

## Report of the Head of Planning, Sport and Green Spaces

**Address** 1 DE SALIS ROAD HILLINGDON

**Development:** Conversion of 3-bed dwelling house into 2 x 2-bed self contained flats with associated amenity space and cycle stores involving part two storey, part single storey side extension and part two storey, part single storey rear extension.

**LBH Ref Nos:** 59992/APP/2016/775

**Drawing Nos:** 03 Rev. E  
Location Plan (1:1250)  
02 Rev. C  
01 Rev.B  
Parking Survey

**Date Plans Received:** 24/02/2016

**Date(s) of Amendment(s):**

**Date Application Valid:** 07/03/2016

### 1. SUMMARY

Planning permission is sought for the conversion of the existing three bedroom house to provide 2 x two bedroom self contained flats. Extensions are also proposed to accommodate the units.

The ground floor would provide a two bedroom flat with a floor area of 88 square metres and the first floor would provide a two bedroom flat with a floor area of 71 square metres. Whilst the size of the units meets the standard required, the proposal fails to provide the required parking.

The application is therefore recommended for refusal.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### 2 NON2 Non Standard reason for refusal

The proposed development would involve the provision of a parking space of sub-standard size resulting in vehicles overhanging the highway, to the detriment of pedestrian and highway safety and contrary to policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The site is located on the Southern side of De Salis Road and is triangular-shaped, as it narrows in width from the front boundary to rear boundary. The site is close to the junction of De Salis Road with the busy Uxbridge Road to the South.

The site comprises an end-of-terraced three-bedroom dwelling with a gable end roof and flat-roof front porch. The dwelling is set away from its angled Southern side boundary by 3m at the nearest point. The Southern boundary lies adjacent to the rear boundary of the three-storey block of flatted development at Parkside House. The rear garden of the application site is mainly soft-landscaped and spaciouly sized with a depth of 21m (at the furthest point), notwithstanding the narrowing in width towards the rear boundary. The rear garden is adjacent to the flatted development at Crimson Court to the Southwest. The adjoining dwelling to the North at No. 3 De Salis Road has a single storey rear conservatory extension along the shared boundary. There is a driveway to the front garden, which extends beyond the front boundary and cuts across the public footpath and a grass verge adjacent to the highway.

The immediate locality is residential in character and appearance, and with the exception of the flatted developments at Parkside House and Crimson Court, comprises mainly of terraced dwellings with stepped and variable front building lines. The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2 Proposed Scheme**

Planning permission is sought for the conversion of three-bedroom dwelling house into 2 x 2-bed self contained flats with associated amenity space and cycle stores involving part two storey, part single storey side extension and part two storey, part single storey rear extension. One parking space is shown on the plans at the front of the property.

The first floor would provide 1 x two bedroom flat with a floor area of 88 square metres.

The second floor would provide 1 x two bedroom unit with a floor area of 71 square metres.

The extensions would involve a two-storey side extension, which would be set back 1m from the front and set-in 1m from a bin store at the side. The extension would have a gable end and ridge and eaves height to match the original property. The side flank wall element would be staggered to provide an adequate set in from the boundary. The ground floor of the rear extension would be 7.21m wide x 3m deep with a flat roof profile measuring 2.7m high. The first floor element would be 3.m deep x 3.6m wide and set away from the shared boundary by 3.64m.

The units would have accommodation as follows:

- Bedroom 1 (with a dressing room and en-suite)
- Bedroom 2
- A kitchen/living/dining area
- A shower room

Access would be provided to the front of the site. An area for waste storage and cycle storage has been provided at the front/side of the property. Amenity space would also be

provided through tandem provision in the rear garden, providing separate enclosed amenity areas both measuring 42 sq.m.

### 3.3 Relevant Planning History

59992/PRC/2015/123 1 De Salis Road Hillingdon

Conversion of three-bedroom dwellinghouse to two x two-bedroom self contained flats incorporating part single storey, part two storey side extension, part single, part two storey rear extension, refuse/cycle storage and amenity space

**Decision:** 02-11-2015 OBJ

59992/PRE/2004/193 1 De Salis Road Hillingdon

TP PRE-CORRES: CONVERSION OF GARAGE TO HABITABLE ACCOMMODATION

**Decision:**

#### Comment on Relevant Planning History

A pre-application was submitted and advice was provided by the LPA on the 02.11.15. It was considered that the principle of development was acceptable, however further amendments were required to address design and highway issues. In conclusion the following recommendation was made :

"Even though the use of the pre-application site for a more intensive residential purpose is considered acceptable, it is considered that the design and bulk of the proposed development could be favourably considered as part of an application, subject to the revised height of the single storey side and rear extensions, insertion of front and rear windows that match the design of the existing and provision of adequate off-street parking safely within the site"

The current scheme has revised the height and design of the extensions, however the provision of safe off-street parking has not been addressed.

