

Report of the Head of Planning, Sport and Green Spaces

Address 51 WIELAND ROAD NORTHWOOD

Development: Three storey, 7-bed detached dwelling house with habitable basement and roof space, involving demolition of existing dwelling house.

LBH Ref Nos: 17990/APP/2017/3191

Drawing Nos: 1832.02.00
1832.01.01
1832.01.02
1832.01.03
1832.01.04
1832.01.05
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1832.02.06
1832.02.07
Planning Statement

Date Plans Received: 01/09/2017

Date(s) of Amendment(s):

Date Application Valid: 07/09/2017

1. SUMMARY

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

The proposed dwelling is not acceptable in design terms and would result in a bulky and incongruous addition to the street scene and would result in a cramped form of development to the detriment of the Area of Special Local Character. The proposal would also provide habitable rooms with a very constrained and substandard outlook, natural lighting and ventilation for these rooms, as well as creating annex accommodation, which would be capable of independent occupation in a position where such a dwelling would not be acceptable.

The proposal is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development by reason of its design and appearance, 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 and 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 - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposal would result in the provision of two habitable rooms with no outlook, natural light/sunlight or ventilation resulting in an oppressive environment, to the detriment of the residential amenity of current and future occupiers. The proposal is thus contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, Policies 3.5 and 5.3 of the London Plan (2015) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

3 NON2 Non Standard reason for refusal

The proposed annex by reason of its internal layout, provision of facilities and the availability of independent access, is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be accepted, due to the impact on the existing dwellings and the requirement for car parking and amenity space. It is therefore contrary to policies AM14, BE19, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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

2

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a large detached property situated on the South Eastern side of Wieland Road. The property benefits from a good sized front garden with parking for at least 3 cars and a large rear garden.

The street scene is residential in character and appearance comprising two storey

detached properties.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and within the Gatehill Farm Estate Area of Special Local Character. The site lies within the area covered by Tree Preservation Order (TPO) 172,

3.2 Proposed Scheme

The proposal is for the demolition of the existing dwelling and replacement with a three storey 7-bed detached dwelling including the habitable roofspace and a basement with associated parking and amenity space.

3.3 Relevant Planning History

17990/73/1388 51 Wieland Road Northwood

Alterations and additions.

Decision: 14-08-1973 Approved

17990/APP/2001/1541 51 Wieland Road Northwood
ERECTION OF REAR CONSERVATORY EXTENSIONS

Decision: 29-11-2001 Withdrawn

17990/APP/2001/578 51 Wieland Road Northwood
ERECTION OF A REAR CONSERVATORY

Decision: 17-05-2001 Refused

17990/APP/2002/685 51 Wieland Road Northwood
ERECTION OF A REAR CONSERVATORY

Decision: 04-10-2002 Refused

17990/APP/2014/1170 51 Wieland Road Northwood

Part two storey, part single storey rear extension with habitable roofspace, conversion of existing roofspace to habitable use involving installation of 2 x rooflights to front, construction of basement and alterations to front porch

Decision: 28-05-2014 Withdrawn

17990/APP/2014/3428 51 Wieland Road Northwood

Part two storey, part single storey rear extension, conversion of roof space to habitable use to include 2 front roof lights, construction of basement and alterations to porch to front

Decision: 21-11-2014 Refused

17990/APP/2015/2372 51 Wieland Road Northwood

Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling

Decision: 15-09-2015 Refused

17990/APP/2015/4176 51 Wieland Road Northwood

Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling

Decision: 19-01-2016 Withdrawn

17990/APP/2015/645 51 Wieland Road Northwood

Part two storey, part first floor rear extension, construction of basement, conversion of garage to habitable use, conversion of roofspace to habitable use to include 2 rear rooflights, alterations to front elevation and demolition of existing rear element

Decision: 24-04-2015 Approved

17990/APP/2016/3166 51 Wieland Road Northwood

Erection of 2-storey detached dwelling with habitable roofspace and the excavation of a basement following the demolition of existing dwelling.

