

Report of the Head of Planning, Transportation and Regeneration

Address LAND ADJACENT TO 70 VIOLET AVENUE HILLINGDON

Development: Erection of a three-storey building to include 1 x 1-bed , 1 x 2-bed and 1 x 3-bed self contained flats with associated amenity space.

LBH Ref Nos: 73222/APP/2018/1022

Drawing Nos: 008_A-202 Rev. 02
008_A-205 Rev. 03
Covering Letter/Statement (Ref: 008_VA_PP_03) dated 20-06-2018
008_A-100 Rev. 03
Transport Statement (Ref: 2018-3262/PS/Violet Avenue/L01)
008_A-102 Rev. 03
Planning Amendments Statement
008_A-101 Rev. 03
008_A-203 Rev. 02
008_A-204 Rev. 03
008_A-080 Rev. 01
008_A-09 Rev. 01
008_A-095 Rev. 01
008_A-201 Rev. 01
008_A_200 Rev. 01
008_A-104 Rev. 01
Design and Access Statement

Date Plans Received: 16/03/2018 **Date(s) of Amendment(s):** 16/03/2018
Date Application Valid: 05/04/2018 20/06/2018

1. SUMMARY

The application seeks planning permission for the erection of a three-storey building to provide 1 x 1-bed, 1 x 2-bed and 1 x 3-bed self contained flats. The proposal is considered to represent a cramped over-development of the site which would create visual harm and would result in an unneighbourly form of development. The proposal also fails to provide sufficient off street parking provision which meets the council's approved parking standards to service the proposed dwellings. The development would therefore lead to additional on street parking to the detriment of public and highway safety. Accordingly the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by virtue of its excessive scale, bulk, layout and site coverage would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed would have a detrimental impact on the character, appearance and visual amenity of the street scene and the surrounding area generally. The proposal is, thus, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and

BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 7.1 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

2 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposed development, by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 68 and 70 Violet Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

The proposal, by reason of the loss of existing trees within the site, the siting of cycle storage/bin storage on the frontage, the lack of landscaping provision and the excessive level of hardstanding to the frontage, would result in a cluttered, unduly prominent and intrusive form of development to the detriment of the visual amenity of the street scene and the surrounding area generally. Therefore the proposal would be contrary to Policies BE13, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

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 REFUSE 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 REFUSE 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-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 7.1	(2016) Lifetime Neighbourhoods
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

4 171 LBH worked applicant in a positive & proactive (Refusing)

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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

5 174 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community

Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an area of land adjacent to 68 and 70 Violet Avenue (maisonettes), on the Southern side of the road. The site is located on the Eastern side of the access to Colham Manor Primary School. The application site has a PTAL of 2 (poor) and is located within a Parking Management Scheme (Resident Permit Bays).

3.2 Proposed Scheme

The application seeks planning permission for the erection of a three-storey building to provide 1 x 1-bed, 1 x 2-bed and 1 x 3-bed self contained flats with associated amenity space.

3.3 Relevant Planning History

73222/APP/2017/3625 Land Adjacent To 68 And 70 Violet Avenue Hillingdon

Two storey, 7-bed, detached dwelling with habitable roofspace, parking and amenity space.

Decision: 29-01-2018 Refused

73222/PRC/2017/216 Land Adjacent To 68 And 70 Violet Avenue Hillingdon

Erection of four-storey building comprising 1 x 1-bed , 2 x 2-bed and 1 x 3-bed units

Decision: 09-02-2018 OBJ

Comment on Relevant Planning History

73222/PRC/2017/216 - Erection of four-storey building comprising 1 x 1-bed , 2 x 2-bed and 1 x 3-bed units. - Objection raised.

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.
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LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

58 neighbouring properties were consulted by letter dated 9.4.18 and a site notice was displayed to the front of the site which expired on 9.5.18.

42 letters of objection including a petition of objection signed by 64 signatories have been received raising concerns about:

1. Development being out of keeping with the locality
2. Due to proximity of the building to Colham Moor Primary School, windows would overlook school playgrounds and create privacy risk to students.
3. Overlooking of residential properties
4. Due to its location directly adjacent to the primary school, the development would create

increased demand for parking in the area and be detrimental to both highway and public safety.

