

## **Report of the Head of Planning, Transportation and Regeneration**

**Address** 38 AND 40 DUCKS HILL ROAD NORTHWOOD

**Development:** Demolition of existing dwellings and erection of a part three-storey, part two-storey building to create 8 x 3-bed self-contained flats with basement car parking, remodelled access from Ducks Hill Road and communal amenity space including an outbuilding

**LBH Ref Nos:** 71798/APP/2018/803

**Drawing Nos:** Arboricultural Impact Assessment - NDL\_38&40DHR\_AIA\_001  
Revised Flood Risk Assessment & Drainage Strategy - 161560-03A  
Ecological Impact Assessment  
Revised Highways Statement - 161560-01C  
303 rev G  
304 rev G  
305 Rev F  
306 Rev E  
307 Rev F  
308 Rev F  
309 Rev F  
354 Rev C  
107 Rev B  
CIL Form  
106 Rev B  
108 Rev B.  
301 Rev C  
302 Rev F  
300 Rev D  
100 Rev D  
100 Rev D  
02 Rev C

<b>Date Plans Received:</b>	02/03/2018	<b>Date(s) of Amendment(s):</b>	10/05/2018
<b>Date Application Valid:</b>	02/03/2018		11/05/2018
			02/03/2018

### **1. SUMMARY**

The proposed scheme is for the demolition of two existing dwellings and the erection of a part three-storey, part two-storey building to create eight three-bed self-contained flats with basement car parking, remodelled access from Ducks Hill Road and communal amenity space including an outbuilding.

The proposed scheme is considered to have on balance, overcome the previous reason for refusal (supported by the Appeal Inspector) which related to the overbearing and overdominant impact of the three-storey rear projection of the building upon the occupants of 36 Ducks Hill Road. The current scheme has stepped more of the flank elevation away from the boundary shared with 36 Ducks Hill Road and has reduced the rear part of the building to two-storey so as to minimise impact. This has been achieved without compromising the overall appearance of the building as previously proposed, which was considered to be of merit.

For the reasons set out in this report, it is recommended that the application is approved, subject to the attached conditions.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1 COM3 Time Limit**

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

#### **REASON**

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

### **2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:-

300 Rev D;  
301 Rev C;  
302 Rev F;  
303 Rev G;  
304 Rev G;  
305 Rev F;  
306 Rev E;  
307 Rev F;  
308 Rev F;  
309 Rev F;  
354 Rev C;  
161560-002 Rev D;

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

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

### **3 COM5 General compliance with supporting documentation**

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

Revised Flood Risk Assessment & Drainage Strategy - 161560-03A;  
Arboricultural Impact Assessment - NDL\_38&40DHR\_AIA\_001;  
Revised Highways Statement - 161560-01C;  
Ecological Impact Assessment;

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

#### **REASON**

To ensure that the development complies with the objectives of Policies AM7, BE38, EC5 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policies 5.12 and 7.19.

#### **4 COM6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

#### **REASON**

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

#### **5 COM8 Tree Protection**

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

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

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

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

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

#### **REASON**

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

#### **6 COM9 Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities

where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures including bin storage facilities and the outbuilding within the rear amenity space;

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016).

**7 COM10 Tree to be retained**

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

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

REASON

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

## **8 NONSC Demolition & Construction management Plan**

Prior any demolition or construction works commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works;
- (ii) The hours during which development works will occur;
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing;
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities);
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours);
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process;
- (vii) The storage of demolition/construction materials on site;

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

### **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Local Plan: Part Two - Saved UDP Policies (November 2012).

## **9 COM21 Sound insulation /mitigation**

The development shall not begin until a scheme for the control of noise transmission between individual units within the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

### **REASON:**

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

## **10 NONSC Surface Water management & Drainage**

All surface water management and drainage works set out in the submitted Flood Risk Assessment & Drainage Strategy - 161560-03A and shown on Drawing No. 161560-002 Rev D, which forms part of the document, shall be in place prior to occupation of the development and thereafter maintained in accordance with the approved details throughout the lifetime of the development.

### **REASON**

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

Risk Management of the London Plan (March 2016) and to be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016), National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

**11 RPD2 Obscured Glazing and Non-Opening Windows**

All windows annotated as obscure glazed on the approved plans 302 Rev F; 303 Rev G and 304 Rev G shall be obscure glazed and non-opening below a height of 1.7 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

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

**12 HH-RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed within the building.

**REASON**

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

**13 H8 Surfacing and marking out of access/parking/servicing areas**

The development shall not be occupied until the access roads, parking and servicing areas shown on the approved plans have been drained, surfaced and marked out in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently retained and used for no other purpose.

**REASON**

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

**14 NONSC External Materials**

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

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

**REASON**

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

**15 NONSC Closure of Existing Access**

Prior to occupation of the development hereby approved, the existing vehicular access to 40 Ducks Hill Road shall be closed, the dropped kerb removed and the footway reinstated to match the adjoining footway.

#### REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

### **16 COM28 Site Access Visibility Splays**

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

#### REASON

In the interests of highway and pedestrian safety in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

### **17 NONSC Refuse Storage**

No development shall take place until details of facilities to be provided for the covered, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.17 (refuse storage).

