

Report of the Head of Planning, Sport and Green Spaces

Address PINCIO GATE END NORTHWOOD

Development: Two storey, 4-bed, detached dwelling with habitable roofspace, involving demolition of existing bungalow.

LBH Ref Nos: 8954/APP/2017/2400

Drawing Nos: Topographical Survey
PGE_LSP_001
PGE_SV_002
PGE_ELV_003
PGE_G&L_003

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

Date Application Valid: 03/07/2017

1. SUMMARY

The site is within the development area as defined within Hillingdon Local Plan - Part Two Saved Policies (2012). It is also within the Gatehill Farm Estate Area of Special Local Character where Policy BE6 states that new houses should be constructed on building plots of a similar average width as surrounding residential development; be constructed on a similar building line and be of a similar scale, form and proportion as adjacent houses; and reflect the materials, design features and architectural style predominant in the area and sufficient architectural variety must be achieved within new development in order to retain the areas' characteristics of large individually designed houses.

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 Policy BE19 states that the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area. Policy BE24 states that the proposals should protect the privacy of the occupiers and their neighbours.

The proposal involves a one to one replacement and is therefore acceptable in principle. However, it is considered that the proposed development by reason of its overall size, scale, bulk, height and design, would result in a cramped development which would fail to harmonise with the architectural composition of the adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gatehill Farm Estate Area of Special Local Character.

In addition, it is considered that the proposed development, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining dwelling 'Woodcote' by reason of over-dominance, overshadowing, visual intrusion and loss of outlook.

It is therefore recommended that the application be refused.

The application has been referred to the Committee for determination as a result of a petition objecting to the proposals.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by reason of its overall size, scale, bulk, height and design, would result in a cramped development which would fail to harmonise with the architectural composition of the adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions (December 2008) and Residential Layouts (July 2006)

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupiers of Woodcote by reason of overdominance, overshadowing, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Documents HDAS: Residential Extensions. (December 2008) and Residential Layouts (July 2006)

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 (2015). 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 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE13 New development must harmonise with the existing street scene.

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|----------|---|
| 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. |
| BE5 | New development within areas of special local character |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LPP 3.3 | (2015) Increasing housing supply |
| LPP 3.4 | (2015) Optimising housing potential |
| LPP 3.5 | (2015) Quality and design of housing developments |
| LPP 3.8 | (2015) Housing Choice |
| LPP 7.4 | (2015) Local character |
| NPPF | National Planning Policy Framework |
| NPPF1 | NPPF - Delivering sustainable development |
| NPPF6 | NPPF - Delivering a wide choice of high quality homes |
| NPPF7 | NPPF - Requiring good design |

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In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located at Gate End, Northwood, which is a cul-de-sac. The site is located in the Gatehill Farm Estate Area of Special Local Character and also falls within the 'Developed Area' as defined within the Hillingdon Local Plan - Part Two Saved Policies (2012).

The land is currently occupied by a detached bungalow, which is one of only two on Gate End. The application property is a narrow plot, in comparison to neighbouring and surrounding properties. The bungalow is set back from the highway behind a large front garden with drive.

The ground level rises gradually to the North East from the front to the rear of the site. The neighbouring property to the North West of the site, "Woodcote" is on a ground level approximately 1 metre lower than the application property. The dwellings are separated by a single-storey garage within the curtilage of 'Woodcote'. The side of 'Woodcote' is relatively open to the common boundary, with generally low level and sparse natural screening. The neighbouring property to the South East of the site, 'Hurley', is set within a

much larger site and natural screening between the site and this dwelling is much more effective. Within 'Hurley' there are two outbuildings adjacent to the shared boundary, the main house is sited centrally within the site away from the application property. The majority of the properties on Gate End consist of two-storey detached dwellings, of varying style and design. The site lies within the area of Tree Preservation Order (TPO) 171.

