

Report of the Head of Planning, Transportation and Regeneration

Address 1372 UXBRIDGE ROAD HILLINGDON

Development: Three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of vehicular crossover to front and demolition of existing two storey building

LBH Ref Nos: 5625/APP/2018/2518

Drawing Nos: 4971-2 Rev. C
4971-1 Rev. E
4971-3 Rev. B
4971-6
4971-4 Rev. A
Design and Access Statement
4971-5
4971-II

Date Plans Received: 06/07/2018 **Date(s) of Amendment(s):** 17/07/2018
Date Application Valid: 19/07/2018 06/07/2018

1. SUMMARY

The application seeks full planning permission for the erection of a three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of vehicular crossover to front and demolition of existing two storey building. Whilst the proposal is considered to have an acceptable visual impact and would not result in an unneighbourly form of development, concerns are raised in terms of the substandard living conditions to the future occupants of the studio flats. Furthermore 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. The proposal also does not include a step free access to upper floor flats in conflict with Policy 3.8 of the London Plan (2016). The application is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 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 Policies AM7 and 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.

2 NON2 Non Standard reason for refusal

The proposal would provide an indoor living area of an unsatisfactory size for the occupiers of the first and second floor studio flats. The proposal therefore gives rise to a

substandard form of living accommodation to the detriment of the amenities of future occupiers contrary to Policy 3.5 and Table 3.3 of the London Plan (March 2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

3 NON2 Non Standard reason for refusal

The proposed development, by reason of the lack of a step free access to upper floor flats, would fail to provide facilities for people with disabilities and would result in a development which is accessible and inclusive contrary to Policy 3.8 of the London Plan (2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

INFORMATIVES

1 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).

2 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.
H4	Mix of housing units
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 3.8	(2016) Housing Choice

LPP 7.4	(2016) Local character
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
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3 159 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.

4 171 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 property is currently a House of Multiple Occupation (HMO) consisting of 6 studio flat units over two storeys. The site is an 'end of terrace' building located in a mixed use location in Uxbridge and fronts the Uxbridge Road which is designated as Classified in the Council's hierarchy of roads. There are currently two carriageway crossings to the rear of the address accessed from Hewens Road which is predominantly residential in nature.

3.2 Proposed Scheme

The application seeks full planning permission for the erection of a three storey building for

use as 3 x studio flats and 2 x 1-bed self contained flats, installation of vehicular crossover to front and demolition of existing two storey building.

3.3 Relevant Planning History

5625/APP/2006/2436 1372 Uxbridge Road Hayes

CHANGE OF USE OF GROUND FLOOR OFFICES (CLASS B1(a)) TO RESIDENTIAL (CLASS C3) TO ALLOW THE FORMATION OF A THREE-BEDROOM SINGLE FAMILY DWELLING AND EXTERNAL ALTERATIONS, INVOLVING THE BLOCKING OFF OF A FRONT DOOR AND RE-POSITIONING OF A REAR DOOR

Decision: 31-10-2006 Refused

Appeal: 12-09-2007 Allowed

5625/APP/2008/770 1372 Uxbridge Road Hayes

ERECTION OF A TWO STOREY SIDE EXTENSION WITH NEW MANSARD ROOF OVER BOTH EXISTING BUILDING AND PROPOSED EXTENSION.

Decision: 16-07-2008 Refused

Comment on Relevant Planning History

There is no recent planning history of relevance to this application site.

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.

BE38 Retention of topographical and landscape features and provision of new planting

and landscaping in development proposals.

H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.3	(2016) Increasing housing supply
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LPP 3.8	(2016) Housing Choice
LPP 7.4	(2016) Local character
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
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

6 neighbouring properties were consulted by letter dated 20.7.18 and a site notice was displayed to the front of the site which expired on 21.8.18.

1 letter of objection has been received raising concerns about the inadequate parking provision in the locality and the loss of privacy to properties opposite resulting from the 3 storey block of flats.

Ward councillor: Requests that the application is reported to Committee for consideration.

Internal Consultees

Highways Officer:

Parking and Access Provision

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

It is proposed to provide a new build with 3 studio and 2x1 bedroom flatted units. To comply with the adopted parking standard the maximum on-site requirement demands up to 1.5 spaces per unit totalling 7-8 spaces. It is noted that although two separate carriageway crossings exist, the on-plot area is insufficient to house a vehicle which effectively results in a current zero parking provision.