### **18 NONSC Solar pv Panels**

No development shall take place until full details of the proposed roof mounted solar pv panels, including location, design, angle of inclination and specification have been submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

#### REASON

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

## **INFORMATIVES**

### **1 I52 Compulsory Informative (1)**

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

## 2 I53 Compulsory Informative (2)

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

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
AM15	Provision of reserved parking spaces for disabled persons
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
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
H4	Mix of housing units
EM6	(2012) Flood Risk Management
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
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
BE18	Design considerations - pedestrian security and safety
NPP13	
NPPF1	NPPF - Delivering sustainable development
NPPF7	NPPF - Requiring good design

### **3            170            LBH worked applicant in a positive & proactive (Granting)**

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, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### **4            173            Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingsdon.gov.uk](mailto:planning@hillingsdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

### **5            115            Control of Environmental Nuisance from Construction Work**

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

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

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

**6            I23                      Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**7            I43                      Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

**8            I44A                      Prevention of Litter**

You should ensure that your premises do not generate litter in the streets and nearby areas. Sections 93 and 94 of the Environmental Protection Act 1990 give local authorities the power to serve 'Street Litter Control Notices' requiring businesses to clear up the litter and implement measures to prevent the land from becoming littered again. By imposing a 'Street Litter Control Notice', the local authority has the power to force businesses to clean up the area in the vicinity of their premises, provide and empty bins and do anything else which may be necessary to remove litter. Amendments made to the 1990 Act by the Clean Neighbourhoods and Environment Act 2005 have made it immediately an offence to fail to comply with the requirements of a Street Litter Control Notice, and fixed penalties may be issued as an alternative to prosecution.

Given the requirements of the Clean Neighbourhoods and Environment Act 2005, you are advised to take part in Defra's Voluntary Code of Practice for 'Reducing litter caused by Food on the Go', published in November 2004.

Should you have any queries on the above, please contact the Environmental Enforcement Team within the Environment and Consumer Protection Group on 01895 277402 at the London Borough of Hillingdon.

**9            I47                      Damage to Verge - For Council Roads:**

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

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

For further information and advice contact - Highways Maintenance Operations, Central

Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

### **3. CONSIDERATIONS**

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

The application site comprises two distinctive two-storey detached dwellings located on the western side of Ducks Hill Road. Both dwellings are vacant and the site has been closed off with hoarding. The rear garden areas are grass surfaced with no significant trees or hedging. There is a line of recently planted Leylandii type hedging on the northern boundary. All site boundaries to the side and rear of the site are marked with approximately 1.8 metre high timber fencing with additional hedging and shrubbery in places.

The site is bordered to the north by 36 Ducks Hill Road, to the south by 42 Ducks Hill Road and 8 Muscovy Place, and to the west by 6-10 Cygnet Close. Rosecroft Court and 2-10 (evens) Mallard Way are located east of the site on the opposite side of the road. Approximately 714sq.m of the rear garden of 40 Ducks Hill Road would not be included within the development and is subject to a separate planning application for a detached dwelling (ref: 73183/APP/2017/3355).

#### **3.2 Proposed Scheme**

The proposal involves the demolition of the two dwellings currently occupying the site and replacement with a three-storey block of flats which would also incorporate basement level parking for 20 cars (including 2 disabled bays) as well as storage for motorcycles and 9 bicycles. The building would house a total of eight three-bed flats, with three flats on the ground and first floor and two flats on the second floor.

The building would be set back from the road and consist of three main elements organised around a central glass atrium. Two of the elements form the building frontage and would be staggered in a reflection of the general building line trend on this section of Ducks Hill Road. The rear element would be positioned more centrally within the site and, unlike the frontage elements, would be reduced to two-storeys in height.

The main roof line of the building would be pitched with gable ends although some hipped roofing would also be incorporated. The atrium would have a flat roof and there would also be elements of crown roof over the main structure. The majority of the roof slopes of the building would include flat roof dormers as the second floor accommodation is to be housed within the roof space. One first floor and one second floor unit would be served by rear facing full balconies whilst a single first floor unit at the rear extremity of the building would have a 'Juliet' balcony arrangement. Ground floor properties would have their own private terraces which would be screened with hedge planting. The remainder of the grounds would be landscaped with a communal garden area and summer house provided.

The maximum height to ridge line would be approximately 10.9m with the side elevation flanking 36 Ducks Hill Road stepped down in a staggered arrangement, initially to approximately 9.8m before reducing further to approximately 6.8m as it extends towards the rear of the site. The staggered frontage would measure approximately 24.7m in width. The overall footprint of the building would be approximately 452sq.m. The combined footprint of the existing dwellings is approximately 145sq.m.

All flats would be accessed via the central atrium with all floors being served by stairway and a lift.

### 3.3 Relevant Planning History

71798/APP/2016/2997      38 And 40 Ducks Hill Road Northwood

Erection of a three storey building to create 9 x 3-bed self-contained flats with car parking within basement, with associated parking and landscaping, installation of vehicular crossover to front and detached summerhouse to rear, involving demolition of existing houses.

**Decision:** 05-01-2017      Refused

**Appeal:** 09-02-2018      Dismissed

71798/APP/2017/2381      38 And 40 Ducks Hill Road Northwood

4 x 4-bed, semi-detached dwellings with habitable roofspace to include installation of vehicular crossover, associated parking and amenity space, involving demolition of existing dwellings.

**Decision:** 01-09-2017      Approved

71798/APP/2017/803      38 And 40 Ducks Hill Road Northwood

Erection of a three storey building to create 9 x 3-bed self-contained flats with car parking within basement, with associated parking and landscaping, installation of vehicular crossover to front and detached summerhouse to rear, involving demolition of existing houses (Resubmission).

**Decision:** 30-05-2017      Refused

**Appeal:** 09-02-2018      Dismissed

#### Comment on Relevant Planning History

An application for the provision of 4 semi-detached dwellings has been approved but not been implemented (ref: 71798/APP/2017/2381).

