

Report of the Head of Planning, Sport and Green Spaces

Address GARAGE SITE REAR OF 85 AND 87 MANOR WAYE UXBRIDGE

Development: 3 x two storey, two- bedroom dwellings with associated parking, landscaping and external works

LBH Ref Nos: 67593/APP/2017/2114

Drawing Nos: SI 2017003 02 Rev. C
SI 2017003 03 Rev. E
SI 2017003 04 Rev. A
SI 2017003 01
SI 2017003 05
SI 2017003 06 Rev. A
SI 2017003 07
SI 2017003 08
SI 2017003 09
SI 2017003 10 Rev. A
SI 2017003 11 Rev. A
SI 2017003 12 Rev. A
SI 2017003 13 (Proposed Materials)
SI 2017003 00
Design and Access Statement Received 29-08-17
Arboricultural Impact Assessment (Ref: SCL_85-87MW_AIA_001)

Date Plans Received: 10/06/2017 **Date(s) of Amendment(s):** 10/06/2017

Date Application Valid: 12/06/2017

1. SUMMARY

Full planning permission is sought for the construction of three x 2 storey, two bedroom properties with associated landscaping and parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions and the completion of a legal agreement to stop up the highway.

2. RECOMMENDATION

1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to:

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278/S247 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

1. Highway Works: S278/S247 for required Highways Works/Stopping up order

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being

completed.

C) That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreements have not been finalised by 19th March 2018 (or such other timeframe as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (relating to highway works, off-site sustainability contribution). The proposal therefore conflicts with policies R17 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (March 2016) and the NPPF.

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Head of Planning and Enforcement prior to issuing the decision.

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 SI 2017003 02 Rev. C, SI 2017003 03 Rev. B, SI 2017003 04 Rev. A, SI 2017003 05, SI 2017003 06 Rev. A, SI 2017003 07, SI 2017003 08, SI 2017003 09, SI 2017003 10 Rev. A, SI 2017003 11 Rev. A and SI 2017003 12 Rev A 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 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement Received 29-08-17
Arboricultural Impact Assessment (Ref: SCL_85-87MW_AIA_001)

Thereafter the development shall be retained/maintained in accordance with these details 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).

4 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).

5 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. Unless otherwise agreed in writing by the Local Planning Authority 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).

6 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.c Means of enclosure/boundary treatments
- 2.d Hard Surfacing Materials

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

- 6.a Existing and proposed functional services above and below ground
- 6.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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 of the London Plan (2016).

7 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.

8 RES15 Sustainable Water Management (changed from SUDS)

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information relating to:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
- iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and grey water will be recycled and reused in the development.

c) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan
- ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
- iii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
- iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1 - Strategic Policies (Nov 2012), Policies 5.12 Flood Risk Management,

5.13 Sustainable Drainage and Policy 5.15 Water Use and Supplies of the London Plan (March 2016) and National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

9 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 north.

REASON

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

10 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 any dwellinghouse(s) 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)

11 RES24 Secured by Design

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2015) Policies 7.1 and 7.3.

INFORMATIVES

1 I52 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).

2 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.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

3 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).

4 I2 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to

be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

5 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

6 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

7 115 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south side of Manor Way. It consists of a small garage court of three garages and 9 parking spaces that abuts gardens of properties on the east and north boundaries with the southern boundary adjoining a recreation ground.

The character of the area is predominantly defined by a mixture of post war two storey semi detached and terraced houses with gardens and the more recent 1960's-1980's development of houses and maisonettes occupying the area of land west of Manor Way to Whitehall Road. Buildings are predominantly either brickwork or painted render with pitched tiled roofs.

The site is not within a Conservation Area or subject to any Tree Preservation Orders (TPO's) and is located within a developed area as designated by the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The application proposes the construction of three x 2 bedroom properties. The units would be two storey in height and located in a short terrace. Each property would be provided with 2 tandem parking spaces, an internal floor area per unit of 79 sqm and external amenity space of between 60 sqm and 71 sqm. Each property has a covered and secure space for cycle storage plus waste storage areas.

