

Report of the Head of Planning, Transportation and Regeneration

Address 93 MIDHURST GARDENS HILLINGDON

Development: Single storey side/rear extension and first floor rear extension and conversion from single dwelling to 1 x 2-bed self contained flat and 1 x studio flat

LBH Ref Nos: 32694/APP/2018/2298

Drawing Nos: GTD724-03FPA
GTD724-05FPA
GTD724-04FPA
GTD724-02FPA
GTD724-01FPA
Location Plan (1:1250)

Date Plans Received: 20/06/2018

Date(s) of Amendment(s):

Date Application Valid: 20/07/2018

1. SUMMARY

The application seeks planning permission for a single storey side/rear extension and first floor rear extension. The application also proposes the conversion of the single dwelling to a studio flat and a 2-bed self-contained flat, with associated parking and amenity space.

The proposal results in a development which would meet the internal floor area criteria stipulated by the London Plan and hence would not cause detrimental living conditions for its future occupiers. The application has demonstrated that sufficient off street parking would be provided and sufficient private amenity space is also provided, with the division of the garden into two.

It is considered that the proposal will have an acceptable impact on the street scene and that the additions will appear subordinate to the main dwellinghouse. As such, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 HO1 Time Limit

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

REASON

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

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers GTD724-03FPA, GTD724-05FPA and GTD724-04FPA.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part

Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 HO4 Materials

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

REASON

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

4 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 91 or 95 Midhurst Gardens.

REASON

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

5 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
	New development must harmonise with the existing street scene.

BE13	
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-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
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
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

3 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.

4 I47 Damage to Verge - For Council Roads:

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

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

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and

Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

6 15 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

7 16 Property Rights/Rights of Light

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

8 115 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

9 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved'

UDP 2007, (November 2012) 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a two storey end-terraced dwelling located on the North-Eastern side of Midhurst Gardens . The external walls of the property are covered by a hipped roof with pebble-dash external facing. The area to the front of the property is covered in hardstanding which provides space to park 2 vehicles. The principal elevation faces South West.

The adjoined terraced properties (95, 97) are extended to the rear by approximately 3.6 m deep. There is a private driveway between proposal property and the neighbour to the North-West at No 91 Midhurst Gardens.

The street scene is residential in character and appearance, and mainly comprises terrace dwellings of a similar appearance.

The site is located within a developed area as identified in 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 single storey side/rear extension and first floor rear extension and conversion from single dwelling to 1 x 2-bed self contained flat and 1 x studio flat

3.3 Relevant Planning History

32694/APP/2017/4282 93 Midhurst Gardens Hillingdon

Single storey side and part single, part two storey rear extension

Decision: 13-02-2018 Approved

32694/APP/2017/4286 93 Midhurst Gardens Hillingdon

Conversion of roofspace to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 31-01-2018 Approved

32694/APP/2017/4314 93 Midhurst Gardens Hillingdon

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres

Decision: 22-01-2018 Approved

32694/APP/2017/4315 93 Midhurst Gardens Hillingdon
single storey rear extension

Decision: 07-12-2017 NFA

Comment on Relevant Planning History

32694/APP/2017/4282 for a single storey side and part single, part two storey rear extension was approved in 2018.

32694/APP/2017/4286 for the conversion of roof-space to habitable use to include a rear dormer, 2 front roof-lights and conversion of roof from hip to gable end (Application for a Certificate of Lawful Development for a Proposed Development) was APPROVED.

32694/APP/2017/4314 for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres was APPROVED.

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

PT1.H1 (2012) Housing Growth

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.

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
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

6 neighbouring properties, along with the Oak Farm Residents Association were consulted by letter dated 24.07.18 and a site notice was displayed in the area on 15.08.18.

By the end of the 21 day consultation period 2 responses received raising the following issues:

1. Pressure on car parking.
2. The change from single dwellinghouse to flats is not appropriate for the area.
3. Change of date on site notice.

Planning officer comments: Issues relating to parking and appropriateness of development will be considered in the main body of the report. With regards to the changed date on the site notice, this was issued by the officer to cover 21 days from the day the notice was displayed.

Ward councillor: Requests that this application is reported to committee.

