

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

**Address** 27 DUCKS HILL ROAD NORTHWOOD

**Development:** 2 x two storey, semi-detached dwellinghouses with habitable roofspace to include associated parking and amenity space and vehicular crossover, involving demolition of existing dwellinghouse.

**LBH Ref Nos:** 40711/APP/2017/4470

**Drawing Nos:** TS17-137G/1  
TS17-137G/3  
TS17-137G/6  
TS17-137G/7  
PL A104  
PL A105  
PL A106  
PL A100 Rev. C  
PL A101 Rev. F  
PL A102 Rev. F  
PL A103 Rev. F

**Date Plans Received:** 11/12/2017      **Date(s) of Amendment(s):** 11/12/2017

**Date Application Valid:** 22/12/2017

### 1. SUMMARY

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

The proposal is not considered to have a negative impact upon the visual amenity of the site or the surrounding area, would not result in an unacceptable loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It is considered that the provision of 6 off street parking spaces is acceptable in this location and the proposed crossover is not considered to detract from pedestrian or highway safety.

It is therefore recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 RES3 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 RES4 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 5497 PL A100 G; 5497 PL A101 F; 5497 PL A102 F and 5497 PL A103 F, 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 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 HO5 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 19 and 29 Ducks Hill Road.

**REASON**

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

**5 HO6 Obscure Glazing**

The first floor windows facing 19 and 29 Ducks Hill Road shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 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 (2012)

**6 RES14 Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no extension or roof alteration to either of the dwellinghouses shall be erected without the grant of further specific permission from the Local Planning Authority.

## REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **7 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 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 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 RES6 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **9 RES8 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 Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

#### **10 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 (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 (such as play equipment and furniture)

##### 3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

##### 4. Details of Landscape Maintenance

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

4.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.

## 5. Schedule for Implementation

### 6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

### 11 NONSC Non Standard Condition

No development shall take place until a full and detailed Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The CLP will be a requirement given the constraints and sensitivities of the local residential road network in order to minimise/avoid potential detriment to the public realm.

### 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 the London Plan (2016).

## 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 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**            I15                    **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.

### **4**            I25A                    **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

### **5**            I70                    **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.

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](mailto: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](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.

### **3. CONSIDERATIONS**

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

The application site is located on the Eastern side of Ducks Hill Road with the principal front elevation facing West. The existing property is a large detached bungalow finished in white render set under a hipped roof. The dwelling is set in a spacious corner plot with mature landscaped gardens and boundary treatment to the front and rear. The property is only one of six detached properties located within this private cul-de-sac just off the main road. The local street scene is of detached properties set in reasonable individual plots. The existing property itself is not readily visible from Ducks Hill Road at present as it is set back within its plot and behind large mature trees and hedges. Indeed this part of Ducks Hill Road is generally characterised by trees and hedges running alongside the road and in fact none of the properties on the West side of the road are particularly visible.

It is clear that the original site was originally much larger and was part of the area now occupied by 27a Ducks Hill Road.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2 Proposed Scheme**

This application seeks permission for the demolition of the existing detached bungalow and the erection of 2 x two storey semi detached dwellings with habitable roofspace, to include associated parking; amenity space and a new vehicular crossover.

#### **3.3 Relevant Planning History**

40711/A/99/0065

Downside, 27 Ducks Hill Road Northwood

Erection of a two storey side extension and two front dormer windows and three rear dormer windows in the existing/proposed roof slope

**Decision:** 09-06-1999 Approved

40711/APP/2017/2475 27 Ducks Hill Road Northwood

Three x 4-bed attached townhouses with habitable roofspace, parking and amenity space and installation of vehicular crossover to front.

**Decision:** 22-09-2017 Withdrawn

40711/APP/2017/4475 27 Ducks Hill Road Northwood

Three storey building with basement level to form 7 x 2-bed flats with associated parking and amenity space, involving demolition of existing chalet bungalow.

**Decision:**

40711/PRC/2017/66 27 Ducks Hill Road Northwood

Demolition of single detached property and erection of 3 new houses

**Decision:** 15-06-2017 OBJ

40711/PRC/2017/70 27 Ducks Hill Road Northwood

Demolition of single unit and build of 3 new

**Decision:** 10-05-2017 NFA

#### **Comment on Relevant Planning History**

40711/APP/2017/2475 - Three x 4-bed attached townhouses with habitable roofspace, parking and amenity space and installation of vehicular crossover to front - Withdrawn

