

Report of the Head of Planning, Transportation and Regeneration

Address 16 CHATSWORTH ROAD HAYES

Development: Part two storey, part single storey side/rear extension and conversion of dwelling from 1 x 4-bed to 2 x studio, 1 x 1-bed and 1 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front

LBH Ref Nos: 17067/APP/2018/1573

Drawing Nos: GTD764-03FPAA
Tree Constraints Plan TCP-1
No-dig Specification
GTD764-05FPA
GTD764-06FPA
Location Plan (1:1250)
GTD764-02FPA
GTD764-01FPA
GTD764-04FPA

Date Plans Received: 27/04/2018

Date(s) of Amendment(s): 27/04/2018

Date Application Valid: 08/05/2018

18/06/2018

1. SUMMARY

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension and the conversion of the dwelling from 1 x 4-bed to 2 x studio flat, 1 x 1-bed and 1 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front. There is a lengthy planning history at the site with an appeal being allowed for a similar bulk of extension to the property in 2013 and a subsequent planning permission being granted for a two storey, 3-bed, attached dwelling with associated parking and amenity space to include alterations to the existing crossover to front and enlargement of existing rear crossover involving demolition of existing single storey side element to No.16. The visual impact of the proposal is similar to that previously supported by the Council. The current proposal has been assessed against the current planning policies and is considered to comply with their requirements in terms of residential amenity, protection of the TPO tree and parking provision. The application is therefore recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete

accordance with the details shown on the submitted plans, numbers GTD764-06FPA, GTD764-05FPA, GTD764-04FPA, GTD764-03FPAA, Tree constraints plan TCP-1 and No dig construction received on 18.6.18.

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 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

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

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts
- 2.e Hard Surfacing Materials
- 2.f External Lighting

3. 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).

5 RES8 Tree Protection

No site clearance or construction work shall take place until the fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained 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 fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

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

6 RES22 Parking Allocation

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the lifetime of the development.

REASON

To ensure that an appropriate level of car parking provision is provided 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 (July 2011).

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 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).

3 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.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

4 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).

5 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

6 I5 Party Walls

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

carry out work to an existing party wall;
build on the boundary with a neighbouring property;
in some circumstances, carry out groundworks within 6 metres of an adjoining building.
Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 16 Property Rights/Rights of Light

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

8 115 Control of Environmental Nuisance from Construction Work

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

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

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

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

9 170 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.

10 173 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@hillingdon.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

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.

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises of a two storey end terraced house located on a prominent corner plot on the corner of Chatsworth Road and Barnhill Lane which lies within the Developed Area and Barnhill Estate Area of Special Local Character (ASLC) as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property benefits from 2 (single) crossovers, one from Chatsworth Road and one from Barnhill Lane. It was noted at the site visit that the rear garden appears to have been subdivided by way of a fence to separate the curtilage. The property has been previously extended by way of a single storey side and single storey rear extension. The cherry tree on the side boundary is protected by Tree Preservation Order (TPO) 448.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension and the conversion of the dwelling from 1 x 4-bed to 2 x studio flat; 1 x 1-bed and 1 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front.

3.3 Relevant Planning History

17067/APP/2017/1981 16 Chatsworth Road Hayes

Conversion of roofspace to habitable use to include a rear dormer and 2 front roof lights
(Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 24-07-2017 Approved

17067/APP/2017/1983 16 Chatsworth Road Hayes

2 storey and GF side extensions incl COU to 4 x flats and associated external works with parking and bins store

Decision: 23-08-2017 NFA

17067/APP/2017/3147 16 Chatsworth Road Hayes

2 storey and GF side extensions incl COU to 4 x flats and associated external works with parking and bins store

Decision: 11-10-2017 NFA

17067/APP/2017/3613 16 Chatsworth Road Hayes

Part two storey, part single storey side/rear extension including conversion of dwelling from 1 x 4-bed to 1 x studio flat; 1 x 1-bed and 2 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front.