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
H4	Mix of housing units
H7	Conversion of residential properties into a number of units
OE1	Protection of the character and amenities of surrounding properties and the local area
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

41 neighbours were consulted by way of letter on the 30-03-16 and a site notice was erected.

3 comments were received objecting to the proposal on the following grounds:

1. Out of character, flats unacceptable in this houses only road.
2. Conversion will reduce the stock, does not enhance the character and affects the community life of the street.
3. Loss of sunlight to adjoining occupier.
4. 45 degree line of sight is breached.
5. Unacceptable loss of outlook.
6. Layout would result in conflicting uses and noise and disturbance to adjoining occupier.
7. Subsidence issues.
8. Extension over main sewer.
9. No off street parking.

10. Bike shed inappropriate.
11. The property is unable to provide another parking space ..
12. Parking standards are not met contrary to Policy.
13. Overdevelopment.
14. Adjacent to the property are 45 flats (Crimson Court, Parkside House + Paget Road), with a further 44 in the immediate vicinity (Connaught Heights): more flats are not needed.

Officer comment: Subsidence or development over a sewer are not considered to be material planning considerations.

Ward Councillor: Requests that the application be determined by committee.

### **Internal Consultees**

Highways Officer:

The original pre-app asked for a parking stress survey to be carried out if the application did not provide the appropriate level of off-street parking. The parking stress survey now provided does show that there is some spare parking capacity available nearby but not in De Salis Road. If the applicant wishes to continue to use the existing off-street car parking I would like you to ask the applicant to re-configure the existing parking space so that the whole of the vehicle is within the site boundary as under the current arrangement parked cars are obstructing the public footpath.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The NPPF (March 2012) states that there is a presumption in favour of sustainable development (paragraph 14), but stresses that this does not change the statutory status of the development plan in that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise (paragraph 11). It also stresses the need to boost significantly the supply of housing (paragraph 47).

The application site forms part of the 'developed area' as defined with the Hillingdon Local Plan and the proposal is for the flatted redevelopment of an existing residential plot within an established residential area. As such, there is no objection in principle to the development, subject to normal development control criteria.

Specifically, Policy H3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site and ideally, an increase in the residential accommodation will be sought if not contrary to other policies in the plan. Policies BE13 and BE19 seek to safeguard the layout and appearance of the street scene and the amenity and the character of residential areas respectively.

The Council's HDAS Supplementary Planning Document 'Residential Layouts' July 2006 at paragraph 3.3 generally acknowledges that large plots currently used for single dwellings, through their careful and sensitive design, can be successfully redeveloped to provide flats.

The redevelopment of more than 10% of properties on a residential street is unlikely to be acceptable, including the number of houses which have been redeveloped for new blocks of flats. It has been noted that there are adjacent flatted developments at Crimson Court and Parkside House to the South of the application site, however these developments front Uxbridge Road, and are not part of De Salis Road, and thus are not considered as being part of the 10% of this residential road.

### **7.02 Density of the proposed development**

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

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

Not applicable to this application.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

Not applicable to this application.

**7.07 Impact on the character & appearance of the area**

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

HDAS Section 3 requires single storey rear extension to not project more than 3.6m in the case of terraced properties. The proposed development would be within the specified parameters measuring 3m deep and 2.7m high, and would reflect the proportions of the existing property and surrounding area.

HDAS Section 5 states that "two storey side extensions should be integrated with the existing house. There is no specific requirement for a set-back from the front of the house". The proposed two storey side extension would comply with the guidelines for side extensions at end-of-terraced dwellings, in terms of being integrated with the main house, ridge height and eaves; however a set-in from the side and set back on the first floor has been provided to ensure the extension appears subordinate and would not detract from the character of the surrounding area.

The two storey rear extension has been designed to be subordinate to the main house and would have a hipped roof profile which would in turn reduce the overall bulk.

Therefore the proposal would comply with Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.08 Impact on neighbours**

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that become detrimental to the amenity of the adjoining occupiers or surrounding area will not be approved.

The proposed part single storey rear extension would be 3.6m wide, 3m deep and marginally project beyond the rear conservatory extension at attached No.3 along the angled shared boundary. The single storey rear extension would accord with HDAS guidance in this respect, which would ensure that the amenities of the adjoining occupiers are respected.