Internal Consultees

Highways officer comments:

- The new unit would demand up to 3 car parking spaces in total to accord with the Council's adopted UDP standards. The applicant has indicated 2 spaces on the property frontage with a single space to the rear of the property which is accessed from the adjacent private service road. The latter provision is not ideally situated as access is dependent on entering the service road to the side of the address through a gated arrangement. This in itself may act as a deterrent to regular and convenient usage due to this somewhat cumbersome arrangement. However the suggested space is otherwise workable, hence on balance this arrangement together with the parking provision on the frontage complies with the Council's parking standard and is therefore considered acceptable.
- 1 secure and accessible cycle space for each unit must be secured by a condition.
- To facilitate the parking spaces on the frontage, there would be a requirement to revise the existing crossover with repositioning and provision of a suitable crossing (in terms of width) to accord with the Council's crossing standard. It is recommended that a crossing width not exceeding 3.6m at the

back of footway and 5.74m at the kerb is applied central to the site. Such works would be undertaken at the applicant's expense.

- 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.

- Refuse collection will continue via the public highway (Midhurst Gardens). A specific bin store location is not depicted on plan. This omission needs to be rectified with additional submission of detail or securement by planning condition.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not exacerbate congestion or parking stress, subject to appropriate planning conditions, 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. 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 development of the property by way of side/rear extensions and no policies which prevent the conversion of the property into two flats, in principle.

7.02 Density of the proposed development

Not applicable to this application.

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.

7.06 Environmental Impact

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 provision of 1 x 2-bed flats and a studio flat would not alter the external features of the property, as such the proposed dwelling conversion will not impact upon the street scene.

Part two storey, part single storey side/rear extension:

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.

Paragraph 3.3 of the HDAS states that single storey rear extensions proposed on terraced houses with a plot measuring 5 m wide or more should be no more than 3.6 m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3 m in height (with a flat roof). If another style of roof is proposed, the maximum height should not exceed 3.4 m. This is to ensure that the extension appears subordinate to the main house.

Section 5.0 states that single storey side extensions should not exceed 2/3 of the width of the original dwelling. Flat roof extensions are considered appropriate where they do not exceed 3 m in height. A 0.25 m set in is required for guttering, and materials should be matching the existing dwelling.

Section 6.0 Two Storey Rear or First Floor Rear Extension states that for terraced houses an extension up to 3.6 m deep is acceptable. Flat roofed extensions will not be normally acceptable. Poor designs and applications out of character with their surroundings will be rejected.

The proposed single storey rear extension would measure 4.0 m in depth and would stretch across the entire side/rear elevation. The proposed first floor rear extension would be located towards the North Western boundary, and would have a depth of 3 m. The single storey element is characterised by a flat roof, while the first floor element is proposed to match the existing and is set down from the main ridge sufficiently. No windows have been proposed facing either neighbouring property. Both immediate neighbouring properties have been extended to the rear and it is not considered that the depth at ground floor level would constitute an un-neighbourly form of development. The first floor element is considered to not infringe upon the 45 degree splay line taken from both immediate neighbours and hence considered acceptable and subordinate to the main dwelling.

The proposed single storey side extension is set back from the front building line by 1.5 m. The extension will stretch across the entire side and 4 m of the proposed rear extension and would measure a total width of 1.5 m from the front elevation. The roof form would be flat, with a maximum height of 3 m above ground floor level. The proposed side extension

abuts the boundary line to the North-West. The proposed side extension would measure an appropriate width of the original house and is hence considered acceptable. The roof form proposed, and siting to the front elevation is considered of acceptable design. The front elevation of the property would involve the erection of a new window to the ground floor levels. The design and materials are considered acceptable. Although a lack of set-in from the side, the extension abuts a shared driveway and thus the proposal would not result in an undue infilling of the space to the side.

As such it is considered that the development would not have a negative impact upon the visual amenity of the site and the surrounding area, and would appear subordinate to the main dwelling. The proposal therefore complies with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

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

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

Paragraph 6.2 of HDAS Residential Extensions states that "Two storey rear or first floor rear extensions will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight. Any extensions at first floor level should not extend beyond a 45-degree line of sight taken from the nearest first floor window of any habitable room of the neighbouring property." This is to ensure the residential amenities enjoyed by neighbouring occupiers are not infringed upon.