Two previous applications for the development of the site to provide flats have been refused in the recent past (refs: 71798/APP/2016/2997 and 71798/APP/2017/803). Appeals against the refusal of both applications were dismissed by the Planning Inspectorate.

Previous reasons for refusal of the schemes including the formation of a sterilised site as a result of the partitioning of the site, the over-concentration of flatted development on this section of Ducks Hill Road and increased flood risk were not supported by the Inspector. The most recent application (71798/APP/2017/803) addressed previous concerns relating to loss of privacy and overshadowing towards neighbouring residents, with the only reason for refusal being the overbearing and overdominant impact the resultant building would have upon neighbouring properties.

## 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:

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
AM15	Provision of reserved parking spaces for disabled persons
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
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
H4	Mix of housing units
EM6	(2012) Flood Risk Management
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
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

BE18 Design considerations - pedestrian security and safety

NPP13

NPPF1 NPPF - Delivering sustainable development

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**

Site notices were displayed to the front of the site on Ducks Hill Road, close to the entrance to Muscovy Place from Ducks Hill Road and adjacent to dwellings that back on to the site on Cygnet Close. In addition, consultation letters were sent to 52 local owners/occupiers.

A petition of 21 signatures objecting to the proposed development was received.

16 letters of objection were received from 11 different addresses:

- i) There are habitable rooms that are only served by obscure glazed windows;
- ii) The rear of the building projects too far and will result in loss of amenity;
- iii) Insufficient private amenity space is provided as there should be 100sq.m per dwelling;
- iv) Would result in loss of valuable garden space;
- v) Out of proportion and character with surrounding area;
- vi) An example of backland development;
- vii) Would appear visually overdominant towards 36 Ducks Hill Road;
- viii) Would impact on legal rights to light and to privacy;
- ix) Overdevelopment of the site;
- x) The height of the rear of the building is unacceptable;
- xi) Will result in increased traffic and noise;
- xii) Will cause overshadowing and loss of privacy towards 36 Ducks Hill Road;
- xiii) Will result in an over concentration of flats on Ducks Hill Road;
- xiv) Insufficient parking;
- xv) The underground parking could impact on the water table, infrastructure and neighbouring properties;
- xvi) The bin store is poorly sited;
- xvii) Will overlook neighbouring gardens;
- xviii) Should be independently reviewed as the award of costs at appeal may result in conflict of interest;
- xix) Does not differ substantially from the original application which was refused;
- xx) No urgent need for properties of this type in Northwood;
- xxi) Will not be affordable to the average earner;
- xxii) More affordable housing should be considered;
- xxiii) Increased traffic and noise during construction phase as well as traffic disruption;
- xxiv) Apartments will generate noise that will impact on neighbours;
- xxv) Two-storey houses would be more acceptable;
- xxvi) Will put pressure on school spaces;
- xxvii) Will destroy the leafy green surrounding area;

8 Letters of support were received:

- a) Will provide more options to live in the area;
- b) A high quality small development that will provide accommodation for families;
- c) It is a good design;

Northwood Residents Association:

No response received

### **Internal Consultees**

#### **HIGHWAYS:**

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

The maximum standard requires 1.5 spaces per unit hence a quantum of up to a total 14 spaces should be provided on-site to comply with the adopted parking standard. The standard is exceeded with a total of 20 spaces (including 2 disabled compliant) situated within a basement level car park.

On the premise that Ducks Hill Road is a heavily trafficked and high category of roadway, it is a general principle to, whenever possible, discourage on-street parking on roads exhibiting such characteristics. The proposed higher parking quantum of 20 spaces is therefore welcomed on this basis as it will help protect the public realm from adverse parking displacement impacts particularly as the location exhibits a low PTAL level of 2 which inherently encourages a higher on-site parking provision.

#### **Disabled Compliant Parking Provision:**

In accordance with the Saved UDP standard - 10% of parking spaces should be disabled compliant equating to a minimum of 2 spaces. This has been indicated within the submission and is therefore considered acceptable.

#### **Cycling Provision:**

In terms of cycle parking there would be a requirement to provide at least 2 secure and accessible spaces for each of the flatted units. This would total 18 new spaces. The submission has, within the Design & Access statement, indicated a suitable basement provision for at least 2 spaces per unit to be provided although only 9 spaces are depicted on-plan. On that basis the quantum of 18 required spaces should be secured by planning condition which will achieve conformity to the adopted cycle standard.

#### **Motorcycle/Scooter Parking:**

The Council's UDP Saved Policy standard requires that 1 motorcycle/scooter parking space per 20 parking spaces is to be provided within new development. This has been indicated within the submission but without specific detail on-plan. This again should be secured by planning condition which will achieve conformity to the adopted standard.

#### **New Access Provision/Internal Basement Parking Layout:**

There are two existing carriage crossings emerging onto Ducks Hill Road which have served the two existing dwellings and which will now become redundant. It will therefore be necessary to reinstate the adjacent raised kerbing on the public footway to maintain footway/roadway continuity at these points.

It is now proposed to create a new single access onto Ducks Hill Road at the northernmost extent of the site envelope to serve the new build. The positioning and scale of the new access will facilitate direct entry/exit to the basement parking provision and adheres to the borough's standards in terms of design and permissible scale. The basement ramp design and gradient indicates conformity to the Institution of Structural Engineers (ISE) - Design recommendations for multi-storey and underground car parks (4th edition-circa 2011).