Decision: 14-03-2017 Refused

17990/B/90/0785 51 Wieland Road Northwood

Erection of single-storey rear extension incorporating swimming pool

Decision: 22-03-1991 Refused **Appeal:** 22-03-1991 Dismissed

Comment on Relevant Planning History

17990/APP/2016/3166 - Erection of 2-storey detached dwelling with habitable roofspace and the excavation of a basement following the demolition of existing dwelling (refused)

17990/APP/2015/4176 - Two storey 6 Bed detached dwelling with habitable roof space and basement (withdrawn)

17990/APP/2015/2372 - Two storey, 6-bed detached dwelling with habitable roofspace and basement with associated parking and amenity space involving demolition of existing detached dwelling (refused)

17990/APP/2015/645 - Part two storey, part first floor rear extension, construction of basement, conversion of garage to habitable use, conversion of roofspace to habitable use to include 2 rear rooflights, alterations to front elevation and demolition of existing rear element (approved)

17990/APP/2014/3428 - Part two storey, part single storey rear extension, conversion of roof space to habitable use to include 2 front roof lights, construction of basement and alterations to porch to front (refused)

The previous submission was refused on the design and appearance of the proposed dwelling resulting in a cramped development which failed to harmonise with the

architectural composition of the adjoining dwellings and was detrimental to the character, appearance and visual amenities of the street scene and the wider Gate Hill Farm Estate Area of Special Local Character.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE5 New development within areas of special local character

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

BE13 New development must harmonise with the existing street scene.

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

BE20 Daylight and sunlight considerations.

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

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

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

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

H3 Loss and replacement of residential accommodation

H5 Dwellings suitable for large families

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

OE5 Siting of noise-sensitive developments

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

LPP 3.5 (2016) Quality and design of housing developments

LPP 5.13 (2016) Sustainable drainage

LPP 5.14 (2016) Water quality and wastewater infrastructure

LPP 5.3 (2016) Sustainable design and construction

NPPF National Planning Policy Framework

- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

7 neighbours were consulted for a period of 21 days expiring on the 11 October 2017. A site notice was also erected on the lamp post at the junction with Elgood Avenue.

There were 3 responses raising the following issues:

- It is disappointing to see the proposals for this site going backwards. This design is totally inappropriate for Wieland Road and the front facade is truly awful in its proportions. A streetscape should be submitted to demonstrate just how out of character this design is. Nothing against modern architecture, just that this is a poor example of it.
- The 45 degree sight line is breached from no. 49 and this must be preserved. The 45 degree line should be measured from the middle of the house window nearest to the proposed development.
- The skylights/ground level lights at the front of the proposed dwelling are in front of the building line and are not in keeping with the estates front gardens and would be detrimental to the street scene.
- Light pollution from the skylights, which also appear to be set in a roof/wall which raises them above ground level
- The dormer windows would block out the only bit of southern sky not already obscured by the higher than rooftop continuous line of laylandi trees.
- Loss of sunlight to my patio and garden.
- Loss of light to habitable rooms.
- Overdominance.
- Porch breaches the front building line.
- It is not clear that the grass verge has been retained.
- Overdevelopment including the extensive basement.
- Adverse affect on soil conditions and risk of subsidence.
- Disruption and damage to roads and verges, also parking congestion due to heavy truck traffic.
- The modern design is out of character with ASLC and any cross reference to other extensions or unbuilt historic approvals only emphasis the need for new builds to complement or improve the amenity and character of the Estate
- The proposal does not have 1.5 m from each side boundary.
- The proposed depth necessitating a crown roof is out of character .
- Emerging policies provide that the depth of the new build should not extend into an area provided by a 45 degree line of sight drawn form the centre of the nearest ground floor window of an adjacent property.
- Insufficient parking .
- Application certificate incorrect as it encroaches on land owned by the Trustees of the Estate.
- No statements/methodologies regarding the basement.
- Insufficient margins between the boundaries and the basement .

Gatehill Residents Association - Object to the new planning application. The new development would increase the current provision of a property that is already significantly larger by way of previous

extensions than its neighbours. The resulting house over 4 floors would be disproportionately large compared to the neighbours 49 and 53 Wieland Road and all other houses on the Estate and so is contrary to Policy.

This proposal is far too large for the plot and is not set 1.5 m away from both side boundaries as required for new developments on the Gatehill Estate. It will appear visually cramped. A new development requires an entirely new footprint. Planning application 17990/APP/2015/645 was granted approval for extensions to the existing house and so is irrelevant and in fact invalid as incorrect Certificate was completed.