## **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.

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity



AM7	Consideration of traffic generated by proposed developments.
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
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation 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 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.4	(2016) Local character
NPPF	National Planning Policy Framework
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## **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 neighbours were consulted for a period of 21 days expiring on the 18 January 2018. A site notice was also erected on the lamp post to the front of the property. There were 4 responses and a petition objecting to the proposal and raising the following issues:

- The existing building has more character than any new semi detached building that might replace it
- Living opposite a construction site would be an eyesore and a hindrance to local traffic and parking
- Out of keeping with the street scene in the cul de sac, which are individual detached properties

- Loss of light and sunlight
- Loss of privacy
- Vehicular access to the site will be restricted to the A4180 as the cul de sac is private
- The positioning of the proposed access would require the repositioning of the street light and possibly a telegraph pole
- Potential impact of highway safety from the new access
- Potential impact on the sewage pumping station
- Noise and disruption to neighbours
- No details of fencing or walling of the site
- Fails to harmonise with the existing surrounding properties
- Devalue the prices of the surrounding properties
- Impact on the historic character of no. 29 Ducks Hill Road
- Overdominant
- Impact on Party Wall

Revised plans were submitted on the 28th March to attempt to address concerns raised. A further 14 day consultation was carried out expiring on 11th April, with 3 further responses, raising the following issues:

- There is no urgent need for any more properties of this type in Northwood
- The market price will be far too excessive for the average earner
- More affordable housing for first time buyers instead of potential but to let properties
- Increased traffic congestion during construction
- Noise and pollution disruption/hindrance during construction
- The removal of the rear dormers is noted
- The reduction in height is a superficial gesture and does not address the previous concerns raised
- Still too close to the side boundaries
- Issues previously raised are still applicable

Officer response: In regards to planning disruption as a result of construction is considered transitory in nature and not sufficient reason to refuse planning consent in its own right. Property values are not a material planning consideration. Party Wall issues and connection to services are civil matters to be agreed between the developer, owners and service providers.

Northwood Residents Association - No response.

### **Internal Consultees**

Access Officer -

Any grant of planning permission should include the following condition: The dwelling(s) would be required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010).

Highways -

Parking Provision

The maximum standard requires 2 spaces per unit hence a quantum of up to 4 spaces should be provided on-site to comply with the adopted parking standard. 4 spaces are shown and this is welcomed as the location exhibits a low PTAL level of 2 which encourages a provision toward the maximum end of the standard.

In terms of cycle parking there would be a provision of 2 secure and accessible spaces for each of the housing units to conform to the adopted borough cycle parking standard. This has not been clearly demonstrated but as there is space for such provision, it should not be an issue. It does however need to be clarified for planning purposes.

### New Access Provision

There is an existing carriage crossing onto Ducks Hill Road which will become redundant. It will therefore be necessary to reinstate the adjacent raised kerbing on the public footway to maintain footway/roadway continuity.

It is proposed to create a new access central to the whole site envelope several metres north of the existing. It will consist of a double size crossing which conforms to the borough's standards in terms of permissible scale. There are some obstacles in the way which include an existing lamp column and telegraph pole which will need relocation at the applicant's cost.

To maintain the adequate sight-lines at the new site entrance 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 1.2 m to achieve the aim of adequate visibility.

The new access and extinguishment of old will need to be undertaken to an appropriate council standard under a S278 (Highways Act 1980) agreement.

### Trip Generation

The proposal would marginally increase traffic generation from the site as compared to the existing single dwelling unit. However peak period traffic movement into and out of the site is expected to rise by up to 2 vehicle movements during the peak morning and evening hours hence this 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 the public highway. 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 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 Transport assessment submitted with 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).

### Tree/Landscaping -

The front and side garden is bounded by a mature evergreen (conifer) hedge, above which can be seen small trees. - While the existing vegetation is of no particular merit, it does provide a dense green buffer facing Ducks Hill Road, which contributes to the verdant character and appearance of the area. Vehicular access is to the rear, via the cul de sac. There is little back garden as such, with most of the area paved over. There are no TPO's or Conservation Area designations affecting vegetation on the site.

The proposed layout removes the existing green buffer along the front boundary and replaces it with a thinner strip of soft landscape within the site, which is required to screen the car park. Trees are indicated along the front boundary, which are outside the site? - It is not clear who owns the verge beyond the red line of the site boundary or whether the applicant has any control of this land? While the car park will dominate the front garden there are reasonable strips of potential soft landscaping around the site edges. According to Hillingdon's design guidance, at least 25% of the area of front

garden should be retained as 'soft' landscape. The layout provides rear back gardens although it is not clear how the level changes across the site will be accommodated in a way that provides safe access for all? A high quality landscape scheme is required in accordance with saved policy BE23 and BE38. No objection subject to the above observations and conditions for landscaping and tree protection.