The two storey rear extension would project 3m, however it would maintain a separation distance of 3.615m to ensure the 45-degree line of sight from the neighbouring habitable

room window at No.3 is not breached. Therefore the proposed two-storey rear extension would not cause any undue loss of daylight, sunlight or visual intrusion. The extensions would be located approximately 17m from the flatted development to the South of the site, and thus would not cause any loss of amenity to occupiers.

The layout would comprise habitable accommodation on each floor. Although the layout within the unit would have an ideal stacking arrangement, it has been observed that the neighbouring occupier would have living accommodation adjacent to their first floor bedrooms. It is considered that this can be sufficiently mitigated through providing adequate sound insulation. In the event that the application is approved, a condition requiring sound insulation is recommended.

The proposed development would not cause any undue visual intrusion, loss of daylight, loss of sunlight or overlooking by virtue of the siting and massing of the proposed development. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE20, BE21, BE24 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.09 Living conditions for future occupiers**

Policy H7 of the Hillingdon Local Plan: Part 2 -UDP Saved Policies states the conversion of residential properties into more units will be regarded as acceptable in principle provided this can be achieved without causing demonstrable harm to the residential amenities or character of the area or the amenity of the adjoining occupiers and the following criteria are met.

- i) It can be demonstrated that adequate sound insulation is provided
- ii) Car parking to the standards adopted by the local planning authority can be provided within the curtilage of the site and can be accommodated without significant detriment to the street scene.
- iii) All units are self contained with exclusive use of sanitary and kitchen facilities and with individual entrances and internal staircases are provided to serve units above ground floor level.
- iv) Adequate amenity space is provided for the benefit of residents of the proposed development.

The control of noise disturbance between the proposed units and to neighbouring occupiers could be controlled with a condition relating to sound insulation measures to be incorporated as part of the development.

The car parking issues have been addressed in the Section below.

All units would be self contained and would provide a high specification of residential accommodation, including en-suite bedrooms and dressing room facilities.

It is necessary to ascertain whether the resultant unit would meet the internal floorspace requirements for two-bedroom flats. The Mayor's Housing Supplementary Planning Document requires a minimum of 61 square metres for a two bedroom unit. The proposed development meets this requirement providing between 71 and 88 square metres, thus providing satisfactory standard of living accommodation for present and future occupiers.

The HDAS SPD requires communal amenity space to be provided for flats at a rate of 25 sq.m per two bedroom units. In accordance with the above standards, a minimum 50 sq.m

area of combined usable communal and private amenity space should be provided. The submitted plans show the provision of 84 sqm. of combined usable communal rear garden amenity space. This area exceeds the required minimum amenity area.

Overall the proposed units would meet the floorspace requirements and would provide good quality residential accommodation in accordance with HDAS Residential Layouts and the London Plan (2016).

The applicant has also provided an area for recycling and refuse storage within a communal area at ground floor level where the existing bin storage exists.

Notwithstanding the above, in order to meet criteria ii) it should be demonstrated that car parking standards can be met. This is discussed in Section 7.10.

The proposed development would not add more than 6 habitable rooms to the site and no financial contribution would be required for the development. Therefore, the development would comply with Policy R17 of the Hillingdon Local Plan: Part 2 -UDP Saved Policies and the Supplementary Planning Document Planning Obligations.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Hillingdon Local Plan: Part Two Policy AM7 considers the traffic generation of proposals and will not permit development that is likely to prejudice the free flow of traffic or pedestrian safety generally. Policy AM14 requires maximum parking standards to be achieved in new developments.

The application site is located within an area with a PTAL level of 2, which is considered to be poor and would suggest that the occupiers would be reliant on the car for meeting transport needs. The application proposal shows one off street parking space. However, this space extends outside the red line boundary of the site and overhangs the public footpath by a considerable amount, which would have pedestrian and highway safety implications and is not considered acceptable. It is observed that the existing garage has been converted and as such the existing short driveway is currently being used for parking. It is considered that the continuation of this cannot be supported within the current scheme and is therefore contrary to Policy AM7.

The Council's parking standards require 1.5 parking spaces for each unit. The proposed development, in effect, does not provide any parking spaces and thus falls well short of the required level. It is appreciated that the parking stress survey does show that there is some spare parking capacity available in the area but not in close vicinity of the application site. The proposal, thus fails to provide sufficient off street parking provision and would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.11 Urban design, access and security**

See section 7.09.

#### **7.12 Disabled access**

Had the application been recommended for approval, a suitable condition would have been suggested.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**



No trees are affected by the proposed development. As such the proposal would not conflict with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.15 Sustainable waste management**

Had the application been recommended for approval, a suitable condition would have been suggested.