The recent dismissed appeal concerning application 8954/APP/2016/3505 involved discussion of how the very modest plot width for the application site differs from the rest of Gate End and how important this is for decision making:

'Located within the small, leafy cul-de-sac of Gate End, the appeal site comprises a detached bungalow known as 'Pincio' sited on a plot of around 12.5m to 13.6m in width, with an overall site area of around 622m². Based on the appellant's evidence, this is considerably smaller than the other houses on Gate End. Indeed, whilst 'Pincio' was originally planned with a rectangular

layout that reflects the wider estate, and has a depth similar to other properties on Gate End, it remains considerably narrower than the majority of the adjacent plots. Only 'The End House' is of lesser width. Furthermore, 'Pincio' has a footprint of around 155m², resulting in a dwelling

to plot ratio of 1:4. Only 'Garnside' achieves such a dense arrangement, with the other properties ranging from ratios of 1:5 to 1:9.5. Moreover, the appellants calculations appear to omit reference to the adjacent 'Hurley' and 'Elleselle' opposite both of which are large detached houses on substantial plots of much greater scale than the remainder of Gate End. As a result, it is clear

that the smaller plot and dense arrangement of 'Pincio' stands in contrast to the prevailing pattern of development within the immediate area.'

3.2 Proposed Scheme

The proposed scheme involves erection of a two storey, 4-bed, detached dwelling with habitable roofspace involving demolition of existing bungalow.

3.3 Relevant Planning History

8954/APP/2016/3505 Pincio Gate End Northwood

Two storey, 4-bed, detached dwelling with habitable roofspace involving demolition of existing bungalow

Decision: 14-03-2017 Refused **Appeal:** 11-10-2017 Dismissed

8954/APP/2016/405 Pincio Gate End Northwood

Raising and enlargement of roof to create first floor, incorporating front in-fill extension at ground floor level involving demolition of existing conservatory, with 1 front dormer and 1 rear dormer, 4 side rooflights to form sun tunnels, conversion of integral garage to habitable use and alterations to doors and fenestration on the South East Elevation

Decision: 20-04-2016 Refused

8954/PRC/2016/92 Pincio Gate End Northwood

Replace existing bungalow with new two storey dwelling

Decision: 27-07-2016 OBJ

8954/TRE/2003/65 Pincio Gate End Northwood
TREE SURGERY TO ONE OAK (T52) ON TPO 171

Decision: 20-08-2003 NFA

8954/TRE/2015/48 Pincio Gate End Northwood

To carry out tree surgery, including a crown reduction by 2-3m to Oak (T52) on TPO 171

Decision: 16-04-2015 Approved

Comment on Relevant Planning History

Planning Application Reference: 8954/APP/2016/3505 Dated 14.03.2017 for proposed two storey, 4-bed, detached dwelling with habitable roofspace involving demolition of existing bungalow, Was refused for the following reasons:-

(1) The proposed development by reason of its overall size, scale, bulk, height and design, would result in a cramped development which would fail to harmonise with the architectural composition of the adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions

(2) The proposed development, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupiers of Woodcote by reason of overdominance, overshadowing, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

The refused scheme is the subject of a very recent appeal decision (12 October) where the inspector completely concurred with the Council's refusal reasons. The inspector stated that the proposed dwelling:

'.. would appear unduly cramped within its plot, in stark contrast to the open and spacious character of the area, and thus would result in a discordant and obtrusive feature within the street scene.' The Inspector also considered that '..the proposal would have a harmful effect on the living conditions of the occupiers of Woodcote with particular regard to outlook and light'.

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:

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.

BE5 New development within areas of special local character

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

LPP 3.3 (2015) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2015) Quality and design of housing developments

LPP 3.8 (2015) Housing Choice

LPP 7.4 (2015) Local character

NPPF National Planning Policy Framework

NPPF1 NPPF - Delivering sustainable development

NPPF6 NPPF - Delivering a wide choice of high quality homes

NPPF7 NPPF - Requiring good design

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 07/07/2017 and a site notice was displayed 13/07/2017.

By the expiry of the consultation period 7 letters of objections had been received along with a petition objecting to the application proposal; the objections raised the following grounds:

- The dwelling is of excessive scale and height and covers almost the width of the plot, and extends deep into the garden.

- The new dwelling will not be sympathetic to the surrounding street and will appear at odds with the Estate and the Area of Special Local Character.
- The development will be overbearing, visually intrusive and will result in loss of privacy and light to habitable rooms of 'Woodcote' and by reason of scale will result in loss of privacy to dwellings to the rear.
- The development will not deliver sufficient landscaping and too much hard surface to the front .
- The development is similar to that previously refused.
- Development will potentially allow overlooking to 28 Gatehill Road.