The design of the properties is contemporary with the materials proposed to include rendered elevations, tiled pitched roofs and double glazed windows. The properties have been designed to meet the requirements for Category 2 M4(2) dwellings, as set out in Approved Document M to the Building Regulations (2010) 2015.

3.3 Relevant Planning History

67593/APP/2011/329 Garage Site Rear Of 85 And 87 Manor Way Uxbridge
Erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings.

Decision: 19-07-2011 Approved

67593/APP/2014/3671 Garage Site Rear Of 85 And 87 Manor Way Uxbridge
Erection of two x two-storey, two bedroom, semi-detached houses with associated car parking and external works.

Decision: 09-12-2014 Approved

Comment on Relevant Planning History

Application 67593/APP/2011/329 granted consent on 19.07.11 for the erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings. This scheme expired before it was implemented and a second application for an identical scheme to that previously considered was approved under application reference 67593/APP/2014/3671 dated 09.12.14.

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.H1 (2012) Housing Growth

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

H4 Mix of housing units

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

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 5.13 (2016) Sustainable drainage

LPP 5.15 (2016) Water use and supplies

LPP 6.9 (2016) Cycling

LPP 7.3 (2016) Designing out crime

LPP 7.4 (2016) Local character

LPP 8.2 (2016) Planning obligations

LPP 8.3 (2016) Community infrastructure levy

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:- **27th July 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

23 local residents were consulted on the application and site notices were posted. Three letters and a petition of with 31 signatures has been received objecting to the proposal and the objections raised can be summarised as follows:

1. Loss of parking/increased parking stress
2. Increased congestion
3. Scheme will prevent cars from turning
4. Overdevelopment of site
5. Loss of outlook
6. Loss of light
7. Loss of privacy/increased overlooking
8. There has been no previous development on designated resident parking areas
9. Proposal will be out of character
10. Potential disruption during development
11. Other sites within the area are more appropriate for development and yet applications have been refused.

In addition the objectors raised numerous concerns with the fact the land has been sold by the Council and the manner in which this took place. Concerns are also raised with the subsequent site management.

Officer Comment: Issues relating to the sale of the land and its subsequent site management are not planning matters. The other issues raised are covered in the sections below.

Internal Consultees

HIGHWAYS OFFICER (original Comments):

Manor Way is a local road on the Council road network and the site has a PTAL value of 0 (very poor) which suggests there will be a very strong reliance on private cars for trip making to and from the site. The existing site is used for parking of residents cars both within garages and on the spaces available on the site and it is not clear from the application whether there is any formal arrangement currently in place for local residents' cars to be parked on site. Part of the access would appear to be within the highway boundary and would require a stopping up order. There was a previous application approved on the site for 2 x 2 b townhouses with 1 car parking space for each although the DAS acknowledges the policy suggests 1.5 spaces per dwelling. This level of off-street car parking will require $3 \times 1.5 = 5$ spaces. With such a low PTAL and the existing parking stress in the local area it is important that the proposal does not add to the on-street car parking demand. This demand will increase if the existing residents cars are displaced from the site. The traffic generated by the proposals is unlikely to be greater than the existing car park use. On the basis of the above comments I am concerned that there is insufficient off-street car parking provided for the development. Given the PTAL of the site and the level of parking stress I would like to see 2 spaces per dwelling provided. If this level of off-street car parking is not achieved I suggest you recommend that the application is refused. If you are of a mind to recommend approval of the development there should be a condition that relates to the applicant being responsible for the expense involved in creating a stopping up order to create the new access.

Revised Comments:

I have now received a plan showing the proposed 2 tandem car parking spaces per dwelling as previously suggested which is satisfactory.

The revised plans show a refuse/recycling bin store for each dwelling but it is not clear to me

whether the structures shown on the layout plan are secure covered cycle stores. If the structures are not cycle stores then I suggest a condition.