4 letters of support have been received which advise that the development will be in keeping with the street scene and will provide much needed housing with sufficient parking in the locality being available. One appears to be from the applicant.

Internal Consultees

Highways Officer:

The application site is located along Violet Avenue a local distributor road which is subject to a 30 mph speed restriction. Within the vicinity of the site, Violet Avenue makes use of pedestrian refuge island, footway and street lighting. I note the development site is located within a controlled parking zone (between 9 am -5 pm).

Proposals include the construction of a four storey building comprising of 1 x 1-bed, 2 x 2-bed and 1 x 3-bed self contained units served by a car free development.

With regard to highway implications, it appears the proposed works will take place upon land which currently serves parking for the adjacent residential units (no. 68 & 70 Violet Avenue). This was apparent from my site visit. Whilst the adjacent units make use of a forecourt to accommodate parked cars, this is done so informally. Furthermore, the vehicle crossover does not have a license.

You as the Local Planning Authority have advised me that parking provision associated with no. 68 & 70 Violet Avenue has been accommodated for upon the development site. My assessment of the proposals is therefore based on this information.

When considering the quantum of development against the Council's Parking Standards, it is required that 3(no) parking spaces are provided to serve the proposed units. These spaces are to be accommodated for along the highway network.

As part of the submissions, a Lambeth Methodology Parking Survey was undertaken which demonstrates current on-street parking at an 82% occupancy level. Upon implementation of the proposed works, this percentage will increase up to 84%. It should be noted that this survey was carried out at times of peak residential parking demand and within a 200 metre walking distance of the site.

In addition to the 3(no) parking spaces required by the proposed development, parking currently associated with no. 68 & upon the development site will be displaced onto the network. It is therefore considered that the predicted parking occupancy level will exceed the 85% occupancy level threshold.

The proposals will likely result in 5(no) displaced parking spaces which is detrimental to the operation of the highway network and is contrary to policies AM7 and AM14 of the Hillingdon Local Plan: Part two - Saved UDP Policies (November 2012).

Revised Highway Comments

I note additional information has been provided seeking to address the objection raised in my previous response dated 16th May 2018. A Transport Note has been submitted highlighting that the quantum of development being reduced from 4 to 3 residential units.

The quantum of development is to remain as that which the Highway Authority has already commented upon and that whilst the applicant confirms that occupants of no. 68 & 70 Violet Avenue have no right to park on the application site, photographic evidence suggests that parking does in

fact take place.

Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has 'poor' access to public transport with a PTAL rating of 2. It is therefore expected that a strong reliance on the private car will be had by occupants.

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 Councils adopted Car Parking Standards.

Whilst the submitted TS suggests that 3 spaces would be sufficient in accommodating the development, it is noted that this was based on census data which has been derived from information pertaining to car ownership levels from 2001 and 2011 only. The data is out of date insofar as it was collected some 7 years ago so only limited weight can be afforded to conclusions made at this time. Since then, car ownership levels have increased and further development pressures locally mean that additional spaces are required.

Furthermore, when considering the site characteristics and in accordance with the Councils Parking Standards a total requisite of 5 parking spaces should in fact be provided to serve the development.

It is apparent that not only will this application result in displaced parking along the highway network, but the proposals would ultimately result on-street parking exceeding the 85% parking occupancy level threshold.

Mindful of the above, I must recommend that this application is refused on highway safety grounds.

Landscape Officer:

This site is occupied by the side garden of 68/70 Violet Avenue, and adjacent to the entrance to Colham Manor Primary School. There are no tree, or landscape planning, designations affecting the site although there is a prominent tree, a eucalyptus, in the front garden and a conifer in the rear garden / side boundary which contribute to the visual amenity of the area.