The Gatehill Residents Association object on the all of the above grounds and highlight that the verges are owned by the GRA, not the applicant. The submitted Garden and Landscaping diagram does not differentiate between the GRA owned land and that owned by the applicant. Alterations to GRA owned land requires consent from the GRA.

The ground of objections are considered in the main body of the report. Had the application been considered acceptable further consideration would have been given to conditions or informatives to address the GRA concerns regarding the ownership of the verge, but for the reasons set out in the report the application is recommended for refusal.

Internal Consultees

Trees and Landscape - no objections subject to standard conditions.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is within the developed area as defined within Hillingdon Local Plan - Part Two Saved Policies (2012). It is a one-for-one replacement but not like for like. The principle of a residential dwelling on the subject land is acceptable.

7.02 Density of the proposed development

It is not considered that the density of development is highly relevant to consideration of applications for a single dwelling where the assessment should be based more on the actual impacts of the proposal, however it is noted that the proposal would not change the density of development of the site which would continue to be a single dwelling.

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

The application site is not located within a Conservation Area, or an archaeological priority area, nor would the proposal affect the setting of any listed buildings.

Consideration of the impact on the Gate Hill Farm Area of Special Local Character is contained within the 'Impact on the character and appearance of the area' section of this report.

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

The site is not within the Green Belt.

7.07 Impact on the character & appearance of the area

The main issues for consideration relate to the impact of the proposed development upon the site, neighbouring dwellings and the character of the street scene.

Policy 7.4 of the London Plan (2016) states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features."

Policy BE13 of The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states "the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area".

The Local Planning Authority (LPA) places great reliance upon the positive impacts of good design and the role it can play upon character and appearance of a place. The UDP Policies work together to ensure that through good design development, in terms of visual impact and appearance, are in-keeping, blends and harmonises with the prevailing character and appearance of the site and surrounding. This is of particular importance within areas of great sensitivity due to the special character of the Gatehill Farm Estate Area and visual setting.

The proposed development falls within the Gate Hill Farm Area of Special Local Character. Policy BE6 states that within the area of special local character at Gate Hill Farm and Copewood Estates... New houses should:-

- Be constructed on building plots of a similar average width as surrounding residential development;
- Be constructed on a similar building line (formed by the front main walls of existing houses) and be of a similar scale, form and proportion as adjacent houses; and reflect the materials, design features and architectural style predominant in the area and sufficient architectural variety must be achieved within new development in order to retain the areas' characteristics of large individually designed houses.

Consideration against policy and guidance:

The existing dwelling is a detached bungalow set on a narrow plot. The width of the proposed dwelling would be approximately 9.5 metres. It is understood that the plot previously formed part of neighbouring curtilages of Woodcote and Hurley. A key characteristic of the area is one in which two-storey dwellings sit within spacious plots. The plots in the locality are a variety of sizes and widths and the applicant has indicated in the Design and Access Statement other plots which are considered to be similar.

In order to achieve an acceptable scheme it is not sufficient just to meet a technical standard. Proper regard must be given to the specific character of the plot and the proposals and the overall impact on the character of the area. In this regard, it is noted that the plot is narrower than any other in the Gate End cul-de-sac. It is also noted that other dwellings have single storey elements which form part of the overall width. In this case, the proposal is two-storey across the whole frontage which leads to a cramped and incongruous form of development.

Whilst the minimum distance to the boundary is achieved, the proposal involves two storey very deep development and a large building set. 'Woodcote', to the North West, set on a narrow plot, has a single-storey garage which is located close to the common boundary. There is also a single-storey outbuilding to the rear of the main dwelling, in close proximity to the common boundary. In this regard, the very deep two-storey development would be only 1.5 metres from these buildings. As such the limited gap is emphasised by the two-storey nature and overall height of the proposals. Although the two storey element has

been reduced in depth by 2 metres from the previous refusal the perception of a cramped development still remains. Given this relationship there appears to be limited scope for additional natural landscape to soften the impact whilst leaving sufficient space around the proposed dwelling.

Paragraph 11.2 of the HDAS: Residential Extensions (December 2008) gives guidance on how car parking in front gardens should be approached. It states the importance of avoiding losing the feeling of enclosure and definition between pavement and private space. Under guidance also in paragraph 11.2 of the HDAS: Residential Extensions(December 2008), the LPA would normally expect at least 25% of the front garden to be maintained for soft landscaping and planting. The existing dwelling has a lawn and mature landscaping to the front. As the existing property is single-storey, the overall landscape is effective in providing screening and assists the overall green appearance of the area. The revised proposal achieves at least 25% soft landscaping and is considered to be acceptable on this sole point.