In order for the development to proceed, if approved, part of the access will have to be stopped up and this will mean there is no turning facility at this part of Manor Way. A cost of a stopping up order process will be met by the applicant and will form part of the S106 agreement.

On the basis of the above comments I do not feel confident that a refusal on highway grounds for this application can be justified.

Case Officer's comments:

The applicant has provided additional details confirming the structures are secure and covered cycle stores.

ENVIRONMENTAL PROTECTION UNIT

No objection to the planning application subject to control of environmental nuisance from construction work informative.

TREE/LANDSCAPE OFFICER (original Comments):

This site is occupied by a block of four garages with additional parking and manoeuvring space to the rear of 85 and 87 Manor Way. The court is accessible opposite house numbers 81 to 83. On the southern edge of the site there is a 4 metre wide verge with two mature Norway maples.

Immediately to the south of the site there is a public open space with a tree-lined boundary which reinforces the green screen and buffer on this boundary. While none of the trees are protected by TPO or Conservation Area designation, trees on the site and others in this area contribute to the green infrastructure and visual amenity of the area.

Comment: No tree report has been submitted to assess the condition and value of nearby trees and assess the impact of the development on them - or to show how the retained trees will be protected.

The two Norway maples on the southern boundary will be removed to facilitate the development. While a previously approved application (ref.2014/3671) included a tree survey and necessitated the removal of the two trees, this scheme has altered significantly and necessitated the removal of the soft landscaped at the southern end of the site, well within the root protection area (RPA) of the off-site trees, two of which are grade 'A' trees.

Recommendation: In the absence of a tree report with Arboricultural Impact Assessment and Tree Protection Measures, in accordance with BS5837:2012, the applicant has failed to demonstrate that trees will be unaffected by the development and has not made provision for their long term protection. The development proposal is contrary to saved policy BE38.

Case Officer's comments: The Landscape Architects comments were provided to the applicant who subsequently provided a Arboricultural Impact Assessment to support the proposals.

Revised Comments:

The tree report by Tree Sense, dated 4 August 2017 provides the required support for the tree strategy (planned tree removals and retention) for trees on, and close to, the site.

The report also notes in the summary (section 11.0) that a detailed Construction Management Plan

will be required. This should refer back to the tree protection measures outlined in the tree report. Due to the proximity and vulnerability of the retained trees, I would strongly recommend that the tree consultant be retained to supervise and monitor the work on site at all key stages, including: the site set up, pre-emptive tree surgery and protection measures throughout the demolition and construction phases.

Recommendation: No objection subject to conditions for Tree Protection, Landscaping Proposals and Tree Retention.

FLOOD AND WATER MANAGEMENT OFFICER

The site is in an area identified to be at risk of surface water flooding. Therefore surface water needs to be managed on site in order to mitigate this risk. The areas of hardstanding are to be made permeable which the Council supports. Raised access to the properties is more appropriate to mitigate against surface water flooding.

Recommendations: Condition - Sustainable Drainage

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
- iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and grey water will be recycled and reused in the development.

c) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan
- ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
- iii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
- iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

Reason

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1 - Strategic Policies (Nov 2012), Policies 5.12 Flood Risk Management, 5.13 Sustainable Drainage and Policy 5.15 Water Use and Supplies of the London Plan (March 2016) and National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

ACCESS OFFICER (original Comments):

This proposal for three x two-bedroom dwellings should comply with the standards for an M4 (2) dwelling as set out in Approved Document M to the Building Regulations (2015 edition); not the Lifetime Home Standards.

London Plan Policy 3.8(c) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2). To this end, the plans and submitted Design & Access Statement should be amended accordingly.

Particular attention should be paid to the level access threshold, internal lobby and circulation areas, as well as the bathroom layout and the requisite access zones between bathroom furniture items.

Revised plans should be requested prior to any grant of planning permission.