Additionally, paragraph 6.12 requires that "no direct overlooking will be permitted. Adequate distance should be maintained to any area from which overlooking may occur and regard should be given to the character of the area and the distances between buildings. However, as a guide the distance should not be less than 21 m, between facing habitable room windows." This is also to ensure neighbouring properties are not negatively impacted upon by developments. The advice contained within HDAS Residential Extensions requires extensions to not result in an unacceptable loss of light or outlook to occupants of the adjoining/adjacent properties.

The proposed two storey rear extension would not have any side facing windows which would overlook neighbouring properties, and hence would not cause a loss of privacy. Both immediate neighbouring properties have been extended to the rear and it is considered that the depth at ground floor level would not result in a loss of light and hence would not constitute an un-neighbourly form of development. The first floor element would not infringe upon the 45 degree splay line taken from the nearest habitable room window on both immediate neighbours and hence is considered acceptable and subordinate to the main dwelling. Furthermore, a separation distance of over 45 m is retained between first floor extension and neighbouring property to the rear. Furthermore, the side extension is not proposed to have any windows to the side elevations, which would directly overlook any neighbouring property.

As such it is considered that the development would not constitute an un-neighbourly form of development, not negatively impacting the residential amenities of neighbouring occupiers, in compliance to Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two: Saved UDP Policies (November 2012) and the HDAS SPD: Residential Extensions (December 2008).

7.09 Living conditions for future occupiers

Internal Floor Space:

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 2 bedroom ground floor flat would accommodate for 3 people, and hence would require a floor space of 61 square metres. A studio flat requires 37 square metres for a one person single storey flat according to the London Plan.

The proposed dwelling to the ground floor would have an internal floor area of 67 m², and the first floor studio flat would have an internal floor area of 41 m². The proposed plans provide adequate internal floor spaces. The proposed bedrooms to the ground floor flat and studio flats are of adequate size.

As such, the proposal would provide a living area of an satisfactory meeting the minimum internal floor spaces requirements for developments of this nature, and the new dwelling would achieve a satisfactory living environment for future occupants. The proposal is not considered to constitute a form of development to the detriment of the amenities of future occupiers. As such, the proposal is considered in compliance to Policy 3.5 and Table 3.3 of the London Plan (March 2016) and Policies BE19 and H7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) .

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

External Amenity Space:

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'. Section 4.0 of the HDAS Residential Layouts guidance advises that at least 25m² of private amenity space should be provided per 2 bedroom flats and 20 m² for a studio flat. Submitted plans demonstrate that the garden is split up into two providing 60 m² of private garden space for the 2 bedroom flat and 63 m² for the studio flat. Both flats would each be served with sufficient external amenity space which would comply with the requirements of the Council's HDAS Residential Layouts (2008).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The site has a PTAL value of 1b (very poor) which suggests there will be a strong reliance on private car trips to and from the site. The site has an existing vehicular crossover with space for 2 vehicles to park. The plans show that an additional space will be provided for the future occupants to the rear. This plan has been reviewed by the Highway Authority who are satisfied that the proposal would meet the relevant guidance and not cause extra stress on on-street parking, and would therefore not raise any highway safety concerns, in compliance to policies AM7 and AM14 of the Development Plan (2012) and policies 6.3 and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

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

Discussed elsewhere in the report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

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.

Presently calculated the amounts would be:

LBH CIL £ 3638.46

London Mayoral CIL £ 1424.64

Total CIL £ 5063.10

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

Members should also consider whether a planning decision would affect human rights, in

particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application seeks planning permission for a single storey side/rear extension and first floor rear extension. The application also proposes the conversion of the single dwelling to a studio flat and a 2-bed self-contained flat, with associated parking and amenity space.

The proposal results in a development which would meet the internal floor area criteria stipulated by the London Plan and hence would not cause detrimental living conditions for its future occupiers. The application has demonstrated that sufficient off street parking would be provided and sufficient private amenity space is also provided, with the division of the garden into two.