As such it is considered that the proposed development by reason of its overall size, scale, bulk, height and design, would result in a cramped development which would fail to harmonise with the architectural composition of the adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE5, BE6, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Documents HDAS: Residential Extensions (December 2008) and Residential Layouts (July 2006)

7.08 Impact on neighbours

Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) state that new buildings should not result in loss of residential amenity due to the loss of daylight sunlight and that an adequate outlook should be maintained. Furthermore, the siting, scale and bulk should not be overbearing upon neighbouring properties.

The proposed dwelling is approximately 14.86 metres deep with a maximum height of approximately 9.5 metres. The proposed development would be in close proximity to the neighbouring property 'Woodcote'. The boundary between Woodcote and the woodcote proposed development is relatively open with limited natural landscaping. 'Woodcote' is also on lower ground than the application site.

There are a number of windows situated on the South Eastern flank elevation of 'Woodcote'. Being South East facing these windows benefit from morning sun. The proposed development incorporates obscure glass first floor windows which would avoid any material loss of privacy. In the event of planning permission being granted, it would be appropriate to impose a condition retaining the obscure glazing and preventing further openings.

The overall depth and height of the development, especially taking into account the higher level of the application site, means that occupiers of 'Woodcote' are likely to experience a harmful loss of outlook, overbearing and overshadowing impacts. It is accepted that the development meets the 45 degree requirement and will not result in material loss of light. As such, the development is considered to be unacceptable and contrary to policy BE21 of the Hillingdon Local - Plan Part Two Saved Policies (2012).

'Hurley', which is the neighbouring property to the South East of the proposed dwelling, benefits by having strong mature screening within the curtilage of the property. Again, obscure glazing is proposed at first floor in the side elevations. It is not considered that the proposed development would result in a material loss of amenity for that dwelling.

The majority of the windows face over the rear garden or to the front. In terms of the rear facing windows, these form a normal relationship with adjoining properties. Whilst some views of the rear gardens of 'Woodcote' or 'Hurley' may be possible, these would be towards the bottom end of gardens and would not result in a material loss of privacy for occupiers of those dwellings.

Existing developments to the rear of the dwelling to the North and around to the East are well-screened and at a substantial distance. Existing developments to the South West are across the street and the proposal will not have a detrimental impact. Similarly the nature of the windows at first floor and higher, the use of obscure glazing and the distances involved, quite apart from intervening landscaping, do not suggest there is a reason for refusal in respect of properties such as 28 Gatehill Road to the North West.

Neighbour impact was comprehensively considered by the Planning Inspector who was clearly very concerned at the impact on Woodcote:

... 'Nevertheless, the dwelling would have a depth of around 17m at first floor level and a maximum height of around 9.5m at a distance of around 1.5m from the shared boundary. It would therefore be in particularly close proximity to the ground floor living room window in 'Woodcote' and would sit at a slightly higher level the adjacent property due the incline of Gate End. As such, it would

appear as a dominant and largely unrelieved mass of built form in the outlook of the ground floor living room window. Whilst I note that room is open to a hallway from the front door, it does not benefit from any other windows and when in the room, residents would have no other available outlook than the window in question. In my view, the outlook from this window would become

unduly oppressive for neighbouring occupiers. Furthermore, the window is east facing and the Daylight and Sunlight Report provided by the appellant indicates that the ratio of direct daylight falling upon the window would not meet the appropriate levels of reduction within the BRE

guidance. Whilst the reduction in daylight distribution within the room would be within suitable guidelines, the levels of sunlight would not and this would further result in oppressive conditions for occupiers within that room. I conclude, therefore, that, the proposal would have a harmful effect on the living conditions of the occupiers of Woodcote with particular regard to outlook and light. As such, the proposal would conflict with UDP Policies BE19 and BE21 which state that development should complement amenity and new buildings should not result in a significant loss of residential amenity.'

Although the revised dwelling has a reduced depth it is the same distance from the site boundary, therefore although the impact on Woodcote is slightly reduced, officers nonetheless still have concerns that the proposal will be unneighbourly and have an unacceptable impact on the amenity of the occupiers of that dwelling. The adverse impact on the living room which concerned the appela inspector would still apply.