Within the basement area there is adequate turning space to allow for vehicles using the site to enter and leave the site in a forward gear which is recommended practice on highway safety grounds. This arrangement and the suggested on-site basement parking layout broadly conforms to the above referenced ISE standard and DfT (Manual for Streets (MfS) circa 2007) best practice for new development road and parking layouts.

In safety terms there is conformity to the relevant mutual inter-visibility sight-line requirements, as per MfS guidance, between vehicles leaving the site and extraneous vehicles/pedestrians on Ducks Hill Road. To assist with maintaining these sight-lines at the new site entrance for both vehicles and pedestrians it is recommended that a front boundary height condition is applied to maintain a lower height of frontage wall for at least one metre on either side of the new entrance. Ideally the height would not exceed 1.2m to achieve the aim of adequate visibility.

On the above premise the arrangement of basement parking quantum, internal parking layout and new access provision are therefore considered acceptable within the submitted design context.

The new access and extinguishment of old will need to be undertaken to an appropriate council standard under a S278 (Highways Act 1980) agreement (or suitable alternative arrangement) at the applicant's expense.

#### Trip Generation:

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The proposal would marginally increase traffic generation from the site as compared to the existing two dwelling units. However peak period traffic movement into and out of the site would not be expected to rise beyond 3-4 two-way vehicle movements during the peak morning and evening hours. Hence this potential uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements:

Refuse collection will continue via Ducks Hill Road. A specific bin store location abutting the public highway on the site envelope frontage has been depicted on plan and therefore conforms to the appropriate refuse 'collection distance' standard. There are no further observations.

#### Construction Logistics Plan (CLP):

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local Classified and residential road network in order to minimize/avoid potential detriment to the public realm. It will need to be secured under a suitable planning condition.

#### Conclusion:



The application has been reviewed by the Highway Engineer who is satisfied that the proposal would not exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3, 6.9, and 6.13 of the London Plan (2016).

OFFICER COMMENT: The amount of units has now been reduced to 8 and, as such, the requirement for cycle parking would be 16 spaces.

#### FLOODING & DRAINAGE:

Comments on previous application (71798/APP/2017/803):

The site is located in Flood Zone 1 according to the Environment Agency Flood Maps.

A Flood Risk Assessment and Drainage Strategy by Ardent Consultant Engineers ref: 161560-03 dated March 2017 has been submitted with this application.

The FRA and Drainage Strategy has adequately demonstrated that surface water can be managed on site.

The Surface Water Drainage Strategy produced by Ardent Consultant Engineers ref: 161560-03 dated March 2017 shows that a suitable scheme can be provided onsite. The proposals to reduce the run off from the site to greenfield run off rates in even an extreme rainfall event is in accordance with government guidance.

#### OFFICER COMMENT:

The current application provides an updated version to 161560-03 which relates to the slightly smaller footprint following amendments to the scheme. The basement parking arrangement has not been altered from the previous scheme, to which the Flooding & Drainage Officer offered no objection.

#### TREES & LANDSCAPE OFFICER:

Comments as per previous application.

This development was subject to a pre-application meeting where agreement in principle was agreed in relation to landscape issues.

The site is not affected by TPO or Conservation Area designations.

A Tree Report by Tree Sense has assessed the condition and value of two trees within the front garden of number 40. T1 horse chestnut (grade B1) and T2, holly (C1) will both be safeguarded and retained as part of the development. The report includes an Arboricultural Method Statement (section 10.1) and Tree Protection Measures. A Landscape Concept Plan, drawing ref. 02 provides a comprehensive landscape master plan for the site which includes private patios and communal gardens with new infrastructure planting, including trees and hedging.

Two areas of design needing particular attention will be the detailing of the ramp to the car park with associated retaining walls and pedestrian barriers and the bin store - which has been sited outside the site. The bin store should be re-sited, and screened, within the site boundary. If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

#### OFFICER COMMENT:

Detailing of the ramp and final positioning and design of bin stores can be secured through the use of a suitably worded planning condition.

## **7. MAIN PLANNING ISSUES**

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

The site is located within an established urban setting and would involve the redevelopment of land that has been previously developed. The overarching objective of the National Planning Policy Framework (NPPF) is to maintain a presumption in favour of sustainable development. Paragraph 17 of the NPPF sets out a raft of core planning principles, one of which is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

It is therefore considered that the principle of the redevelopment of the site is acceptable, subject to it satisfying relevant local, regional and national planning policies. The proposal would be assessed against these policies in the main body of this report.

The site is considered to represent a suitable example of a windfall site as defined within paragraph 48 of the NPPF, the development of which would represent a more efficient use of land as encouraged with Policy 3.4 of the London Plan (2016) and paragraph 1.2.25 of the London Plan Housing SPG (2016) which recognises the crucial role small sites play in securing housing delivery within London.

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

Policy 3.4 of the London Plan (2016) seeks to optimise housing potential and includes a sustainable residential quality (SRQ) matrix for calculating the optimal density of residential development of a particular site. Optimal density levels vary based on the Public Transport Access Level (PTAL) score for the area in which the site is located, the character of the area (central, urban or suburban) and the type of accommodation being provided (based on the amount of habitable rooms per unit). In this instance, the site is located within a suburban setting, given the distance from district centres, public transport hubs and main arterial roads. The PTAL score for the site is 1b which is poor. Having consulted the matrix, the optimal residential density for the development of this site would be between 35 and 55 units per hectare or 150 - 200 habitable rooms per hectare.

