

Report of the Head of Planning, Transportation and Regeneration

Address 8 MIDHURST GARDENS HILLINGDON

Development: Two storey, 2-bed, semi detached dwelling with associated parking and amenity space and installation of a vehicular crossover to front, involving demolition of existing garage

LBH Ref Nos: 13336/APP/2018/1771

Drawing Nos: 1098-01 Rev. V4
1098-03 Rev. V3
1098-04 Rev. V3
1098-06 Rev. V4
1098-02 Rev. V5
1098-05 Rev. V2
1098-07 Rev. V3

Date Plans Received: 11/05/2018 **Date(s) of Amendment(s):**

Date Application Valid: 31/05/2018

1. SUMMARY

The application seeks planning permission for the erection of a two storey, two bed attached dwelling house to include associated parking and amenity space and extension of vehicular crossover to front.

It is considered that the proposal would not result in an unneighbourly form of development and would provide a satisfactory living environment, it would appear in keeping with the existing row of terraces and host dwelling and would not have a detrimental impact on the street scene and surrounding area.

The application is recommended for conditional 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 1098-01 Rev. V4, 1098-02 Rev. V5, 1098-03 Rev. V3, 1098-04 Rev. V3, 1098-06 Rev. V4 and 1098-07 Rev. V3 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 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 Means of enclosure/boundary treatments
 - 2.b Hard Surfacing Materials
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 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 RES12 No additional windows or doors

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 additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 8 or 10A Midhurst Gardens.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 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 garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) 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)

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.

AM7	Consideration of traffic generated by proposed developments.
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.

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
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 5.3	(2016) Sustainable design and construction
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 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.

5 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.

6 I6 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.

7 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).

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.

9 160 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

10 170 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.

11 173 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Le

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 relates to a two storey, end of terrace, dwelling house located to the North East of Midhurst Gardens. The render and tile dwelling is set back from the road by 5.7 metres of hardstanding which provides space to park two cars within the curtilage of the dwelling house. To the rear of the property lies a garden area which acts as private amenity space for the occupiers of the host dwelling.

The application property is located on a wide plot and is attached to No.6 Midhurst Gardens to the South East and shares a side boundary with No.10A to the North West. To the rear lies an access road beyond which lies Nos.148 and 150 Ryefield Avenue.

The area is residential in character and appearance and the site lies within the Developed Area as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for the erection of a two storey, two bed attached dwelling. It would have a width of 4.2 metres and would span for a depth of 10.4 metres at ground floor and 10 metres at first floor. A canopy would be installed over the front entrance way. The new dwelling would be characterised by a hipped roof built to the same height as the host dwelling.

The existing crossover, which is shared with No.10A Midhurst Gardens would be extended to a width of 12.4 metres at the road. Hard and soft landscaping would be provided at the front to create two parking spaces, one for each property. A further two spaces would be provided at the rear accessed via the alleyway. Each property would benefit from private amenity space.

During the determination process the plans were amended to create additional internal

floorspace.

3.3 Relevant Planning History

13336/PRC/2018/10 8 Midhurst Gardens Hillingdon
Formation of new 2-storey domestic dwelling.

Decision: 13-06-2018 OBJ

Comment on Relevant Planning History

A 'Pre-app' was submitted for this proposal under reference 13336/PRC/2018/10. Overall it was considered that the scheme would not result in cramped development especially if the two of the parking spaces were to be re-located to the rear and it would be in keeping with the surrounding area if the applicant added a canopy to the front. The proposal achieved a suitable level of amenity for the residents and it would not have had a detrimental impact on the neighbouring properties. However, concerns were raised in regards to the layout of the proposed development leading to the perception of the proposed development as a 2-bed dwelling and the insufficiency of the internal floorspace. In conclusion, in principle the proposal is acceptable however, an altered layout, parking layout and a canopy to the front is required.

This application is the formal planning submission following the pre-application. A canopy has been added, the internal layout has been amended, and the parking provision has been amended following advice provided by the pre-application.