COMMENT: This submission follows several iterations and the refusal of application ref. 2017/3625. The response to Q15 in the planning questionnaire continues to fail to acknowledge the presence of existing trees, which will be removed to facilitate the proposed development. The tree in the front is substantial and difficult to miss. The layout indicates that the front garden will be totally paved to provide off-street cycle storage. This will be detrimental to the character and appearance of this residential street and is contrary to Hillingdon's design guidance, which seeks to retain at least 25% soft landscape in front gardens. This guidance promotes SUDS as well as the aesthetic and other environmental benefits. It is not known whether the rear garden/amenity space satisfies the space standards, but this area will need to be designed and laid out to provide an attractive and usable garden for shared/communal use. The D&AS has a section on landscape which fails to comment on the planned (essential) tree loss and states that 'any trees that cannot be accommodated within the garden...' - as if these trees can be re-planted/re-used which they cannot. If the above issues can be addressed prior to approval, landscape conditions should be imposed.

RECOMMENDATION: Based on the information available and design proposals, the application should be refused as it fails to comply with saved policies BE23 and BE38.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is not located in a

Conservation Area and the building is not Listed. There are no policies which prevent the demolition of the existing garages and the erection of residential units, in principle.

7.02 Density of the proposed development

The density of the proposed development is 113 units/ha. It should be noted that on a development of the scale proposed, density in itself is of limited use in assessing such applications and more site specific considerations are more relevant.

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

The NPPF (2018) 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'. 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 has been amended throughout the course of the application to reduce the height of the proposed building from 4 storey to 3 storey and to demonstrate that the ground floor would be set down to not exceed the height of the proposed boundary fence. Significant concerns remain however in terms of the scale of the proposed building which would appear significantly more bulky than the surrounding development. In particular concerns are raised in terms of its relationship with the adjacent building at Numbers 68 and 70 Violet avenue. With a gap of just 1m between the flank wall of the proposed building and the adjacent building, the spacing of development on this side of Violet Avenue would not be respected. With the addition of the ground floor element which would extend the entire depth of the application site (albeit at a reduced height), the proposal would appear as a cramped overdevelopment of the site which would fail to respect the form and spacing of development within the locality. The proposal, by virtue of its excessive scale, bulk, layout and site coverage would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the

level proposed would have a detrimental impact on the character, appearance and visual amenity of the street scene and the surrounding area generally. The proposal is, thus, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 7.1 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

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.

The Council's adopted HDAS SPD: Residential Layouts (July 2006) specifies in paragraph 4.9 that where a two or more storey building abuts a property or its garden, a minimum acceptable distance of 15 m should be maintained, so as to overcome possible over-domination, overbearing and overshadowing. Paragraph 4.11 of the HDAS SPD specifies that the Council's 45 degree principle will be applied and is designed to ensure that adequate daylight and sunlight is enjoyed in new and existing dwellings. The principle involves drawing a line from the mid-point of an existing/new window that is potentially affected by a new dwelling at an angle of 45 degrees towards the new building. Paragraph 4.12 of the HDAS SPD specifies that new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. It gives advice that the distance should not be less than 21 m between facing habitable room windows.

The applicant contends that the only position that the proposed development intersects the 45 degree line from the rear facing windows of number 68 and 70 Violet Avenue is above the ground floor element which would sit below the boundary fence. However the line would also be intersected at the rear projecting balcony to the first floor flat. Furthermore in view of its 3 storey height in close proximity (1 m) to the boundary with Number 68 and 70 Violet Avenue, it is considered that the overall massing and bulk of this building would have an unacceptably dominating impact upon the occupants of these maisonettes. As such, the proposal by reason of its size, height, proximity and plot coverage, would result in an overly dominant feature that overshadows the adjoining properties Nos. 68 and 70 Violet Avenue, and as such would result in a visually intrusive and an un-neighbourly form of development, resulting in a loss of light and material loss of residential amenity. Therefore the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and to the Council's Supplementary Planning Document HDAS Residential Layouts.

A large number of concerns have been raised by occupants of nearby properties about the potential for views to be gained of the school play area from the flats. The Council's HDAS guidance does not include a requirement for separation distances from buildings to playgrounds.