The architecture of the new build is modern; slab fronted and thus will be a bulky and incongruous addition to the street scene and be detrimental to the wider Estate. The architect has made no effort to design a house that blends in with the predominant arts and Crafts architecture of the Estate as referred to in the Council's description of the Area of Special Local Character. No other examples of architecture like this exist or have valid permission to be built on the Gatehill Estate. Planning permission for 33 Wieland Road has expired.

This development proposed a full height second storey, with a floor area of 130 sq.m resulting in a flat crown roof. No other examples of a roof like this exist or have a valid permission to be built.

This new development proposes an even larger basement than that previously refused, not only extending beyond the front wall of the proposed house but also 10.m beyond the rear. Thus it is almost double the size of the proposed footprint. The basement is as wide as the house above, which is in breach of the 1.5 m side boundary Policy. The proposal takes no account of the management of surface water and a stream at the bottom of the garden and so will have a detrimental impact with the risk of flooding neighbouring properties. Previous advice from the Council's Flood and Water Management Specialist has been ignored. The front light wells are detrimental to the street scene and do not allow for landscaping. Basement development in domestic housing is passionately opposed by Councillors and as a result Emerging Policies have been produced which should be considered material.

This new development proposes habitable rooms in the basement, consisting of a bedroom, living room, kitchen and bathroom, which have been labelled annex. Habitable rooms anywhere in a development without adequate daylight and sunlight are contrary to Policy.

This development does not provide sufficient parking for a house with seven double bedrooms. Two of the parking spaces shown are on land belonging to the Trustees of the Gatehill Estate. Residents are not permitted to park cars on land owned by the Trustees apart from on special circumstances. The two remaining parking spaces are not considered sufficient for a house of this size. The Trustees also own the grass verge at the front of the property and so this proposal will not leave 25% of the front garden, owned by the Applicant, landscaped as required.

Documentation associated with this new development proposal, namely Certificate A is incorrect as the Applicant states they own all the land delineated on the plans. This is incorrect as the Trustees of the Gatehill Estate own the grass verges and the driveway crossovers. This requires correction and the appropriate certificate submitting.

A petition against the proposal has also been submitted.

Northwood Hills Residents Association - Proposal contrary to parking standards and parking provision at the rear accessed by a very narrow service road. It will not be possible to access/exit the spaces without disruption to neighbouring residents. The proposal fails to comply with AM14 and AM7.

Northwood Residents Association - The development includes the creation of a basement for which no geotechnical or hydrological surveys have been provided and it is not possible to determine whether the development would not have an unacceptable impact on drainage and flood risk in accordance with Policies OE7 and OE8 and proposed Local Plan Part 2 Policy DMHD3.

Internal Consultees

Trees/Landscaping - This site is occupied by a two-storey detached house, situated in a spacious plot whose size and character is typical within this designated Area of Special Local Character. The house is set back from the road with a front garden which features a carriage drive. The rear garden is spacious with the hedge-lined side boundaries and larger trees towards the rear boundary. This application follows a number of previous planning applications, the latest of which was refused. No tree survey has been submitted. The site lies within the area covered by TPO 172, but no protected trees will be affected by the proposed development. There are trees and hedges close to the existing house. Tree protection will need to be specified and in place prior to the commencement of any work (demolition and construction). Some minor loss of vegetation close to the house is inevitable. No overall site plan or landscape enhancements have been proposed at this stage. However, the D&AS acknowledges saved policies BE23 and BE38. If the application is recommended for approval, landscape conditions should be imposed to satisfy policies BE23 and BE38.

Access Officer - No response.

Highways - No response.

Flood and Water Management - The proposal includes the installation of a basement level therefore a site groundwater investigation is required. If ground water is found on site suitable mitigation will need to be included as part of the proposal. For information a proposal where a basement extends the full width of a plot will not be looked on favourably.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site currently comprises of a single residential dwelling within its own curtilge and therefore constitutes 'previously developed land' i.e. 'brownfield land'. There is a presumption in favour of residential development on brownfield land subject to other material planning considerations as detailed below.

The area is an established residential area and therefore the principle of residential development of the site is considered acceptable.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2011) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity. Development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The proposed development would have a density of 133 units per hectare and 399 habitable rooms per hectare. Policy 3.4 of the London Plan requires developments within suburban areas with PTAL scores of 2-3 to be within 35-65 units per hectare and 150-250 habitable rooms per hectare. Therefore, the development would be below the recommended number of habitable rooms per hectare. The density matrix, however, this is only of limited value when reviewing smaller scale developments such as this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

With specific reference to the site location within an Area of Special Local Character, Policy BE5 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in such areas.