Case Officer's comments:

The Access Officer's comments were provided to the applicant who responded by providing an amended Design and Access Statement and plans demonstrating that the application will be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

Revised Comments:

All details are good now, plans are acceptable and so is the Design and Access Statement.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 17 of the National Planning Policy Framework states that one of the core principles of the document is the "effective use of land by reusing land that has been previously developed (brownfield land)."

The principle of residential use on the site has been established under the two previously granted planning consents for residential development, these were granted under application references 67593/APP/2011/329 dated and 67593/APP/2014/3671, dated 09.12.14.

7.02 Density of the proposed development

The site has a Public Transport Accessibility Level (PTAL) of 0. The London Plan (2016) range for sites with a PTAL of 0-1 in a suburban area is 150-200 habitable rooms per hectare and 35-55 units per hectare. As such, based on a total site area of 570m² the site would have a density of 52.6 units per hectare and 210 habitable rooms per hectare. The unit density complies with London Plan (2016) standards and the slight over provision of habitable rooms is not deemed sufficiently excessive to warrant a recommendation for refusal based on the relatively small scale of the development. As such the density of the development is deemed acceptable.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the vicinity.

7.04 Airport safeguarding

There are no airport safeguarding issues arising from the proposed scheme.

7.05 Impact on the green belt

The site does not lie within or in proximity to the Green Belt.

7.07 Impact on the character & appearance of the area

The surrounding area is largely characterised by a mix of terrace and semi detached two-storey properties and planning consent has previously been granted for two residential properties of a similar scale to be brought forward on this site.

The proposed two storey dwellings are of a height and scale similar to surrounding properties and as such, it is not considered that the development would have an unacceptable impact on visual amenity or the character and appearance of the streetscene or the locality. Whilst details of some of the proposed materials have been submitted it is recommended that a condition be attached to ensure that all proposed materials, including those not yet detailed such as doors and windows, are of an acceptable quality.

The overall development is considered to be a well designed and will have a positive impact on the visual amenities of the surrounding area, in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan (November 2012).

7.08 Impact on neighbours

The proposed residential units would be located in excess of 15m from the adjacent properties to the north and no windows are proposed in the flank elevations. Subject to a condition preventing the introduction of additional windows in this elevation the proposal is deemed to have an acceptable impact on these properties in terms of loss of light, outlook and privacy.

The proposed development would be located 15.3m from the properties to the west on the opposite side of Manor Way. The existing planning consent on the site (application reference 67593/APP/2014/3671) approved a layout similar to that proposed with a separation distance of 15.8m. As such the principle of the separation distance has already been established on the site and the reduction of this distance by 0.5m is not considered to result in a significant detrimental impact on the adjacent neighbouring occupiers to such an extent that would warrant a recommendation for refusal.

Overall, the scheme is not therefore considered to result in any significant loss of amenity to neighbouring properties in accordance with policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

Internal Floor Area

The proposed development is for the creation of 3 x two bedroom residential units with a gross internal floor area of 79.6 sq m. The London Plan requires that two storey, 2 bedroom properties have a minimum internal floor area of 79 sqm and as such each of the dwellings would be erected in accordance with the floor space standards contained within Policy 3.5 of the London Plan (2016). Therefore, each dwelling would be considered to create residential accommodation of an acceptable size for the number of bedrooms and inhabitants being proposed.

External Amenity Space

The Hillingdon Supplementary Planning Document HDAS: Residential Layouts states that two bedroom houses should be provided with a minimum of 60 sq m of external amenity space. The three properties will be provided with between 60.4 sqm and 70.5 sqm of external amenity space and as such is considered in accordance with Policy BE23 of the Hillingdon Local Plan (November 2012) and The Hillingdon Supplementary Planning Document HDAS: Residential Layouts.

Light and Outlook

All of the habitable rooms within the dwellings would be provided with an acceptable source of light and outlook in accordance with Policies BE20 of the Hillingdon Local Plan (November 2012) and the London Plan (2016).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport. The site has a low PTAL rating indicating a reliance on the private car for transport.