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. A one bedroom (2 person) flat to provide 50 square metres, a two bedroom (3 person) flat is to provide an internal floor area of 61 m² and a three bedroom (5 person) flat to provide 86 square metres which the proposal complies with. 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'. Council standards as set out within the Supplementary Planning Documents HDAS Residential Layouts, requires the provision of 20m² for a one bed flat, 25sqm for a two bed and 30 sq.m for a three bed. Thus in total 75sq.m would be required for the proposed development. Submitted plans demonstrate that the ground floor flat would be served by an area of amenity space measuring 43 square metres, the first floor flat would have access to a terrace measuring 11 square metres and the second floor flat would have access to terrace measuring 15 square metres. In total 69, sq.m would be provided although, the provision for the, upper floor flats would fall short of the requirement. However, Colham Green Recreation Ground is in very close proximity to the site and it is thus considered that a refusal on this ground is unlikely to be supported at appeal. It is, thus, considered, on balance, that the level of outdoor amenity space is acceptable.

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 applicant confirms that occupants of no. 68 and 70 Violet Avenue have no right to park on the application site, however, photographic evidence suggests that parking does in fact take place.

Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has 'poor' access to public transport with a PTAL rating of 2. It is therefore expected that a strong reliance on the private car will be had by occupants.

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.

Whilst the submitted TS suggests that 3 spaces would be sufficient in accommodating the development, it is noted that this was based on census data which has been derived from information pertaining to car ownership levels from 2001 and 2011 only. The data is out of date insofar as it was collected some 7 years ago so only limited weight can be afforded to

conclusions made at this time. Since then, car ownership levels have increased and further development pressures locally mean that additional spaces are required.

Furthermore, when considering the site characteristics and in accordance with the Council's Parking Standards a total requisite of 5 parking spaces should in fact be provided to serve the development.

It is apparent that not only will this application result in displaced parking along the highway network, but the proposals would ultimately result on-street parking exceeding the 85% parking occupancy level threshold.

The proposal has, therefore, not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

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 relevant to the consideration of 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 response to Q15 in the planning questionnaire continues to fail to acknowledge the presence of existing trees which will be removed to facilitate the proposed development. The tree in the front is substantial and will be removed. The layout indicates that the front garden will be totally paved to provide cycle/bin storage. This will be detrimental to the character and appearance of this residential street and is contrary to Hillingdon's design guidance, which seeks to retain at least 25% soft landscape in front gardens.

The Landscape Officer has confirmed that the trees cannot be re-planted/re-used. The proposal therefore, by reason of the lack of landscaping provision, would result in an unduly prominent and visually intrusive form of development, and as a result have an adverse effect on the street scene. Therefore the proposal would be contrary to policies BE13, BE19, and BE38 of the Hillingdon Unitary Development Plan (Saved Policies 2007) and to the Council's Supplementary Planning Documents HDAS Residential Layouts.

The layout indicates that the front garden will be totally paved to provide off-street cycle storage. Due to the proposed siting of the off street secure cycle storage, bin storage and pedestrian access, it is considered this would result in a large area of hardstanding on this frontage and would not allow sufficient space to mitigate this impact by way of soft landscaping.

The proposal, by reason of the loss of existing trees within the site, the siting of cycle

storage/bin storage on the frontage, the lack of landscaping provision and the excessive level of hardstanding to the frontage, would result in a cluttered, unduly prominent and intrusive form of development to the detriment of the visual amenity of the street scene and the surrounding area generally. Therefore the proposal would be contrary to Policies BE13, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

7.15 Sustainable waste management

The submitted plans indicate refuse storage is provided. In the event of an approvable scheme, conditions could be imposed to secure details of 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

No noise or air quality issues are raised.

7.19 Comments on Public Consultations

The comments received from external consultees 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 £49,056.48

London Mayoral CIL £19,208.09

Total CIL £ 68,264.57

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues are 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

10. CONCLUSION

The application seeks planning permission for the erection of a three-storey building to provide 1 x 1-bed, 1 x 2-bed and 1 x 3-bed self contained flats. The proposal is considered to represent a cramped over-development of the site which would create visual harm and would result in an unneighbourly form of development. The proposal also fails to provide sufficient off street parking provision which meets the council's approved parking standards

to service the proposed dwellings. The development would therefore lead to additional on street parking to the detriment of public and highway safety. Accordingly the application is recommended for refusal.

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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Site Address:

Land Adjacent to 70 Violet Avenue Hillingdon

Planning Application Ref:

73222/APP/2018/1022

Planning Committee:

Central & South

Scale:

1:1,250

Date:

August 2018

LONDON BOROUGH OF HILLINGDON

**Residents Services
Planning Section**

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