There are 4 spaces proposed consisting of 3 on-plot and 1 space on the public highway. By law it is not legally possible to allocate a parking space for an individual or specific address on the public highway hence the single parking space proposed on Hewens Road is considered unacceptable. As the space falls outside of the site envelope there is a 'true' proposed provision of 3 spaces.

This falls well below the adopted maximum standard which gives rise to concern regarding the

potential for undue parking displacement onto the public highway. The proposal is therefore considered unacceptable on highway impact grounds and a highway refusal on inadequate on-site parking grounds is therefore considered appropriate.

Notwithstanding the above, the proposed retention and alteration of the existing carriageway crossings on Hewens Road is considered acceptable as there is conformity to the Council's relevant crossing standard.

Cycling Provision

In terms of cycle parking there would be a minimum requirement of 1 secure and accessible space for each of the flat units in order to conform to the adopted minimum borough cycle parking standard. The total equates to a minimum 5 spaces in total. The applicant has indicated a cycle storage location which is acceptable in location terms with up to 10 cycle spaces shown.

Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider 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.

The proposal is unlikely to measurably increase traffic generation from the site as compared to the existing HMO use. Peak period traffic movement generated by the proposal would not be expected to exceed rise by up to 2-3 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse Requirements

Bin storage and collection arrangements will continue as for the existing build without significant alteration. A suitably located bin store has been indicated close to the public highway (i.e. Hewens Road) which conforms to refuse collection requirement distance parameters. There are no further observations.

Conclusion

The application has been reviewed by the Highway Authority who are concerned that the proposal would exacerbate local parking stress, and would therefore raise highway safety concerns, contrary to policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3 and 6.13 of the London Plan (2016). Refusal on insufficient parking grounds is therefore recommended.

Landscape Officer:

This site is occupied by an HMO comprising six studio flats in an end of terrace building at the east end of Knights Gardens. The site is situated on the north side of Uxbridge Road at the junction with Hewens Road.

COMMENT: No trees or landscape features will be affected by the development. Opportunities for landscape enhancement on site are very limited. The D&AS refers to the off-site street trees. Otherwise residents will have private balconies and a small recess capable of supporting planting(?) is described.

RECOMMENDATION: No objection subject to conditions RES9 (parts 1 and 4).

Access Officer:

Having reviewed this application, it is clear that step free access to the proposed dwellings above ground floor would not be possible for wheelchair users and other persons unable to use a

staircase. Paragraph 3.8 of the London Plan (March 2016) recognises that the application of M4(2), which requires lift access (a step free approach to the principle private entrance), may have particular implications for developments of four storeys or less where historically the London Plan may not have required a lift. Local Planning Authorities are therefore required to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access. Research indicates that the provision of a lift does not necessarily have a significant impact on viability and does not necessarily lead to a significant increase in service charges. However, in certain specific cases, the provision of a lift where necessary to achieve this aim, may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents. Unless the applicant submits a clear, well evidenced and compelling case to the LPA as to why lift access cannot be provided, the application should not be supported on the grounds of non-compliance with London Plan policy 3.8.

Conclusion: Unacceptable.

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. The principle of a residential development is considered acceptable subject to compliance with other policies and standards.

7.02 Density of the proposed development

The density of the proposed development is 370 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.

There are a diverse range of styles, designs and materials in the make-up of the existing properties within the street scene. The application site is in a particularly prominent and visible location at the end of the a row of properties of similar scale and two-storeys on the corner of Uxbridge Road with Hewens Avenue. The submitted streetscene indicates the approved but not implemented three storey building at number 1380 Uxbridge Road under application reference 71035/APP/2016/4048 for the erection of a three storey building to provide 5 x 2-bed self-contained flats with associated parking, cycle and waste storage. The existing building is not considered to be of any architectural merit and its loss and replacement with a 3 storey building of similar scale to that approved at the nearby site at 1380 is considered acceptable. In this regard, the development is not considered to be out of character with the area.

It is therefore considered that the proposed development is appropriate to the character and appearance of the area and is in conformity with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies, Policies BE13 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.

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 15m 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 21m between facing habitable room windows.