The existing dwelling is a substantial 1930's vernacular style house of red brown brick and tile and is of a design which is characteristic of the estate, being asymmetrical in design with gables, projecting wings and casement windows fronting on to a wide shared grass verge.

The proposed dwelling is significantly larger than the existing dwelling and the majority of the other properties in the street scene. It measures 15.75 m in width by 12.6 m in depth with a height of 8.35 m. In a recent appeal decision (APP/R5510/W/16/3145122) for a new dwelling within the Gateshill Estate the Inspector advised "The site is within an Areas of Special Local Character (ASLC), a designation which reflects the area's local value in terms of its architectural, townscape and environmental quality. The surrounding area is residential, characterised by substantial detached houses with relatively long gardens containing planting and landscaping. The houses are reflective of the 'Arts and Crafts' architectural style and the designs are varied but complementary, which contributes to the area's quality". In consideration of that proposal, the new dwelling was set within a narrower plot and although care had been taken to reflect the designs and materials of the ASLC, the Inspector considered that "the house would not be of a similar scale, form and proportions as the adjacent houses and would not harmonise with or reflect the architectural style predominant in the area" and as such "would have an adverse effect on the character and appearance of the ASLC". This is a substantial building of a modern design with a box-like floor plan and a large crown roof. It is patently unsuitable for this Area of Special Local Character, in its scale, bulk and design and indeed it is very similar in scale and form to the previous application which was refused, inter alia, for those very reasons.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The proposed dwelling is significantly larger than the existing dwelling and the majority of the other properties in the street scene. The resultant crown roof detail presents a large bulky box like appearance, which is out of keeping with the character of the ASLC. This proposal has removed the mock Georgian detailing of the previous proposal but has failed to address the overall bulky and cramped appearance. It is noted that the existing dwelling is within 1.5 m of the side boundary adjoining no. 53 and that permissions have been

approved for a substantial extension of the existing dwelling, however this is a new dwelling which would afford the opportunity to provide the set back from the boundaries and a suitably designed and less bulky replacement. The supporting statement submitted with the proposal advises this is a contemporary design and have identified a number of previously approved schemes introducing similar elements within the area. Amongst them was an approval for a replacement dwelling at no. 33. In consideration of that proposal the Council's Conservation Officer actively sought a good modern design and whilst probably wider across the site than desirable, the stepped design would lesson the impact of its width, which if the existing boundary planting was retained, would not be visible from the road. That proposal was set within a larger corner plot and maintained a minimum of 3 m from the side boundaries. This proposal would span most of the width of the plot and present a bland facade, which is not in keeping with the 1930's style of properties and as such fails to respect the requirements of HDAS and adds to the cramped over developed appearance of the site.

Therefore the proposal fails to reflect the architectural character and appearance of the Gate Hill Estate ASLC and fails to comply with the requirements of Policies BE5, BE6, BE13, BE15 & BE19 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.08 Impact on neighbours

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

Concern has been raised over the potential impact on the neighbouring properties from increased overshadowing, loss of light and sunlight, visual intrusion and over dominance. The proposed block plan as submitted within the application shows the proximity of the neighbouring garages and sides of the dwellings but does not provide any detailing in relation to the position of the windows or compliance with a 45 degree line of sight. However the siting, scale and depth of the proposed is similar to the previous submission under application 17990/APP/2016/3166 which identified the proposed dwelling would comply with a 45 degree line of sight from no. 49. It would therefore be unreasonable to object on this proposal.

In relation to any loss of privacy arising from the proposal, the proposed first floor windows on the side elevation are to serve en-suite bathrooms and dressing rooms. As such they could be conditioned to be obscurely glazed and fixed shut. It is not considered that the front or rear windows would result in any increased overlooking compared to the current dwelling.

As such it is considered that the proposal complies with the requirements of Policies BE20, BE21 & BE24 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.09 Living conditions for future occupiers

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. For a 7 bed (14 person) property a floor area of 159 sq.m would be required. This is a substantial property which greatly exceeds this requirement. Therefore adequate space would be provided to meet the London Plan and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) space requirements.