Decision: 07-12-2017 Withdrawn

32173/APP/2012/212 Land Forming Part Of 16, And 16 Chatsworth Road Hayes

Two storey, 4-bed, end terrace dwelling with habitable roofspace with associated amenity space and parking to include 2 x garages to rear and installation of 2 x vehicular crossover, involving the demolition of existing side extension and alterations to No.16

Decision: 29-03-2012 Refused

32173/APP/2013/1813 Adjoining 16 Chatsworth Road Hayes

Two storey, 3-bed, attached dwelling with associated parking and amenity space to include alterations to the existing crossover to front and enlargement of existing rear crossover involving demolition of existing single storey side element to No.16

Decision: 30-04-2014 Approved

Comment on Relevant Planning History

17067/APP/2017/3613 - Part two storey, part single storey side/rear extension including conversion of dwelling from 1 x 4-bed to 1 x studio flat; 1 x 1-bed and 2 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front. - withdrawn after officer concerns raised in terms of hipped roof design and rearwards projection to the side, impact on the TPO tree, substandard floor area and parking.

17067/APP/2017/1981 - Conversion of roofspace to habitable use to include a rear dormer and 2 front roof lights (Application for a Certificate of Lawful Development for a Proposed Development). Approved (not implemented).

32173/APP/2013/1813 - Two storey, 3-bed, attached dwelling with associated parking and amenity space to include alterations to the existing crossover to front and enlargement of existing rear crossover involving demolition of existing single storey side element to No.16. Approved.

Application 32173/APP/2012/212 for 'Two storey, 4-bed, end terrace dwelling with habitable roofspace with associated amenity space and parking to include 2 x garages to rear and installation of 2 x vehicular crossover, involving the demolition of existing side extension and alterations to No.16' was refused on 29/03/2012 for the following reasons:

1. The proposed development, by reason of its size, scale, bulk and the contrived design resulting from the hipped roofs and dormers in the rear elevation, would result in an intrusive form of development on this prominent corner plot, which would be out of character with the existing and adjoining properties to the detriment of the visual amenity of the street scene and the area in general. As such, the proposal would be contrary to Policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed crossovers onto Barnhill Lane would be substandard in width to access the proposed garages/parking spaces resulting in danger and inconvenience to highway users, to the detriment of pedestrian and highway safety. As such, the proposal would be contrary to Policies AM2 and AM7 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

3. The proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policies 3.1, 3.8 and 7.2 of the London Plan (July 2011) and the adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

32173/B/89/0744 - Demolition of single-storey side extension & erection of 1 3-bedroom house, single-storey rear extension to existing house was allowed at appeal in 1990. The appeal Inspector allowed the appeal, although the permission was not implemented. In his appeal decision the Inspector accepted that the proposal would result in a more intensive use of this corner site, but he considered that there was nothing in any of the considerations that he regarded as seriously detrimental to the appearance of the area since the resulting form of the development would not be significantly different to that nearby while a substantial degree of open space would remain.

32173/A/88/2090 for the demolition of the single storey side extension and erection of a 4 bed end terraced house was refused on 14.2.89. This two storey dwelling was considerably wider than that currently proposed and was refused.

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.

BE13 New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

9 neighbouring properties were consulted by letter dated 9.5.18 and a site notice was displayed to the front of the site which expired on 8.6.18.

4 letters of objection have been submitted raising concerns about:

1. Flats out of keeping with the area.
2. No consideration to TPO Cherry Tree.
3. Drainage concerns.
4. Flats could be occupied by more people than layout suggests.

Ward Councillor: Requests that the application is reported to committee for determination.

Internal Consultees

Highways Officer:

This scheme follows that associated with ref, 17067/APP/2017/3613 to which Highways Development Control objected to on a response dated 5th December 2017. The Local Planning Authority later confirmed that the application was withdrawn on a notice dated 7th December 2017.