Additional comments on amended plans

Further to my comments of 31/01/2018 (which still apply), the amended layout plan (ref. 5497\_PL\_A100 Rev E) now shows the red line of the site with planting outside the front boundary - which is not within the control of the applicant. Is this existing vegetation (to be retained) or new planting to be agreed with another land owner? The layout shows no planting on the front boundary within the site, yet front boundary planting will be an essential landscape requirement. Prior to determination, the applicant should provide a topographic survey showing all existing vegetation and plans which show existing / retained vegetation, vegetation to be removed and new planting.

Officer response:

The agent has confirmed the trees shown on the site plan are indicative only and a topographical survey has now been submitted showing the position of existing trees and hedgerow.

## **7. MAIN PLANNING ISSUES**

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

The NPPF has a requirement to encourage the effective use of land by re-using land. Policy 3.4 of The London Plan (2015) promotes the optimisation of housing output within different types of location. Policy 3.8 of The London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Policy H3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site. An increase in the residential accommodation will be sought, subject to other policies in the plan.

Given the residential character of the area adjacent to the plot, there is no policy objection to the development of the site to provide additional residential accommodation, subject to an appropriate density and design, and the proposal being in accordance with all of the relevant planning policies and supplementary guidance.

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

Policy 3.4 of the London Plan (2015) 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 site has a Public Transport Accessibility Level (PTAL) of 2 (poor). The London Plan (2015) range for sites with a PTAL of 2 - 3 in a suburban area is 35-65 units per hectare. Based on a total site area of 0.0875 ha the site would have a residential density of 23 units per hectare, which is slightly below this range.

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**

Not applicable to this application.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

Policy BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. BE19 ensures new development complements or improves the amenity and character of the area. The NPPF (2012) also notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The main body of the proposed building measuring 18.05 m in width and 9.85 m in depth set beneath a hipped roof of 9.75 m in height. To the front the proposal includes a central 4.7 m deep two storey gabled projection with a maximum height of 7.15 m. The proposed building is set back 3.4 m from the side boundary adjacent to the cul de sac, 2.55 m from the shared boundary with no. 29. Although the width of the proposed building is wider than the existing it is noted that the gap distance from the cul de sac has been increased from 2.1 m and although the gap to no. 29 is reduced from 6.75 m to 2.55 m this would exceed the 1.5 m requirement for extensions as advised for large more extensive plots. At a height of 9.65 m this is an increase on the original building from 8.8 m, so would also be higher. However the submitted street scene indicates this would be against the ridge height of 10.9 m of the neighbouring property at no. 29; therefore in the context of the wider street scene a pair of dwellings of this height would be acceptable. The main body of the dwelling would respect the established front building line and as seen at nos. 15 -19, front projections are a characteristic of this part of the road as are other examples of front dormers windows.

As such it is considered that the proposal respects the character of the street scene and the wider area and complies with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Layouts.

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

Policies OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not breach the 45 degree guideline when taken from the rear elevation of the neighbouring dwelling, ensuring no significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

The Council's HDAS 'Residential Layouts' advises at paragraph 4.9 that buildings should avoid being over dominant from neighbouring properties and normally a minimum 15 m separation distance should be maintained between habitable room windows and elevations of two or more storeys (taken from a 45 degree splay from the centre of habitable room windows). Paragraph 4.12 of the guidance also advises that where habitable room windows

face each other, a minimum 21 m distance is required to safeguard privacy. This also applies to an area of private amenity space or patio, normally taken to be the 3 m depth of rear garden immediately adjoining the rear elevation of a residential property. HDAS 'Residential Extensions' also advises that in order to protect daylight and sunlight to neighbouring properties, proposals should not protrude too far and as a guide for a detached property 4 m would be acceptable.

To the North the proposed building would maintain the front building line and project approximately 4 m beyond the rear of the adjacent property at no. 19, which is set back approximately 9.9 m and separated by the cul de sac leading to nos. 21 - 27a. To the South no. 29 will be separated by approximately 8.9 m with the proposed building projecting approximately 1.7 m to the front but not beyond the rear. The plans indicate the proposed building would not compromise a 45 degree line of sight from the front and rear facing windows of these properties. It is noted that no. 29 has a number of windows on the flank wall facing the site but there are no records to demonstrate what rooms these serve. In the neighbour response the owner has expressed concerns over the impact of the development on this side of his dwelling but has only identified that the window at ground floor level serves the kitchen. The case officer did not note any windows on site that appeared to serve habitable rooms.