**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 are considered in the main body of the report.

**7.20 Planning Obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

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

Prtesently calculated the amounts would be as follows;

LBH CIL £ 6,660.42

London Mayoral CIL £ 2,607.89

Total CIL £9,268.31

**8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

**9. Observations of the Director of Finance**

Not applicable to this application.

**10. CONCLUSION**

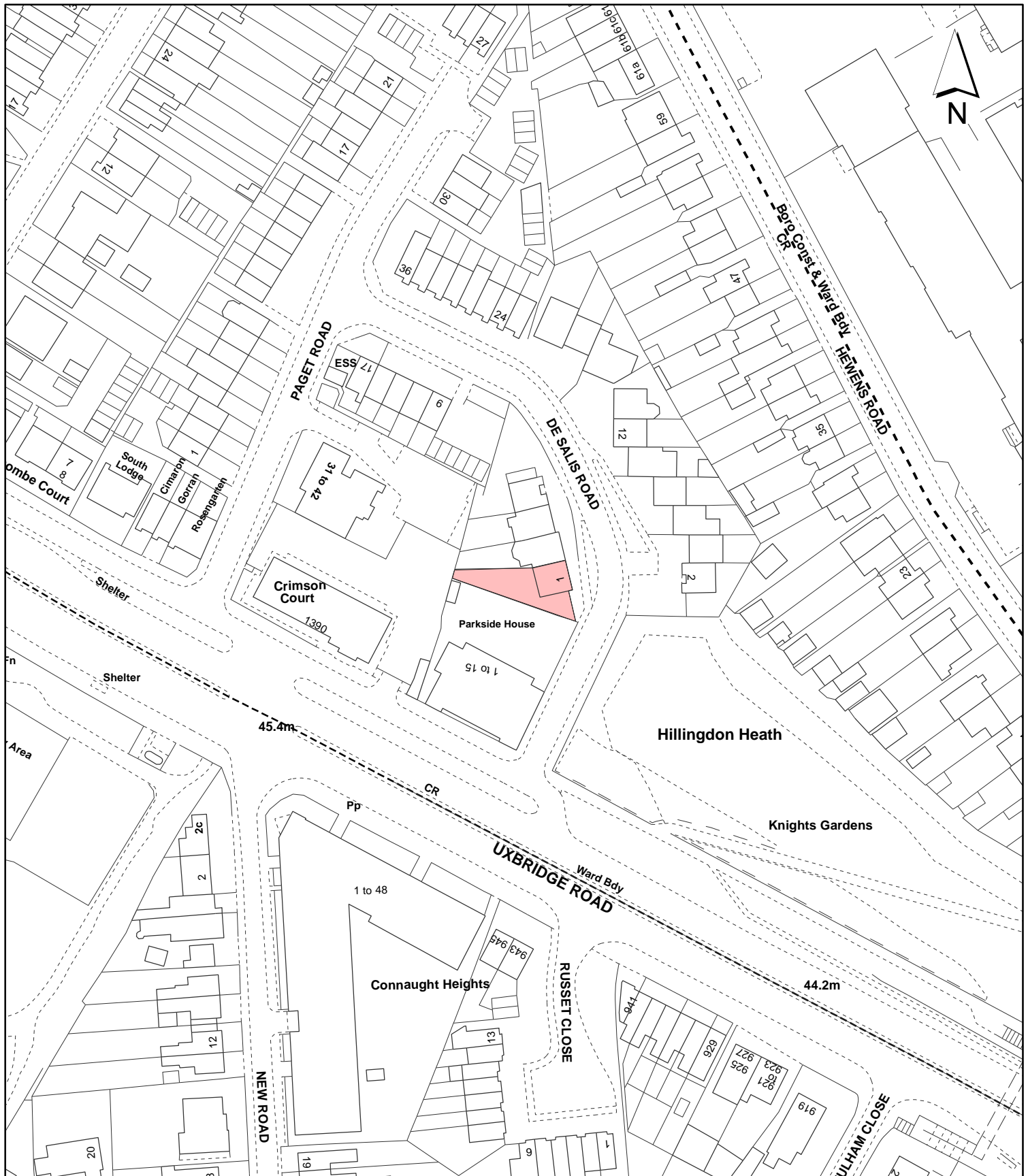
The proposed parking arrangements would be both insufficient and detrimental to the immediate and wider highway network, and the proposed development is therefore recommended for refusal.

**11. Reference Documents**

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

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**Notes:**

 Site boundary

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Site Address:

**1 De Salis Road**

**LONDON BOROUGH OF HILLINGDON**

**Residents Services Planning Section**  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**59992/APP/2016/775**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**September 2017**



**HILLINGDON**  
 LONDON