In conclusion it is considered that the proposed development, by virtue of its size, scale, bulk and proximity, would be detrimental to the amenities of the adjoining occupiers of Woodcote by reason of overdominance, overshadowing, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 and BE21 of the

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Documents HDAS: Residential Extensions. (December 2008) and Residential Layouts (July 2006)

7.09 Living conditions for future occupiers

Policy BE23 seeks to ensure residential development provides adequate external amenity space. Private amenity space is addressed in paragraph 4.15 of the HDAS Residential Layouts (HDAS LAY (2006)), which requires a minimum of 100 sq metres external usable and private amenity space for a 4+ bed 5-person dwelling. The retained space significantly exceeds this and it is considered the proposed development would satisfy policy BE23 of the Hillingdon Local Plan: Part Two - Saved Policies and HDAS LAY (2006).

The Mayor's Housing Standards Policy MALP (March 2016), sets out a minimum internal space requirements for residential dwellings and these standards are also met.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The application site is set back some considerable distance from the highway. the proposed hard-standing would comfortably accommodate two or more vehicles. It is considered that proposed dwelling would satisfy parking requirements set out in table 6.13 of The London Plan (2016) and policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Policies (November 2012) and HDAS LAY (2006).

7.11 Urban design, access and security

Urban design issues are considered elsewhere within the report. The proposal raises no material access or security issues.

7.12 Disabled access

Not applicable.

7.13 Provision of affordable & special needs housing

The application is below the threshold at which affordable housing should be sought under Policy 3A.10 of the London Plan and the Council's adopted Planning Obligations SPD, nor is it considered that a higher level of development could be achieved on this site. Accordingly, the proposal does not give rise to the need for affordable housing provision for a development of this size and consideration of these matters is not necessary.

7.14 Trees, Landscaping and Ecology

This site is covered by TPO 171. There is a large, mature, protected Oak at the end of the rear garden. It is far enough away from the proposals to be unaffected (directly) by the proposal and planning conditions could be used to prevent damage to that tree during the construction process. The scheme would result in the loss of large amounts soft landscaping. The impact of this is considered in more detail under paragraph 7.04.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this location.

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 by objectors have been addressed in the earlier sections of the report.

7.20 Planning Obligations

The proposal would not necessitate the provision of planning obligations.

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), requires that where developments generate the need for additional facilities, financial contributions will be sought. Infrastructure Levy (Amendment) Regulations 2011. 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.

The proposal produces a net increase of 172 square metres. The applicant has claimed a self-build exemption. In the absence of this the proposal presently calculated would attract a CIL Liability of:

Hillingdon CIL £19,856.20

Mayoral CIL £7,774.71

Total CIL £27,630.91

7.21 Expediency of enforcement action

Not applicable.

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

None.

10. CONCLUSION

The site is within the Gatehill Farm Estate Area of Special Local Character where Policy BE6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new houses should be constructed on building plots of a similar average width as surrounding residential development; be constructed on a similar building line and be of a similar scale, form and proportion as adjacent houses; and reflect the materials, design features and architectural style predominant in the area and sufficient architectural variety must be achieved within new development in order to retain the areas' characteristics of large individually designed houses.

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 Policy BE19 states that the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and the character of the area. Policy BE24 states that the proposals should protect the privacy of the occupiers and their neighbours.

The proposal involves a one to one replacement and is therefore acceptable in principle. However, it is considered that the proposal would result in a cramped development which would be detrimental to the character, appearance and visual amenities of the street scene and the wider Gatehill Farm Estate Area of Special Local Character. It is also considered that the development would be detrimental to the amenities of the adjoining dwelling 'Woodcote' by reason of over-dominance, overshadowing and loss of outlook.

It is therefore recommended that the application be refused.

11. Reference Documents

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
Hillingdon's HDAS 'Residential Layouts' Supplementary Planning Document (adopted July 2006)
Supplementary Planning Document 'Accessible Hillingdon' (January 2010)
London Plan (2016)
National Planning Policy Framework (March 2012)

Contact Officer: Cris Lancaster

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Notes:

 Site boundary

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Site Address:

Pincio Gate End

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
8954/APP/2017/2400

Scale:
1:1,250

Planning Committee:
North

Date:
October 2017



HILLINGDON
 LONDON