The proposed basement area includes an annex which provides a separate living area, bathroom and bedroom. The living area is served by a rooflight, whilst the bedroom is fully enclosed with windows and no form of natural light or ventilation. As a result there would be a very constrained and substandard outlook, natural lighting and ventilation for these rooms, which would fail to comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, Policies 3.5 and 5.3 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

Section 4 of the Council's HDAS: Residential Layouts states that development should incorporate usable attractively laid out and conveniently located garden space. This is a deep plot and sufficient private amenity space would be retained for occupiers of the new house in accordance with the Council's adopted standard. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, car/cycle parking, pedestrian safety

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 1.5 spaces per dwelling.

The concerns raised relating to parking are noted. However the front building line is as existing and the through driveway shows there is still sufficient provision to accommodate 2 parking spaces as required within the adopted parking space standards. It is therefore considered that the proposal complies with the requirements of policies AM7 and AM14 of the Hillingdon Local Plan (November 2012) and the adopted SPD HDAS: Residential Layouts.

7.11 Urban design, access and security

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9 m from the edge of the highway. No details have been provided with regard to this issue, however it is considered this could be dealt with by a suitable condition.

7.12 Disabled access

The Access Officer has not raised any concerns with relation to this application.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, Landscaping and Ecology

Due to the extensive nature of the proposal, including the excavation of the basement, it is possible that there will be some impact to nearby trees due to the excavation and

construction process. Tree protection will be required to safeguard the retained trees. If all other aspects of the proposal were acceptable, landscape conditions could be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

7.15 Sustainable waste management

Not relevant to this application.

7.16 Renewable energy / Sustainability

Not relevant to this application.

7.17 Flooding or Drainage Issues

The Drainage Officer has advised that as the proposal includes the installation of a basement level, a site groundwater investigation is required. No details relating to potential flood risk have been submitted with this proposal however a flood risk attenuation strategy was submitted with the previous application. This proposed the utilisation of SuDS in the form of rainwater harvesting and attenuation storage. Infiltration has been discounted due to poor draining soils.

The design of the proposed basement is such that an appropriate drainage scheme to deal with ground water and surface water matters could be secured by a condition were the application to be acceptable in other respect. Subject to such a condition the proposal would comply with relevant policies including policies 5.13 - 5.15 of the London Plan 2015 and Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.18 Noise or Air Quality Issues

Not relevant to this application.

7.19 Comments on Public Consultations

Disruption due to construction or demolition works is considered transitory in nature and as such is not a reason for refusal in its own right. Whilst emerging policies are informative they are still at a stage within the process where by little weight can be given to them in the consideration of current proposals. The issue of ownership of the grass verge to the front is noted however the site location plan submitted, including the red outline defining the site excludes this area. Therefore the correct Certificate (A) has been signed. The site plan does include this area showing the carriage driveway but as this is existing it would be unreasonable to object to this arrangement in consideration of the replacement dwelling. Issues of ownership and access are civil matters to be addressed directly between the interested parties. All other issues raised are addressed within the main body of the report.

7.20 Planning Obligations

The proposal would not necessitate the provision of planning obligations, however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy as the applicant is a self-builder. Relevant forms would need to be submitted to the Council and written sign off would be required prior to commencement of development.

presently calculated the amounts would be as follows;

LBH CIL £67,303.29

London Mayoral CIL £26,352.65

Total CIL £93,655.94

7.21 Expediency of enforcement action

Not relevant to this application.

7.22 Other Issues

The proposal includes the provision of an annex within the basement of the proposed dwelling. This includes all necessary facilities and can be accessed independently from the main dwelling and as such would be capable of independent occupation. This would therefore be tantamount to the creation of a second dwelling, within the curtilage of the site, in a position where such a dwelling would not be acceptable.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the

proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

9. Observations of the Director of Finance

10. CONCLUSION

The proposal seeks to replace the existing dwelling with a new dwelling which includes the excavation of a basement. The proposed dwelling is considered out of keeping with the character and appearance of the Area of Special Local Character and fails to provide satisfactory amenity for future occupiers by virtue of the oppressive basement accommodation, which could be occupied independently to the main dwelling.

As such, the proposal is considered contrary to policies in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the SPD HDAS: Residential Layouts: and The London Plan (2016)

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan Part 2
The London Plan (2016)
Supplementary Planning Document 'Accessible Hillingdon'
National Planning Policy Framework

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Notes:

 Site boundary

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Planning Committee:
North

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