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:

- AM7 Consideration of traffic generated by proposed developments.
- 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.

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

Eleven neighbouring properties and the Resident's Association were notified of the proposal on 04/06/2018. A site notice was also displayed which expired on 04/07/2018.

No responses were received.

Ward Councillor: Requests that the application is considered at Committee.

Internal Consultees

Highways Officer:

The PTAL rating for the site is 1 which is considered as low and therefore raises the dependency on the ownership and use of cars.

As there is inadequate space on the whole site frontage to accommodate 2 parking spaces for both the existing house and new building, the application is proposing for 1 space to be placed on the frontage with one space located at the end of the rear garden access via a gated private service road for both the existing and proposed dwelling. This arrangement is welcomed and considered acceptable as it would allow for relatively unimpeded pedestrian and refuse collection access through the site frontage with enhanced availability of amenity space. The marginal widening of the crossover is considered acceptable as it accords with the Council's crossing standards.

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for the

new house. The minimum standard is met with a suggested provision of 2 cycle spaces suitable located just to the rear of the new build.

Given the scale of the proposal, any vehicular activity linked to the site would be considered de-minimis in traffic generation terms and any generated activity can therefore be absorbed within the local road network without notable detriment to traffic congestion and road safety.

The refuse as depicted on the plan is considered acceptable.

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

In conclusion subject to the application of the suggested condition, the proposal would not raise any highway safety concerns.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site lies within an established residential area where 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. The pre-application has already confirmed that the proposal is acceptable in principle.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks to ensure that new development takes into account local context and character, the design principles and public transport capacity should optimise housing output for different types of location within the relevant density.

The site has a Public Transport Accessibility Level (PTAL) of 1 which is poor. The London Plan range for sites with a PTAL of 0 to 1 in a suburban area is 150-200 habitable rooms per hectare. The site area of the property is 0.04 ha and so it would have a residential density of 50 units per hectare and 200 habitable rooms per hectare. As such, the proposal complies with Policy 3.4 of the London Plan (2016).

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 BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) required that all new development achieves a high quality of design in all new buildings, alterations and extensions. Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires that new development should harmonise with the character and appearance of the existing street scene and surrounding area and the scale, form, architectural composition and proposed of the original building. Policy 7.4 of the London Plan (2016) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishment of an enhanced character for the future

function of the area.'

The Council's Adopted Supplementary Planning Documents the Hillingdon Design and Accessibility Statement (HDAS) contains design guidance for new residential developments and extensions. Paragraph 4.23 of HDAS: Residential Layouts state that the design and elevations treatment of a building should be in harmony with its surroundings and should aim to complement/improve an area. Paragraph 4.27 states that careful consideration should be given to the location of the surrounding buildings and their building lines. Paragraph 5.1 of HDAS: Residential Extensions states that all residential buildings should be set back by a minimum of 1 metre from the side boundary for the full height of the building.

The dwelling house would be located 1 metre from the shared boundary line with No.10A Midhurst Gardens and so complies with HDAS recommendations. Although there is large existing gap present at the site, it is considered that the siting from the boundary line would not have a detrimental impact on the street scene. The proposed materials would match the host dwelling and the proposed design and use of a small forward projection with a flat roof and canopy would match the design of the row of terraces that it would form a part of. The use of a hipped roof would match the dwelling at the end of the terraces and so it is considered that the symmetry of the existing row of properties would be retained. Subsequently, it is considered that the proposed dwelling house would appear in keeping with the host dwellings and the row of terraces to which it would form part of, and it would not have a detrimental impact on the street scene and surrounding area. As such, it would comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); and Policy 7.4 of the London Plan (2016).

7.08 Impact on neighbours

Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) state that the buildings should be laid out so the amenities of the existing houses are safeguarded. Policy BE24 seeks to protect the privacy of the occupiers and their neighbours.