The proposal would intensify the use of the site, which is currently occupied by two detached dwellings. The provision of 8 x 3 bedroom residential units within the site, which has an overall area of 1811 m<sup>2</sup> would equate to 44 dwellings per hectare or 178 habitable rooms per hectare.

The development is therefore towards the upper end of the spectrum but can be regarded as representing an optimal use of the site. It is noted that residential density of Cygnet Close is at a similar level. Particular attention is drawn to paragraph 1.3.49 of the London Plan Housing SPG (2016) which states that small sites may require little land for internal infrastructure such as internal roads, amenity space and social infrastructure, and it is appropriate for density to reflect this. The density of the development is therefore considered to be in keeping with that of the surrounding area and be appropriate for the site, in accordance with Policy 3.4 of the London Plan (2016).

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

The site is not designated as part of an Archaeological Priority Area, Conservation Area or Area of Special Local Character. The site also does not have a Listed Building within its curtilage.

### **7.04 Airport safeguarding**

Not applicable given the height of the proposed development.

## **7.05 Impact on the green belt**

The rear of the site is within fairly close proximity to an area of Green Belt which provides a buffer between Northwood and Harefield. However the proposed development would not interrupt or obscure any existing views out towards the Green Belt as it is located within an established built up area and is not of sufficient scale to be visible from the Green Belt. It is therefore considered that the proposed development is in accordance with Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The area is broadly characterised by large detached dwellings that occupy generously sized plots. There is no uniform design to buildings, with a variety of architectural designs and features present within the street scene. Buildings are generally set well back from the highway with open or landscaped frontages, introducing a sense of spaciousness. The street scene is also verdant in appearance owing to the presence of grass verges and mature street trees.

More modern development has gained an increasing presence within the street scene. Original dwelling plots have been either subdivided to provide smaller dwellings or redeveloped in bulk as separate residential cul-de-sacs or mews. There are also a number of flats now lining the street, these have been purpose built rather than the result of conversions and, as such, are contained within modern buildings. Of particular note is a coalescence of flatted development on the eastern side of the road between Teal Drive and Glynswood Place.

The proposed development would replace two detached two-storey dwellings with a block of flats. The building frontage is defined by two sections of three-storey buildings that are linked by a central glazed atrium. The design has attempted to make each section distinctive by way of using different external materials and by staggering the frontage. These measures, combined with the setting back of the building frontage from the highway, would serve to prevent the building from appearing monotonous or poorly defined and would complement the mix of building designs which are a strong feature within the street scene; the design is in keeping with the original Arts and Crafts style in which Northwood was originally developed.

The proposed building would provide accommodation on three floors, with the third floor accommodation largely contained within the roof of the building, assisted by the use of dormer windows. Three-storey elevation walls are confined to the gable end projections to the front and rear of the building and the eaves height of all roofing is consistent with that of a two-storey building. There are dwellings on Muscovy Place, adjacent to the site, with a similar roof arrangement as well as nearby at 29 Ducks Hill Road ('Kirbygate') and the flatted development at Marchbank House. The overall height of the building would not be significantly greater than that of neighbouring two-storey properties and, therefore, would not be to the extent that the building appears overly dominant towards those properties when viewed within the street scene. It is noted that building heights on Ducks Hill Road fluctuate and the proposed development is considered to be in keeping with this general pattern.

The proposal therefore complies with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.08 Impact on neighbours**

The side and rear boundaries of the development site are bordered by neighbouring residential development. The rear projection of the development would be stepped in from the side boundary and would project along the majority of the depth of the rear garden of No. 36 Ducks Hill Road.

It is noted that 36 Ducks Hill Road has a side facing dormer window (serving a bedroom) which would face directly towards the flank elevation of the proposed development. In addition, there are a number of windows serving habitable rooms on the rear elevation of the neighbouring dwelling as well as a terrace to the rear of the dwelling. The Council's SPD for Residential Layouts paragraph 4.9 provides guidance on assessing potential overshadowing caused by new development. A 15m long splay extending 45 degrees either side of the midpoint of any window serving a habitable room on the neighbouring property should not be obstructed by any elevation wall of two or more storeys. In this instance, splays taken from the ground floor living room window on the rear elevation and the easterly facing kitchen/dining window and first floor bedroom windows on the rear elevation and an easterly facing dormer window serving a bedroom at 36 Ducks Hill Road would be interrupted by the flank wall of the proposed building. In the case of the living room and kitchen/dining room, these rooms are served by other windows that would not be obstructed by the development. The bedroom windows affected are the primary light source for those rooms. However, based on the height of these windows and that of the neighbouring building, a 25 degree vertical angle taken from these windows would remain unobstructed as per the requirements of paragraph 4.15 of the Council's Residential Extensions SPD. The proposed development is therefore considered to be in accordance with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policies 7.4 and 7.6.

With regards to potential for overlooking, the majority of upper floor windows within the side elevation, which faces towards 36 Ducks Hill Road and 4 Cygnet Close, would be obscure glazed in order to prevent intrusive views towards neighbouring properties. There would be clear glazing in place on the first floor windows serving Unit 6. However, this unit is at the rear of the building and separation distances in excess of the 21m required by the Council's Residential Layouts SPD would be maintained between these windows and any neighbouring windows serving habitable rooms.

A condition would be attached to any approval given requiring those windows with obscure glazing to be maintained in this condition at all times and for these windows to be fixed shut other than parts over 1.7m above finished floor level (for example fanlights to provide ventilation). A condition would also be added to prohibit further windows being formed within the building.

All other clear glazed windows, as well as balconies, are compliant with SPD standards for separation from neighbouring habitable room windows.