To the East no. 21 is angled at approximately 60 degrees to the application site, with the front facing the cul de sac and set back by approximately 18.5 m. Nos. 23 and 25 face the rear of the property set back 25.8 m and 36.5 m respectively. No. 27a is a small chalet style conversion of a former outbuilding of no. 27. This is set at right angles to the property facing the end of the cul de sac approximately 12 m away. This property does not have any windows directly facing the site and the plans do not indicate that the proposal would compromise a 45 degree line of site from the nearest windows.

It is therefore considered that the proposal would not significantly impact of the amenity of the adjoining neighbours by reason of significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012).

There are 2 windows proposed at first floor in the side elevations however these would serve en-suite bathrooms and could be conditioned to be obscure glazed and non-opening below 1.8 m. Concerns have been raised over the potential loss of privacy particularly with the addition of first and second floor windows. Direct overlooking between habitable rooms would be limited no. 23 and 25, which at a distance of 25.6 m and 36.7 m would be in excess of the 21 m guidance. The revised plans submitted have reduced the depth of the building at first floor level to increase the separation to the private amenity space to the front of no. 27a to 21 m. Therefore it is not considered that the proposal would significantly impact on the amenity of the neighbouring properties by virtue of a loss of privacy. As such the proposal would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

#### **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 proposed dwellings have a floor area of upwards of 229 sq.m for a 5 bed 10 person property over 3 floors against a requirement of 154 sq.m, which is acceptable.

It is considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: New Residential Layouts: Section 4.9.

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

Policy AM14 of the Hillingdon Local Plan: Part Two- Saved UDP Policies (November 2012) requires developments to comply with the Council's Car Parking Standards, although this policy predates the National Planning Policy Framework. This requires the establishment of criteria to be considered when setting local parking standards including the accessibility of the development and the availability of and opportunities for public transport. The site has a poor PTAL rating and would require the provision of 1.5 car parking spaces plus 2 cycle space per unit.

In consideration of this proposal the Highway Officer has advised that the minimum of two parking spaces per unit provided would be acceptable. In terms of cycle parking there would be a provision of 2 secure and accessible spaces for each of the dwellings to conform to the adopted borough cycle parking standard. This could be conditioned for submission if all other aspects of the proposal were acceptable.

The Highway Officer has advised that they are 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).

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

The Council's HDAS guidelines require a minimum of 100 sq.m for a five bedroom property. The proposal is set in a good sized plot and the plans indicate a garden area for unit 1 of approximately 141 sq.m and for unit 2, 192 sq.m in excess of this requirement. It is therefore considered the proposal complies with the requirements of policy BS24 of the Hillingdon Local Plan (November 2012).

#### **7.12 Disabled access**

The Access Officer has advised that any grant of planning permission should include the following a condition requiring compliance with Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010).

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

Not relevant to this application.

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

Adopted Local Plan, Policy BE1 seeks high quality design of the built and external environment. 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 Landscape Officer has advised that the proposed layout removes the existing green

buffer along the front boundary and replaces it with a thinner strip of soft landscape within the site, which is required to screen the car park. Trees are indicated along the front boundary, which are outside the site and would appear to be in the pavement and as such should be disregarded. While the car park will dominate the front garden there are reasonable strips of potential soft landscaping around the site edges. According to Hillingdon's design guidance, at least 25% of the area of front garden should be retained as 'soft' landscape. The layout provides rear back gardens although it is not clear how the level changes across the site will be accommodated in a way that provides safe access for all. A high quality landscape scheme is required including details of the proposed hard and softlandscaping, including aspects such as proposed means of enclosure. These details could be conditioned for submission if all other aspects of the proposal were acceptable.

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

Details for the provision of a bin storage area could be conditioned for submission if all other aspects of the proposal were acceptable.

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

Not relevant to this application.

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

Not relevant to this application.

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

Not relevant to this application.

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

In regards to planning disruption as a result of construction is considered transitory in nature and not sufficient reason to refuse planning consent in its own right. Property values are not a material planning consideration. Party Wall issues and connection to services are civil matters to be agreed between the developer, owners and service providers. All other issues are addressed within the body of the report.

#### **7.20 Planning Obligations**

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

Presently calculated the amounts would be as follows;

LBH CIL £48,303.69

London Mayoral CIL £18,913.34

Total CIL £67,217.03

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

Not applicable to this proposal.

#### **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**

## **10. CONCLUSION**

The property is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). This proposal considers the demolition of the existing bungalow and the erection of 2 x two storey, semi-detached dwellinghouses with habitable roofspace to include associated parking and amenity space and a replacement vehicular crossover.