The proposed dwelling would be built flush with the front elevation of the host dwelling and at ground floor would be built flush with the host dwelling's rear extension. At first floor it would project to the rear of the property by 2.7 metres and would be built up to the proposed shared boundary line. However, the closest window to the new dwelling would be a bathroom and it would not intersect the 45 degree horizontal line from the centre of the nearest habitable bedroom of the host dwelling. Due to the existing single storey rear extension at No.8 it is considered that the two storey element would not be overdominant to the garden area of the host dwelling.

The new dwelling would be located 1 metre from the shared boundary line with No.10 Midhurst Gardens and would be 2 metres from the dwelling itself. The plans demonstrate that the proposal would not intersect the 45 degree horizontal line from this dwelling house. No. 10A benefits from a single storey rear extension and the single storey would project to the rear of this by 0.5 metres.

No side windows would be installed facing any neighbouring properties and the rear windows would be located over 45 metres from the neighbours to the rear.

Subsequently, it is considered that the proposal dwelling house would not have a

detrimental impact on any neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, it would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

On 25th 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 standard. They came into effect on 1st October 2015 and 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 floors spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A two-bedroomed, three person, two storey dwelling house is required to have an internal floorspace of 70 square metres. The proposed dwelling house would have an internal floorspace of 75 square metres and all proposed habitable rooms would enjoy a satisfactory outlook. Therefore, the proposal complies with the Housing Standards (Minor Alterations to the London Plan) (2016) and Policy 3.5 of the London Plan (2016).

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that residential buildings should provide external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings. HDAS states that for new 2-bed dwelling and an existing 3-bed dwelling houses a minimum of 60 square metres of private amenity space is required. Following development the proposed dwelling would have an area of 93 square metres and the existing house would have an area of 88 square metres amenity space. As such, the proposal would comply with HDAS and Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved 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 seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

A new crossover would be installed to allow an additional vehicular access point to the site. The Council's Highways officer raised no objection to this crossover. Given the scale of the proposal, any vehicular activity linked to the site would be considered minimal in traffic generation terms and any generated activity can therefore be absorbed within the local road network without notable detriment to traffic congestion and road safety.

The site has a PTAL level of 1 which is poor and the plans demonstrate that 4 parking spaces would be provided for the two dwellings (two for each dwelling). Each property would have a space to the front accessed from Midhurst Gardens and a space to the rear accessed from a private access road. This arrangement is considered acceptable and provides sufficient parking in compliance with the Council's Parking Standards. The minimum standard of cycle spaces has been provided with the provision of a cycle store for two cycles located in a suitable location. Subsequently, it is considered that the proposal would comply with Policies AM7, AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Adopted Car Parking Standards.

7.11 Urban design, access and security

No additional concerns.

7.12 Disabled access

As this is a new build scheme, the proposal would be subject to the requirements of Approved Document M to the Building Regulations.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

No trees would be affected by the proposal.

7.15 Sustainable waste management

Bin storage for each property has been shown on the submitted plans. The design, size and location of these can be confirmed by the use of condition.

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

No objections were received following the public consultation.

7.20 Planning obligations

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

Therefore, the Hillingdon and Mayoral CIL charges for the proposed development of 74 square metres of additional floorspace are presently calculated as follows:

Hillingdon CIL: £9,284.35

London Mayoral CIL: £3,635.29

Total CIL: £12,919.64

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No additional 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

It is considered that the proposal would be in keeping with the character and appearance of the existing dwelling house, street scene and surrounding area, would not have a detrimental impact on the amenities of the neighbouring properties and would not detract from highway safety. Furthermore the future residents of the proposed dwelling would enjoy