It is therefore considered that the proposed development satisfies Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policies 7.4 and 7.6.

It is noted that the existing dwellings on the site already compromise the 45 degree rule both in terms of the 15m distance to be maintained between buildings and the 21m

distance to be maintained between windows serving habitable rooms. The proposed building would project moderately further towards the front of the site than the existing dwelling at 42 Ducks Hill Road. However, it is not considered that the additional projection would substantially or harmfully alter the amenity impact upon 42 Ducks Hill Road by way of overshadowing or overbearing. It is also noted that the dwelling at 42 Ducks Hill Road is angled away from the site, reducing the impact of the proposed building.

The previous scheme was refused due to the presence of a three-storey flank wall projecting a significant distance towards the rear of the site, running parallel to the boundary shared with 36 Ducks Hill Road. The current scheme has stepped part of the side elevation further in from the boundary in an effort to reduce impact and, more importantly, has substantially reduced the height of the majority of the flank elevation to two-storeys, with a further reduction achieved through bringing the roof eaves height slightly below that of first floor window heads.

It is therefore considered, on balance, that this alteration has demonstrably reduced the bulk and mass of the side elevation to a degree that it would no longer appear oppressive or overly dominant towards 36 Ducks Hill Road, with the resultant relationship to 36 Ducks Hill Road similar to the current relationships with properties on Cygnet Close, which are of a similar height and proximity to the site as the proposed flank wall and are also of a similar length given that these are terraced dwellings or, in the case of 4 Cygnet Close, have a wide front and rear aspect.

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

Policy 3.5 of the London Plan (2016) sets out minimum internal floor space standards for residential units; which requires three-bed six-person units to provide 95sq.m of internal floor space.

The proposal would provide eight three-bed six person residential units. The proposed units would be provided with over 100sq.m of internal floor space, thereby exceeding the minimum floor space standards set out in Policy 3.5 of the London Plan (2016).

The use of obscure glazing for windows, including a number serving habitable rooms, is not considered to compromise internal living conditions for future occupants as all habitable rooms that include obscurely glazed windows are dual aspect, and therefore also served by a clear glazed window which would provide adequate natural light and ventilation. One of the reasons of refusal attached to the previous scheme was concern over whether adequate natural light would be provided to rear facing living rooms within the flats contained in the front section of the building, owing to their proximity to the flank wall of the rear projection. The revised scheme has not altered the general positioning of these fenestrations but has reduced the depth of the rear projection, thereby alleviating concerns regarding natural light permeation to the aforementioned rooms. The proposed development therefore complies with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires that all new development both preserves private amenity space serving existing properties and provides sufficient private amenity space for future occupants of said development. The Council's HDAS: Residential Layouts SPD provides standards for the amount of private amenity space that should be provided for the occupants of a residential unit. This takes the form of a sliding scale based on the amount of bedrooms that the unit provides.

The minimum amount of shared amenity space recommended for flatted development is 30sq.m for a three-bed flat; 240sq.m of external amenity space should therefore be provided for the proposed development. Communal space is located to the rear of the building and is secured by boundary fencing and a gate. The overall amount provided is approximately 525sq.m which is in excess of the minimum amount and is considered to be appropriate given the suburban nature of the site. The communal space provided is considered to be easily accessible, clearly defined in relation to private terraces and balconies that are also included within the development, well exposed to natural light and is overlooked by all properties within the development, ensuring security. The communal space therefore satisfies Standard 4 and paragraph 2.2.11 of the London Plan Housing SPG.

In addition, Standard 26 of the London Plan Housing SPG stipulates that a minimum of 5sq.m of private outdoor space should be provided for 1-2 person dwellings and an extra 1sq.m should be provided for each additional occupant. Ground floor units are all served by an approximately 15m<sup>2</sup> private terrace area, accessed directly from the unit. Four of the upper floor flats have private balconies measuring approximately 8sq.m. The upper floor flats within the rear section of the building do not have balconies. This is due to site constraints as any balconies provided would overlook neighbouring dwellings on Cygnet Close at an intrusive level. Paragraph 2.3.32 of the London Plan Housing SPG states that in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA. As all units have well over the minimum required GIA, it is considered that this is acceptable for the units without balconies.

It is therefore considered that the proposed development would be in accordance with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (2016).

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

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

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that developments should comply with the Council's Car Parking Standards.

Access to the site would be taken via a dropped kerb on to Ducks Hill Road. The site would be secured by automatic sliding gates which are set back a sufficient distance from the highway to prevent vehicles waiting to enter the site from obstructing traffic. The visibility splays provided at the site entrance/exit are sufficient to allow for good visibility of approaching traffic and pedestrians. Pedestrians would access the site by a separate gateway and path and would therefore not be at risk of encountering vehicles entering and leaving the site.

The application was accompanied by a Transport Statement and this, along with all other plans, has been assessed by the Council's Highway Engineers. The low PTAL score for the site has been noted as well as the consequence that this would result in a strong reliance on private cars for future occupants of the development. The basement parking which would serve the development provides 20 parking bays, including a 10% provision of disabled parking bays, and this amount is in accordance with relevant parking standards

based on the PTAL score and number of bedrooms provided.

Nine cycle parking spaces are provided within the basement parking area. Whilst this is below the Council's standards, additional storage can be provided within the internal storage areas available in each unit.

It is not anticipated that the development would result in a significant increase in traffic over that generated by the use of the site as two separate dwellings.

It is therefore considered that the proposed development would satisfy the requirements of Policies AM7, AM8, AM14 and AM15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 6.13 of the London Plan (2016).