The loss of the turning area, parking spaces and garages that currently exist on the site has been established through the existing planning consents for residential development (application references 67593/APP/2011/329 and 67593/APP/2014/3671). The proposed development would provide two parking spaces per unit which accords with the Council's parking strategy and is not considered to result in an increase in parking stress in the locality.

The Council's Highways Engineer has reviewed the submitted proposals and, subject to the applicant entering into a legal agreement regarding the stopping up of the existing turning space, has raised no objections to the development.

It is therefore considered that the change of use of the site from parking to residential dwellings would not have a significant impact on traffic and pedestrian flow in the immediate area. The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon Local Plan (November 2012).

7.11 Urban design, access and security

The submitted Design and Access Statement states that the development would follow the general principles of Secured by Design good practice with living room windows and entrances facing onto private front garden defensible space and the window layout is designed to improve natural surveillance over the street. The proposed front doors are solid timber with double glazed side panels. Access to the rear gardens will be secured by robustly designed self-closing gates.

Subject to a condition requiring the development to meet Secured by Design standards the proposal is deemed acceptable in terms of security.

7.12 Disabled access

The properties have been designed to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

The Council's Access Officer has reviewed the proposals and has raised no objections to the application.

7.13 Provision of affordable & special needs housing

The scheme is for less than 10 units and therefore there is no affordable housing requirement for the development.

7.14 Trees, landscaping and Ecology

The application site contains several trees, all of which have relatively low amenity values. Two trees are proposed to be removed and a landscaping scheme proposed.

The Council's Trees and Landscape Officer has raised no objections to the proposal, including the removal of trees on the site, subject to conditions, which would achieve appropriate outcomes in terms of policy BE38.

7.15 Sustainable waste management

Each of the units within the proposed development would be allocated suitable provision for the storage of waste.

7.16 Renewable energy / Sustainability

The proposed development is for three residential units. The proposals incorporate solar panels within the south facing roof slope and would be required to meet relevant building regulations requirements.

7.17 Flooding or Drainage Issues

The site does not lie within a flood zone. The Council's Flood and Water Management Officer has reviewed the proposals and raised no objections to the application subject to an appropriate condition to control drainage.

7.18 Noise or Air Quality Issues

It is not considered that the provision of residential units on this site within a residential area will lead to significant noise or air quality issues.

7.19 Comments on Public Consultations

The reasons given for the petition have been considered within the body of this report. There is no design objection to two storey dwellings in this location given that the majority of adjacent properties are also two storeys in height. The Council's Access Officer has confirmed the proposals will be policy compliant and the Council's Landscape Architect has raised no objection to the loss of the two trees.

Concerns raised regarding parking/traffic, density of development, separation distances, design and character of the proposals have been considered within the body of this report. The appropriateness of other development sites with different characteristics is not a material planning consideration in relation to the current application.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Saved Policies (November 2012) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

Should the application be approved, the following planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

1. Highway Works: S278/S247 for required Highway Works/Stopping up order

In addition to S106 contributions the Council has recently adopted its own Community Infrastructure Levy (CIL) with a charge of £95 per square metre of gross internal floor area. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £27,590.89.

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £10,803.23.

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

Not applicable to this application.