Proposals include the conversion of an existing 4-bed dwelling to 2 x studio units, 1 x 1-bed and 1 x 2-bed self-contained units with associated parking provision.

Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has 'very poor' access to public transport with a PTAL rating of 1B. It is therefore likely that an emphasis will be placed on the private car.

When considering that the Local Plan: Part 2- Saved UDP (2012) is based on a maximum provision, it is required that this proposal provide 4 parking spaces. It is apparent from the submitted plans that this is achieved.

In accordance with the London Plan standards, 4 cycle parking spaces are required. Although the submitted plans show cycle stands, no information pertaining to the number of spaces has been provided. This can be secured by way of condition.

Mindful of the above, I do not have any objections to this application subject to conditions pertaining to the parking and manoeuvring of associated vehicles, cycle parking and the reinstatement of the existing crossover.

Landscape Officer:

This site is occupied by a two-storey end of terrace house at the junction of Chatsworth Road and Barnhill Lane. The corner plot is exceptionally wide. A cherry tree in the side garden is protected by TPO 448, T1 on the schedule.

COMMENT: A similar scheme was approved under application ref. 2017/1981. The current application confirms (dwg ref. GTD764-03FPA) that the cherry tree will be retained and protected in accordance with a tree survey and arboricultural implications assessment.

RECOMMENDATION: No objection subject to RES8, RES9 (parts 1, 2 and 5) and RES10.

EPU:

I have taken a look through the submitted information and as the development is of small scale it is only likely that issues would be caused during the construction phase and hence I do not have any objections subject to nuisance from demolition and construction work informative.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site lies within an established residential area. It is therefore considered there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being 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 density matrix, however, is only of limited value when looking at small scale development such as that proposed with 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

The site lies within the Barnhill Estate ASLC. The visual impact of the proposal is assessed in the section below.

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

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.'

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. The site also lies partly within and certainly close to the Barnhill Estate ASLC and Policy BE5 requires development to preserve this special local character. In addition, Policy BE13 of the Hillingdon Local Plan (November 2012) acknowledges that 'development will not be permitted if the layout and appearance fail to harmonise with the existing street scene'. The emphasis placed on the impact of a development upon the character of the surrounding area is further emphasised under Policy BE19 of the Hillingdon Local Plan (November 2012), which recognises that 'The Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area'. Paragraph 4.14 of the Residential Layouts HDAS SPD specifies that developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the property or properties it serves. It should be of an appropriate size, having regard to the size of the dwelling and character of the area. Paragraph 4.27 of the HDAS SPD gives advice that building lines within a new development should relate to the street pattern of the surroundings whilst the height of the development is best determined by reference to the proportions, siting and lines of surrounding buildings.

The application property is located adjacent to the Barnhill Estate Area of Special Local Character (ASLC) where the spacing between properties is considered an important characteristic. Chatsworth Road and Barnhill Lane are characterised by mainly two storey semi-detached and terraced dwellings which have spacious front and rear gardens. There is a prevailing uniformity of space between and around the properties and in the main most of the buildings follow a common building line. These positive attributes add distinctive character to the locality. The application site is a very prominent corner plot and the front and side of the property can be easily viewed from Chatsworth Road and Barnhill Lane. The rear of the property is conspicuous when approaching down Barnhill Lane towards its junction with Chatsworth Road. The proposed extension would breach the return building line. However it is noted that the principle of a two storey attached dwelling has been previously considered acceptable by the Inspector at appeal and then by the Council in 2013. The current proposal differs from the previous approval in that the ground floor would project 0.5 m to the rear and there are minor fenestration changes. The overall bulk, design and form of the proposed extension is largely similar to that which was previously supported at appeal and then by the Council. As such, it would be unreasonable to raise objection to the visual impact of the proposal and it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November

2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

A distance of 18 m would be retained at first floor level between the rear windows of the proposed flats and the flank wall of Number 2 Barnhill Lane. This distance is considered to be sufficient and in excess of the HDAS guidance in terms of over-domination. As such it is considered that the occupants of Number 2 Barnhill Crescent would not suffer an unacceptable loss of amenity.