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

Urban design:

The design of the building has been discussed within section 7.2 of this report. To summarise, it is considered that the building design reflects the 'arts and crafts' style that is characteristic of this part of Northwood. The breaking up of the building into segments arranged around a central atrium and the staggering of front and rear elevations helps to distribute the mass of the building in such a way that it does not appear overly bulky or oppressive.

Access:

The building would be constructed in accordance with Part M of the Building Regulations which relates to accessibility. All floors, including basement parking, would be served by a lift and all access points would be level. Rooms are laid out in a logical way and all, other than en-suite facilities, are accessible from a central hallway. The rear communal space features a clearly defined level pathway. It is therefore considered that the proposed development would provide good levels of accessibility.

Security:

The proposed building has fenestrations on all aspects and all private and communal spaces are overlooked. There are a number of windows and openings on the frontage and, as such, the building fully engages within the street scene. The presence of the building would not result in any isolated or secluded spaces being created within the public realm which would have the potential to encourage anti-social activity. The site would be secured by boundary fencing and automatic gates. It is considered that the proposed development would provide acceptable levels of security, in accordance with Policy BE18 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.12 Disabled access**

The basement parking which would serve the development provides 20 parking bays, including a 10% provision of disabled parking bays. This amount is in accordance with relevant parking standards based on the PTAL score and number of bedrooms provided.

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

The development is of a scale that falls below the threshold for requiring the inclusion of affordable housing within the scheme. It is noted that a larger scheme would not be appropriate for the site.

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

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping within development proposals should be provided wherever it is appropriate.

The site has been partially cleared and it is understood that this has included the removal of trees within the garden, none of which were the subject of Tree Protection Orders or located within a Conservation Area.

The proposal includes a comprehensive landscaping scheme and the retention of two significant existing trees to the front of the site, namely one Holly and one Horse Chestnut tree. The Council's Landscape Officer has reviewed the proposed landscaping scheme and found it to be acceptable subject to additional detail being provided as to the appearance around the basement parking ramp, with particular reference to retaining walls and pedestrian barriers. In addition, the current siting of the bin store would need attention in the form of either repositioning further within the site or submitting details of sympathetic screening to be employed in order to prevent a negative impact upon the street scene.

Suitable landscaping to the frontage is particularly important in order to ensure that the open and verdant nature of the current street scene is preserved and enhanced.

It is therefore considered that, subject to satisfactory landscaping details being received, the development would be in accordance with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.15 Sustainable waste management**

A bin store would be located at the front of the site, less than 10m from the public highway, allowing for refuse to be easily collected from Ducks Hill Road. The proposed development would therefore comply with Policy 5.17 (refuse storage) of the London Plan (2016). Further details of the proposed bin store can be provided by way of a condition on any consent granted.

#### **7.16 Renewable energy / Sustainability**

It is intended for photovoltaic panels to be installed on the flat roof elements of the building although no details of their location or the mounting method have been received with the application. As such, a condition requiring details of the siting, panel size and mounting structure to be submitted to and approved by the Council prior to the commencement of development would be attached to any consent granted.

#### **7.17 Flooding or Drainage Issues**

The application was accompanied by a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy. The Council's drainage engineers have reviewed both documents and are satisfied with the results and mitigation measures that would be adopted. These include:-

- Surface water from all impermeable areas to be attenuated at the storage tank which would provide a volume of approximately 22.8 m<sup>3</sup>. This volume can accommodate all rainfall events up to the 1 in 100 year event with 40% climate change.
- Discharge from the site would be restricted to the greenfield runoff rate of 2.5 l/s providing 88% betterment on the 1 in 100 storm event.
- Discharge from the site would be connected to a Thames Water surface water sewer. This would require consent from Thames Water and an informative would be attached to any approval given, drawing the applicant's attention to this matter.
- A pumped surface water system would be implemented as the site would be lowered below existing ground levels. A gravity system is not considered to be viable for this reason.



- Surface water would be treated by a vortex separator located downstream of the attenuation tank.

- A private management company would be set up to manage and maintain the drainage system.

Provided that the measures set out in the Flood Risk Assessment and Surface Water Drainage Strategy are implemented and maintained, the development would be in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.18 Noise or Air Quality Issues**

Policy 7.15 of the London Plan (2016) seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not grant permission for uses detrimental to the character or amenities of surrounding properties due to noise unless sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

The proposal is for residential development and it is not considered that it would generate a level of noise that would be incompatible with the surrounding residential environment. Further, it is not considered that the balconies are of a sufficient size to allow sustained use by a significant number of people and, as such, it is not considered that they would lead to undue disturbance towards neighbouring properties.

The basement parking facility would be within close proximity of neighbouring properties; given this, and its proposed use, it is considered that a condition requiring a noise assessment shall be added to any consent granted, in order to satisfy the Planning Authority that sufficient sound proofing measures would be employed to prevent disturbance towards neighbouring occupants as well as occupants of the development itself. Any such measures would need to be included within construction and maintained in perpetuity thereafter.

Provided satisfactory details are received, it is considered that the proposed development would be in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 7.15 of the London Plan (2016).

#### **7.19 Comments on Public Consultations**

One petition and 16 letters of objection were received during the public consultation. Issues relating to the design and scale of the proposed building, residential amenity (privacy, external amenity space), noise, traffic and parking have been discussed elsewhere in this report.