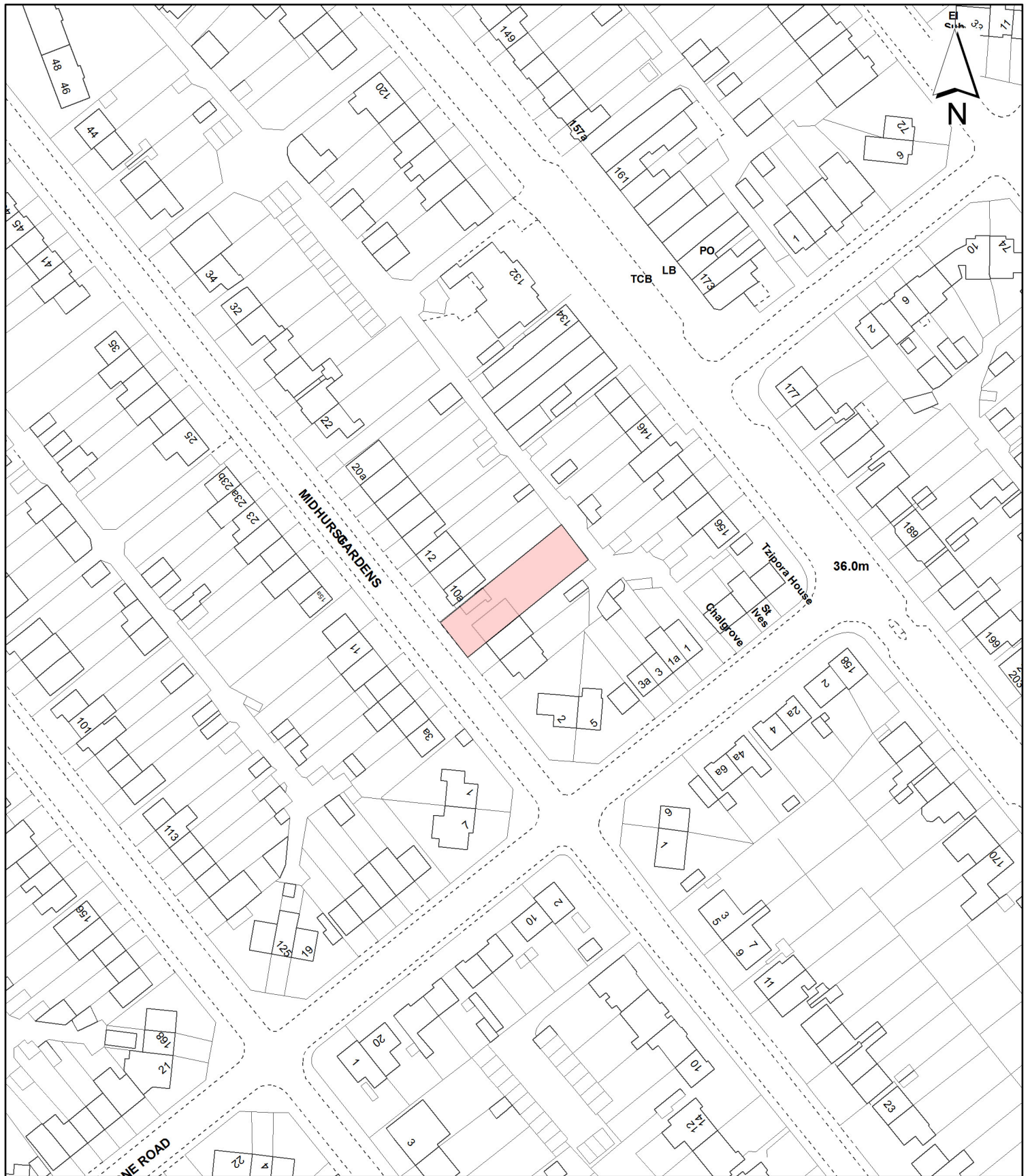
an acceptable standard of living accommodation. As such, the application is recommended for conditional approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2007)
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)
Technical Housing Standards - Nationally Described Space Standard
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

Contact Officer: Charlotte Spencer

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**8 Midhurst Gardens
 Hillingdon**

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

Planning Application Ref:
13336/APP/2018/1771

Scale:
1:1,250

Planning Committee:
Central & South

Date:
August 2018