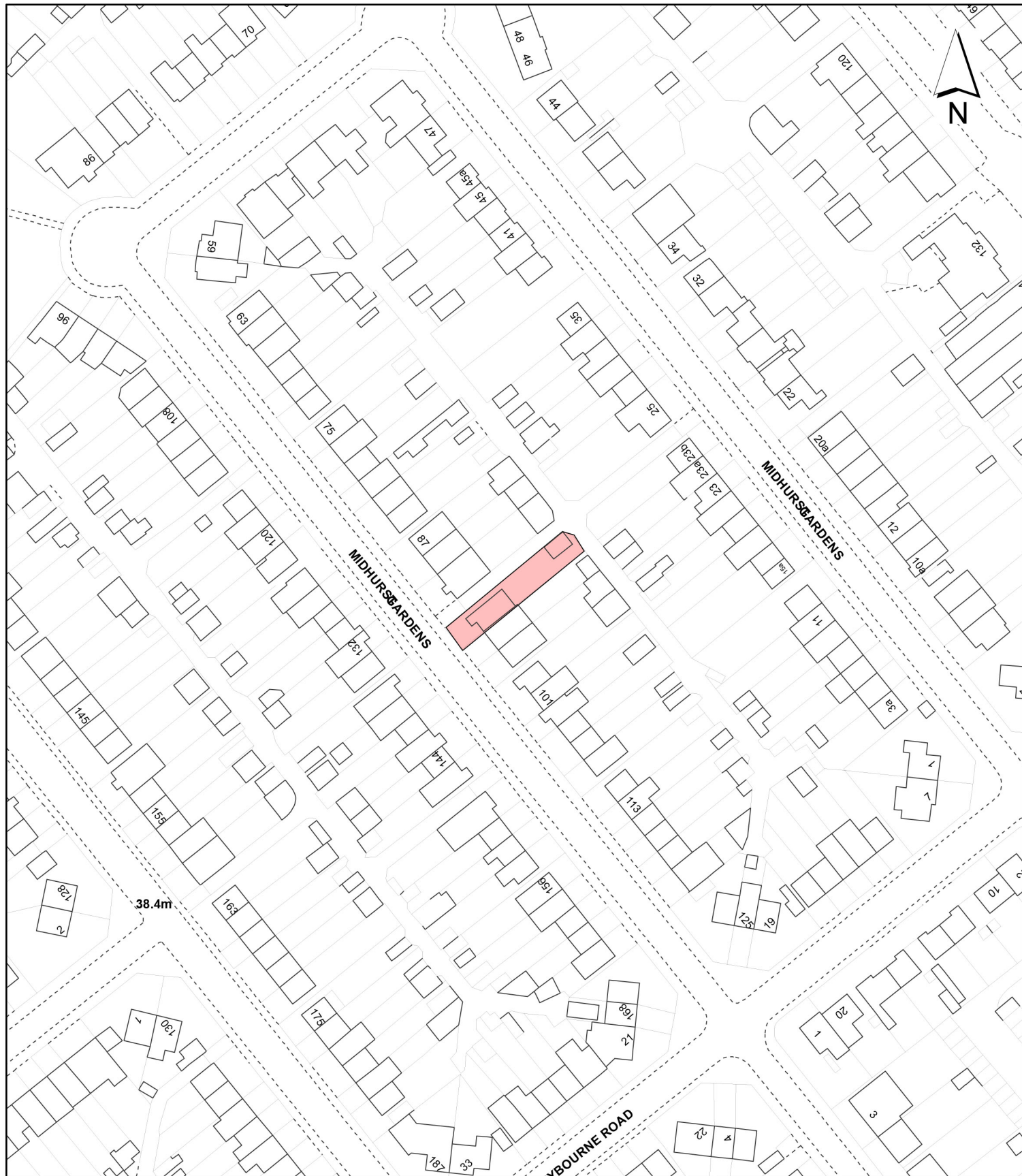
It is considered that the proposal will have an acceptable impact on the street scene and that the additions will appear subordinate to the main dwellinghouse. As such, the application is recommended for approval.

11. Reference Documents

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

Contact Officer: Nurgul Kinli

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**93 Midhurst Gardens
Hillingdon**

Planning Application Ref:

32694/APP/2018/2298

Planning Committee:

Central & South

Scale:

1:1,250

Date:

October 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



HILLINGDON
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