Points ix) and xiii) relate to concerns of overdevelopment. A previous application for a nine unit scheme (ref: 71798/APP/2017/803) was refused in part due to an intensification of flatted developments on Ducks Hill Road; the Planning Inspector determining the appeal did not accept the breach of the 10% rule as sufficient to refuse the application, and awarded costs against the Council as a result of this. As such, an eight unit scheme is considered to be acceptable.

Point xviii) raised concerns that the award of costs following dismissal of the last appeal could result in a conflict of interest; applications are assessed on their individual merits and so it is considered that there would not be a conflict in interest as a result of a previous

appeal costs decision.

In regards to the lack of affordable housing, the development is of a scale that falls below the threshold for requiring the inclusion of affordable housing within the scheme; a larger scheme would not be appropriate for the site.

Point xxvi) raised concerns over increased pressure on schools; based on the unit type and tenure, it is not anticipated that there would be a significant increase in school age children within the area that would impact on school places.

#### **7.20 Planning Obligations**

Not applicable to this application.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

#### **General**

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

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

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

#### **Planning Conditions**

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

#### **Planning Obligations**

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

#### **Equalities and Human Rights**

Section 149 of the Equalities Act 2010, requires the Council, in considering planning

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

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

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

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

Not applicable to this application.

#### **10. CONCLUSION**

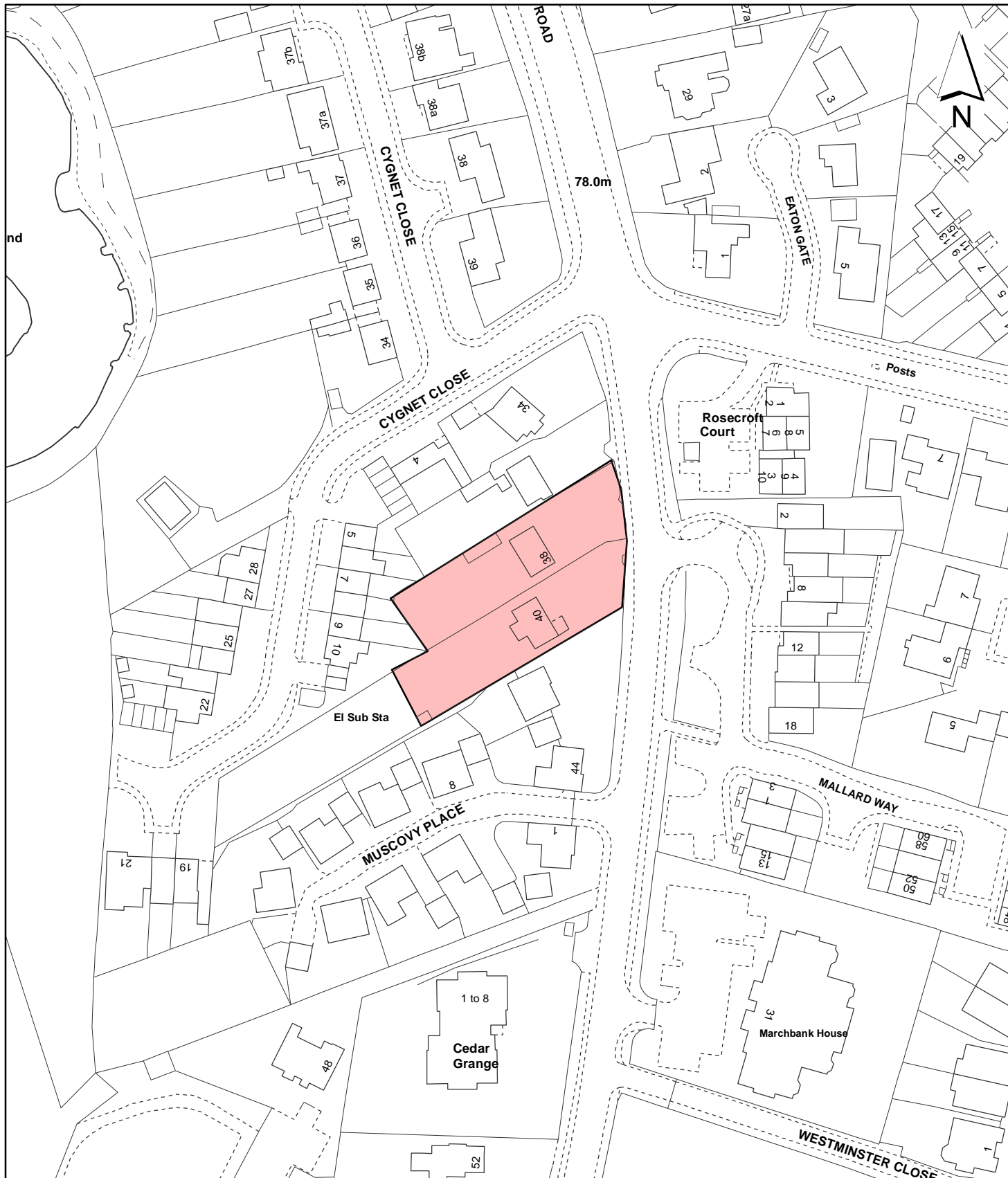
It is recommended that the application is approved, subject to the attached conditions.

#### **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)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
DCLG Technical housing standards - nationally described space standard (2015)

**Contact Officer:** Katherine Mills

**Telephone No:** 01895 250230



## Notes



Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2013 Ordnance Survey 100019283

Site Address

**38 & 40 Ducks Hill Road**

Planning Application Ref:

**71798/APP/2018/803**

Planning Committee

**North Application**

Scale

**1:1,250**

Date

**June 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services**

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



**HILLINGDON**  
LONDON