10. CONCLUSION

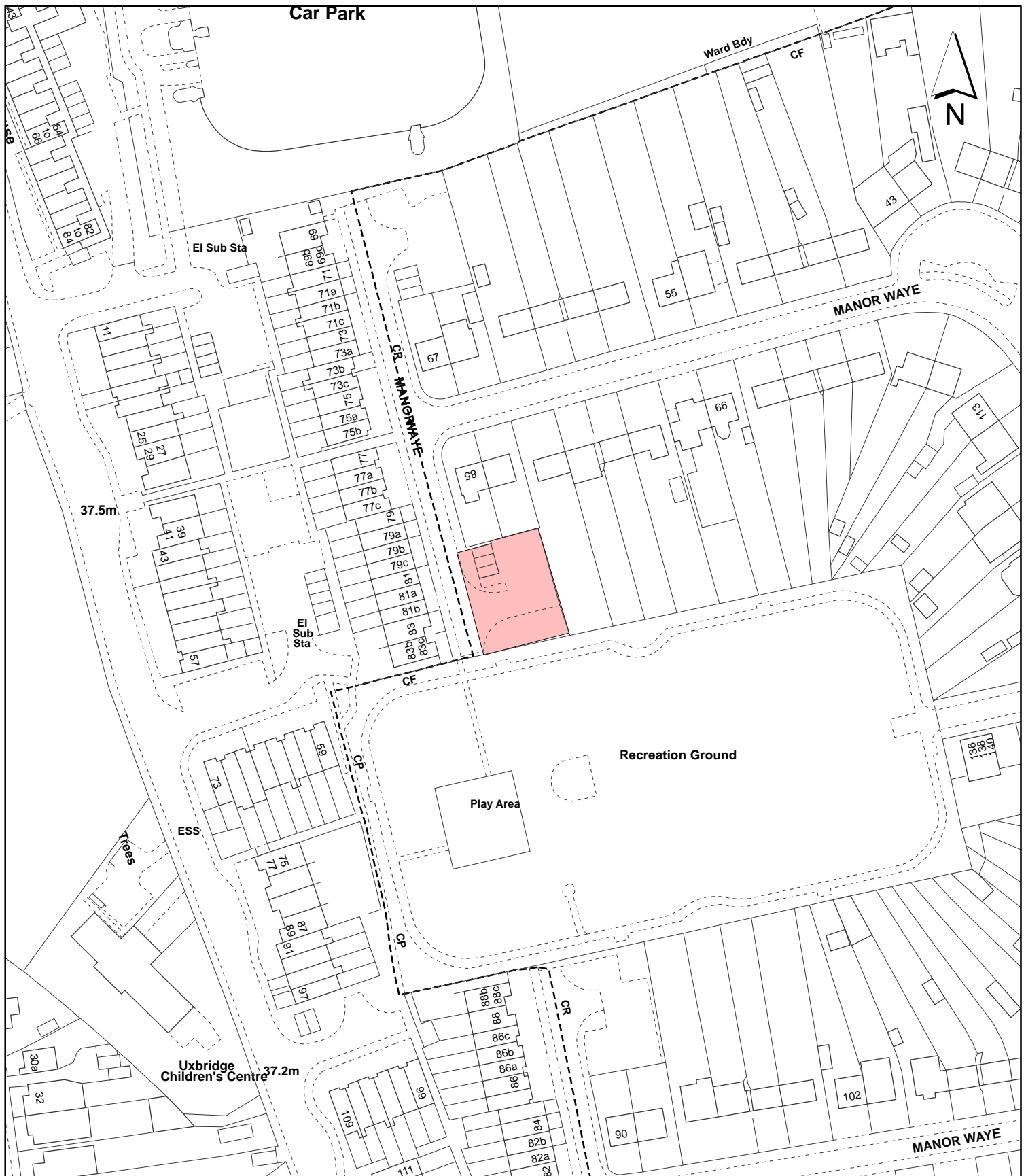
Full planning permission is sought for the construction of three 2 storey, two bedroom properties with associated landscaping and parking. The proposals are not considered to result in any loss of amenity to adjoining occupiers due to loss of light or privacy over and above a previously approved development on the site. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. As such approval is recommended subject to conditions and the completion of an appropriate legal agreement.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (March 2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Residential Layouts
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations

Contact Officer: Ed Laughton

Telephone No: 01895 250230



Notes:

 Site boundary

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

Site Address:

**Garage Site,
 85 & 87 Manor Way**

Planning Application Ref:

67593/APP/2017/2114

Planning Committee:

Central & South

Scale:

1:1,250

Date:

September 2017

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



HILLINGDON
 LONDON