The proposed three storey building would replace the existing two storey HMO building of similar footprint. It is considered that the replacement building would not give rise to an unacceptable loss of light, outlook or privacy to the occupants of nearby dwellings. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

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 is required to provide 50 square metres of floorspace and a one person studio is required to provide 37 square metres. The first and second floor studio flats, at 33.8m², fall well short of the required standard. Furthermore, given the close proximity of the parking space to the rear facing window serving the ground floor studio flat, the occupants of this flat would suffer an unacceptable level of amenity. The applicant has since submitted a revised plan to amend the fenestration to the ground floor studio flat to provide an improved outlook. The applicant also contends that the outdoor amenity space can be included within the gross internal floor area. The outdoor amenity space cannot however be used to justify a shortfall in internal floor space. As such the proposal would provide an indoor living area of an unsatisfactory size for the occupiers of the first and second floor studio flats. The proposal therefore gives rise to a substandard form of living accommodation to the detriment of the amenities of future occupiers contrary to Policy 3.5 and Table 3.3 of the London Plan (March 2016).

With regards to external amenity space, paragraph 4.17 of the SPD HDAS: Residential Layouts states that, for flats, developments should incorporate usable, attractively laid out and private garden space conveniently located in relation to the flats they serve. It should be of an appropriate size, having regard to the size of the dwelling and the character of the area. For two bedroom flats, a figure of shared amenity space 25 m² per flat is recommended. Paragraph 4.18 states that balconies should be provided wherever possible for upper floor flats, along with a private patio or garden areas for ground floor units. Garden space and patios are a preference and should be accommodated where possible, except where the physical limitations of the site prevent this and other forms of amenity space are suitable. The proposed first and second floor flats would each be served by balconies which is considered acceptable in this location. The ground floor studio flat is not served by any outdoor amenity space. However, the site is located within very close proximity to the adjacent area of public open space and it is considered that a refusal reason based on inadequate amenity space provision for the proposed studio flat could not be justified.

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.

It is proposed to provide a new build with 3 studio and 2 x 1 bedroom flatted units. To comply with the adopted parking standard the maximum on-site requirement demands up to 1.5 spaces per unit totalling 7-8 spaces. There are 4 spaces proposed consisting of 3 on-plot and 1 space on the public highway. By law it is not legally possible to allocate a parking space for an individual or specific address on the public highway hence the single parking space proposed on Hewens Road is considered unacceptable. As the space falls

outside of the site envelope there is a 'true' proposed provision of 3 spaces. This falls well below the adopted maximum standard which gives rise to concern regarding the potential for undue parking displacement onto the public highway. In response to the shortfall of parking the applicant has advised that "the application site is adjacent to the Uxbridge Road which provides separate cycle routes leading to the town centres of Uxbridge and Hayes and towards central London. Taking into account the Policy 6.9 of London Plan of which the principle is to encourage cycling this approach is applied to the proposal. Because the proposal does not provide family accommodation, but 3 studios and 2 one bed flats it is more than reasonable to follow this dramatic change which favours cycling. This would reduce the demand for car parking spaces which would be used occasionally." It is however considered that the applicants justification for the shortfall is not sufficient to depart from the Council's adopted parking standards. 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.

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider 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. The Highways Officer has advised that the proposal is unlikely to measurably increase traffic generation from the site as compared to the existing HMO use. Peak period traffic movement generated by the proposal would not be expected to exceed rise by up to 2-3 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

The submitted plans indicate on site secure cycle parking provision which, in the event of an approvable scheme, could be conditioned.

7.11 Urban design, access and security

The issues are addressed in the sections above.

7.12 Disabled access

A step free access to the proposed dwellings above ground floor would not be possible for wheelchair users and other persons unable to use a staircase. Paragraph 3.48A of the London Plan (March 2016) recognises that the application of M4(2), which requires lift access (a step free approach to the principle private entrance), may have particular implications for developments of four storeys or less where historically the London Plan may not have not required a lift. Local Planning Authorities are therefore required to ensure that dwellings accessed above or below the entrance storey in buildings of four storeys or less have step-free access. The proposed development therefore, by reason of the lack of a step free access would fail to provide facilities for people with disabilities and would result in a development which is not accessible and inclusive contrary to Policy 3.8 of the London Plan (2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. No trees or landscape features will be affected by the development. In the event of an approvable scheme, a landscaping condition would be imposed.

7.15 Sustainable waste management

The applicant has provided limited details of the sustainability of the proposed building. Therefore a condition is required in order to ensure compliance with Policies 5.1, 5.2 and 5.3 of the London Plan 2016

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. In the event of an approvable scheme, a condition could be imposed to secure details of noise insulation measures given the proximity of the site to the Uxbridge Road.

7.19 Comments on Public Consultations

The issues raised are addressed in the sections above.