There would thus be no adverse impact on the amenities of the adjoining occupiers. There would be no significant adverse impact in terms of loss of light or privacy, or overlooking or any overbearing impact or visual intrusion that would justify a refusal of planning permission.

As such, the proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts as well as the London Plan (2016).

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.

The internal layout shown on the submitted plans proposes 2 x studio flat; 1 x 1-bed and 1 x 2-bed self-contained flats. A one person studio (with bath) is required to provide 39 m², a two person 1 bed unit is required to provide 50 square metres and a 2 bedroom (3 person) flat is required to provide 63 square metres. All of the proposed units comply with the required standard. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2016).

Policy BE23 of the Hillingdon Local Plan (November 2012) recognises that new residential buildings should 'provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings'. Submitted plans indicate that each of the flats would be provided with an area of outdoor amenity space. Amended plans

have been received which indicate that the two ground floor flats would be provided with an area of external amenity space directly to the rear measuring 37 and 40 square metres and the first floor flats would each achieve private amenity areas to the rear measuring 37 and 42 square metres which is considered acceptable in accordance with Policy BE23 of the Local Plan.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - 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 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The site is located within a suburban fringe location and has a Public Transport Accessibility Level (PTAL) of 1 (Very poor). The submitted plans indicate that 4 x parking spaces would be provided, one for each flat. This would be achieved by providing a new crossover the front and utilising the existing crossover to the side. The Highways Officer has raised no objection to the proposal subject to conditions to secure details of secure cycle storage and the proposal is considered acceptable in accordance with policies AM7 and AM14 of the Local Plan.

7.11 Urban design, access and security

The issues are addressed in the sections above.

7.12 Disabled access

No accessibility issues are raised.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The cherry tree on the side boundary is protected by TPO 448, T1.

The applicant has submitted a tree survey along with tree protection measures throughout the course of the application. The Council's landscape officer has confirmed that a number of tree protection documents have been received. These show tree protection fencing, the use of tracking to prevent soil compaction and an acceptable construction method statement for the footpath. All will be subject to the supervision by an arboricultural specialist.

As such, the proposal, subject to construction in accordance with the submitted details, is considered to protect the long term health and vitality of the Cherry tree in accordance with the requirements of Policy BE38 of the Local Plan.

7.15 Sustainable waste management

No details have been submitted in respect of waste management. Conditions could however be imposed to secure details of sustainable waste management.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues are addressed in the sections above.

7.20 Planning obligations

CIL

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

The scheme would be CIL liable. Presently calculated the amounts would be as follows;

LBH CIL £15,055.70

London Mayoral CIL £5,895.07

Total CIL £ 20,950.77

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

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

The application seeks planning permission for the erection of a part two storey, part single storey side/rear extension and the conversion of the dwelling from 1 x 4-bed to 2 x studio flat, 1 x 1-bed and 1 x 2-bed self-contained flats with associated parking and amenity space and installation of vehicular crossover to front. There is a lengthy planning history at the site with an appeal being allowed for a similar bulk of extension to the property in 2013 and a subsequent planning permission being granted for a two storey, 3-bed, attached dwelling with associated parking and amenity space to include alterations to the existing crossover to front and enlargement of existing rear crossover involving demolition of existing single storey side element to No.16. The visual impact of the proposal is similar to that previously supported by the Council. The current proposal has been assessed against the current planning policies and is considered to comply with their requirements in terms of residential amenity, protection of the TPO tree and parking provision. The application is therefore recommended for approval.

11. Reference Documents

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

Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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 Telephone No.: Uxbridge 250111

Planning Application Ref:
17067/APP/2018/1573

Scale:
1:1,250

Planning Committee:
Central & South

Date:
July 2018