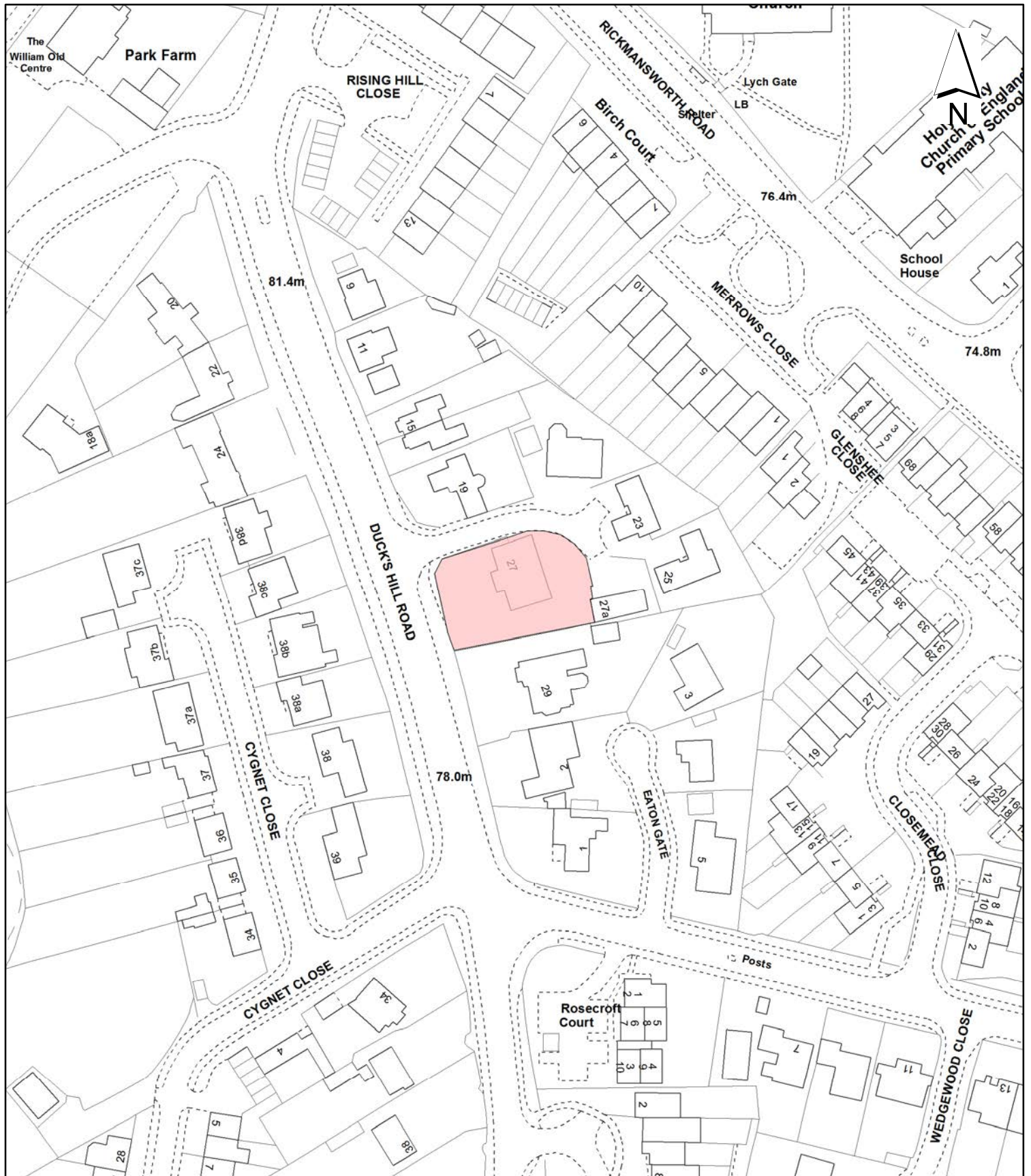
The proposal is not considered have a negative impact upon the visual amenity of the site or the surrounding area, would not result in a loss of residential amenity to neighbouring occupiers and would provide a satisfactory level of residential amenity to future occupiers. It is considered that the off street parking provision is acceptable and the proposed replacement crossover is not considered to detract from pedestrian or highway safety.

## **11. Reference Documents**

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

**Contact Officer:** Liz Arnold

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**Notes:**

 Site boundary

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Site Address:

**27 Ducks Hill Road  
 Northwood**

**LONDON BOROUGH  
 OF HILLINGDON**

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

Planning Application Ref:  
**40711/APP/2017/4470**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**July 2018**