7.20 Planning obligations

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.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing

the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

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

Equalities and Human Rights

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

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

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The application seeks full planning permission for the erection of a three storey building for use as 3 x studio flats and 2 x 1-bed self contained flats, installation of vehicular crossover to front and demolition of existing two storey building. Whilst the proposal is considered to have an acceptable visual impact and would not result in an unneighbourly form of development, concerns are raised in terms of the substandard living conditions to the future occupants of the studio flats. Furthermore 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. The proposal also does not include a step free access to upper floor flats in conflict with Policy 3.8 of the London Plan (2016). The application is therefore recommended for refusal.

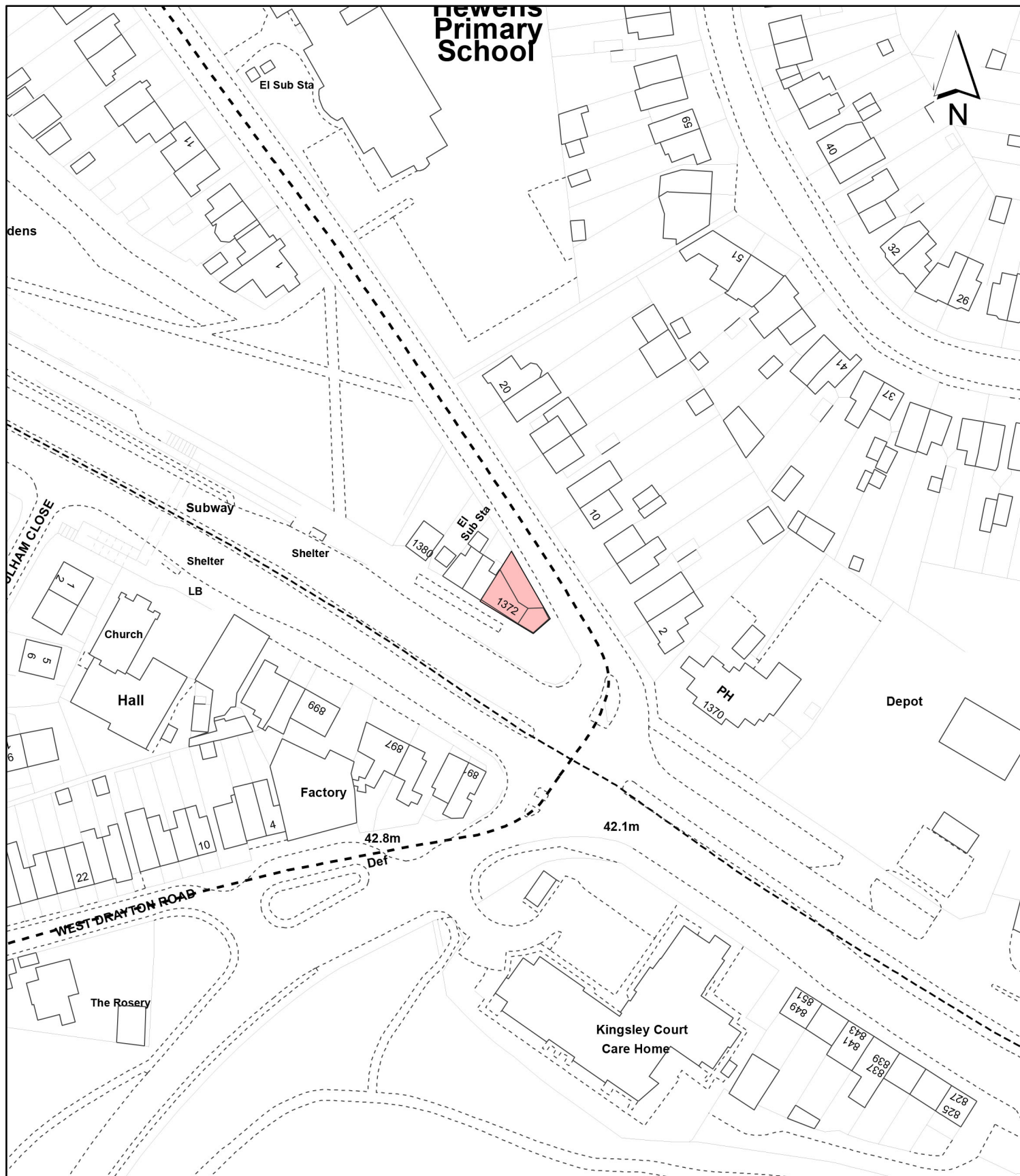
11. Reference Documents

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

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Notes:



Site boundary

For identification purposes only.

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Site Address:

1372 Uxbridge Road

Planning Application Ref:

5625/APP/2018/2518

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
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HILLINGDON
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