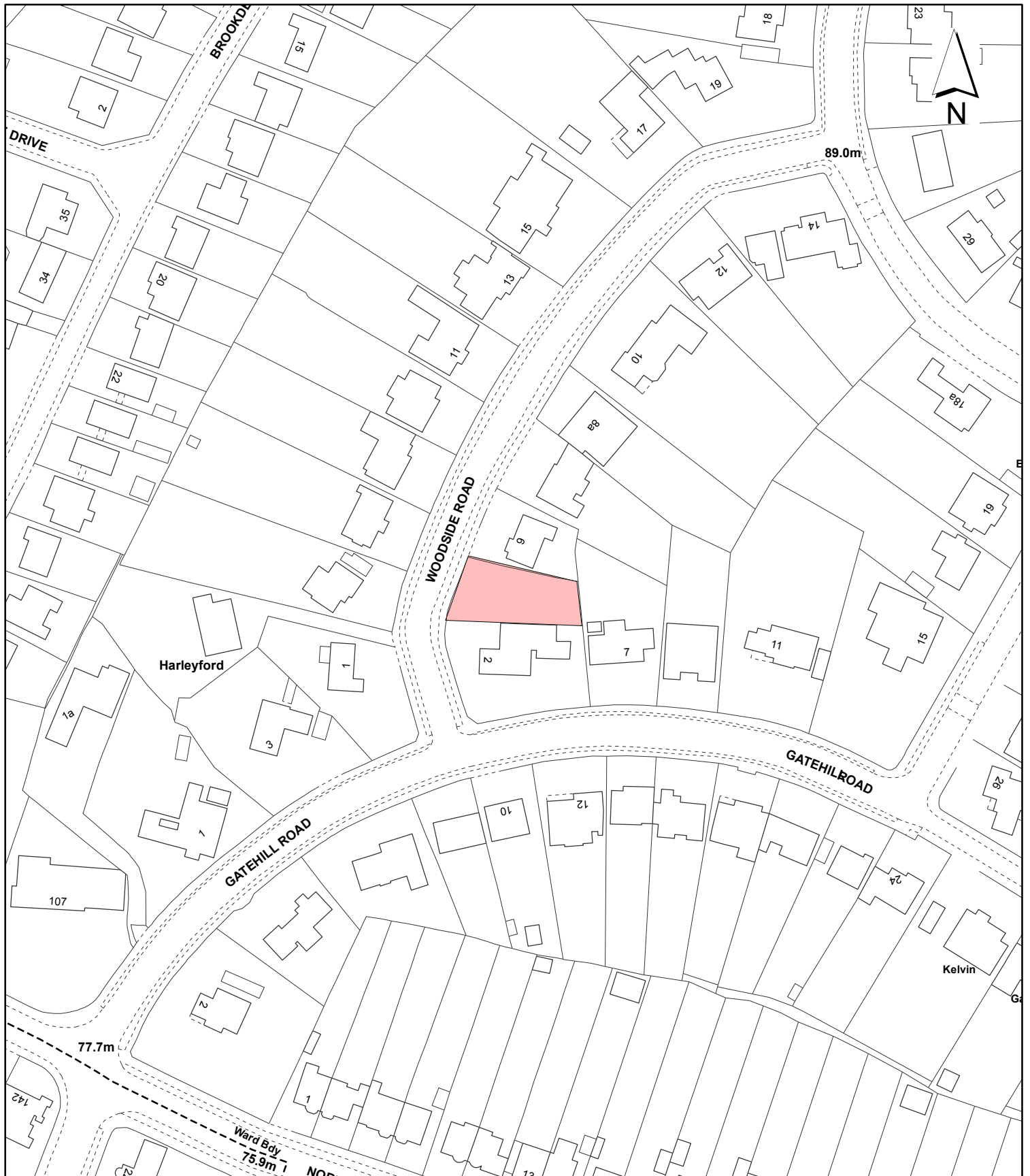
On balance, the proposed dwelling is considered acceptable in design terms and would not significantly impact on the amenity of the neighbouring properties. It would provide adequate living accommodation and private amenity space as well as parking provision.

11. Reference Documents

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

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Notes:

 Site boundary

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 Telephone No.: Uxbridge 250111

Planning Application Ref:
70377/APP/2017/888

Scale:
1:1,250

Planning Committee:
North

Date:
June 2017

