

Report of the Head of Planning, Transportation and Regeneration

Address LAND REAR OF 93-107 FIELD END ROAD EASTCOTE

Development: Erection of two storey building to include 4 x 2 bed self contained flats with associated parking and amenity space, involving demolition of existing outbuildings

LBH Ref Nos: 73453/APP/2018/2876

Drawing Nos: PP-001
Daylight and Sunlight Assessment
Arboricultural Impact Assessment
PP-110
PP-202
PP-204
PP-206
PP-208
PP-003
PP-004
PP-005
PP-006
PP-112
PP-201
PP-207
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PP-002
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PP-014
PP-020
PP-900
PP-901
PP-902
PP-903
PP-111
PP-113
PP-120
PP-130

Date Plans Received: 03/08/2018

Date(s) of Amendment(s):

Date Application Valid: 13/08/2018

1. SUMMARY

The application site is located to the rear of no 93-99 and nos.101-107 Field End Road,

which comprises the rear yard of terraced properties, situated in a mixed area of commercial and retail use with upper floor residential use within Eastcote. The site is reached via a private access road which runs along the rear of the terrace between Deane Croft Road to the North and Abbotsbury Gardens to the South.

The proposal is for the erection of two storey building to include 4 x 2 bed self contained flats with associated parking and amenity space, involving demolition of existing outbuildings.

The proposed development would not be in scale with the prevailing single storey character of the rear of the main properties. The proposal is considered to represent an intrusive visual element that would fail to harmonise with the layout and appearance of the existing street scene, and results in an incongruous form of development. Furthermore, the separation distance of 15 m from the bedroom from the upper floors of the existing flats to the proposed units would result in a loss of privacy to future occupiers of the proposed flats.

The proposed separation distance of 7.9 m between the kitchen/diner of the existing flat to the proposed flats is below the required 15 m which is stated in the HDAS Residential Layouts document, as an appropriate separation distance between properties. The proposed dwellings would result in an unacceptable impact on the existing dwellings in terms of over dominance and loss of light, restricted outlook resulting in an oppressive environment.

The proposal, by reason of its design would not be able to provide a step free approach to the principle private entrance.

The proposal, by reason of its setting in a rear service road would not provide lighting provisions given the added residential vehicular and pedestrian footfall activity the proposal would bring.

Furthermore the application fails to demonstrate that sufficient car parking, servicing and delivery arrangements or refuse collection facilities could be provided on site.

The application is therefore considered contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development would not be in scale with the prevailing single storey character of the rear of the main properties. The proposal is considered to represent an intrusive visual element that would fail to harmonise with the layout and appearance of the existing street scene, and results in an incongruous form of development, in conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

2 NON2 Non Standard reason for refusal

The proposed separation distance of 15 m from the bedroom from the upper floors of the existing flats to the proposed units would result in a loss of privacy to future occupiers of the proposed flats. As such it is considered that the proposal would result in an un-

neighbourly form of development and conflicts with the requirements of Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposed separation distance of 7.9 m between the kitchen/diner of the existing flat to the proposed flats is below the required 15 m which is stated in the HDAS Residential Layouts document, as an appropriate separation distance between properties. The proposed dwellings would result in an unacceptable impact on the existing dwellings in terms of over dominance and loss of light, restricted outlook resulting in an oppressive environment. Therefore, the proposal would fail to provide a satisfactory residential environment for future occupiers, contrary Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (2016) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

The application fails to provide an accurate assessment of transportation and parking impacts associated with the proposed development including existing residential car parking, re-provision of existing parking, swept paths showing that proposed parking spaces are accessible, servicing (including refuse collection) and loading/unloading provision. As such the scheme fails to demonstrate that it would not be detrimental to highway and pedestrian safety and free flow of traffic, and that it would have acceptable parking provision, refuse and loading & unloading arrangements contrary to policies AM7, AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

5 NON2 Non Standard reason for refusal

The proposal, by reason of its setting in a rear service road, and the added residential vehicular and pedestrian footfall activity, would not provide lighting provisions to provide a safe and secure environment and fails to demonstrate that the proposal would adequately achieve a development which is accessible and inclusive, particularly in relation to the lack of any step free access. The proposal is therefore contrary to Policy R16 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan 2016 Policies 3.8, 7.1 and 7.3.

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.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment
LPP 7.4	(2015) Local character
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

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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. The Council's supports pre-application discussions. 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located to the rear of no 93-99 and nos.101-107 Field End Road, which comprises the rear yard of terraced properties, situated in a mixed area of commercial and retail use with upper floor residential use within Eastcote. The site is reached via a private access road which runs along the rear of the terrace between Deane Croft Road to the North and Abbotsbury Gardens to the South. The rear access road runs the length of the terrace providing access to 83-115 (odds) Field End Road. There are a

number of outbuildings and temporary structures along the road, which are also included on the application sites.

The existing buildings consist of retail uses at ground floor level and flats at first floor level, with the main access to the flats via the front of the building. The retail and other units are served by a lay-by area at the front of the building which provides short-term parking for customers, as well as a loading area for the retail units.

3.2 Proposed Scheme

The proposal is for the erection of two storey building to include 4 x 2 bed self contained flats with associated parking and amenity space, involving demolition of existing outbuildings.

3.3 Relevant Planning History

73453/PRC/2018/8 Land Rear 93-95/101-107 Field End Road Eastcote
Erection of 4 x 2 bed dwellings.

Decision: 13-04-2018 OBJ

Comment on Relevant Planning History

The application follows pre-application advice (ref. 73453/PRC/2018/8) for erection of 4 x 2 bed dwellings. An objection was raised on the following grounds:

The proposal, based on the plans and supporting documents that have been submitted could not be supported, as it results in an unacceptable impact on adjoining properties and provides accommodation which is of a poor standard.

4. Planning Policies and Standards

The proposed development would be assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2015, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

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:

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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LPP 3.3	(2015) Increasing housing supply
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LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.2	(2015) An inclusive environment
LPP 7.4	(2015) Local character
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

34 neighbouring properties and the Eastcote Residents Association were notified of the proposed development on 16th August 2018 and a site notice was erected adjacent to the site on 22nd August 2018.

By the close of the consultation period 19 neighbouring residents had objected to the proposed development and a petition with 48 signatures was received which objects to the proposal and asks for it to be refused.

The objections can be summarised as the following:

- i. Disruption and noise;
- ii. Reduce parking spaces
- iii. Loss of light;
- iv. Loss of privacy;
- v. Impact on the character of the area;
- vi. Overdevelopment;
- vii. Too close to existing buildings;
- viii. Security and safety issues;
- ix. Restrict emergency access and exit routes from the rear of the shops and flats in Field End Road to the rear of this development;
- x. Parking issues;
- xi. Restrict the delivery of supplies to the rear of the shops in Field End Road;
- xii. Will present a visual eyesore of ugly boxes. If any development is to be pursued it needs to be vastly improved in appearance.
- xiii. They will have a detrimental effect on the existing flats' outlook, light and privacy;

- xiv. The proposed style and appearance of the new flats will not be in keeping with the attractive 1930s brickwork of the existing flats or the houses at each end of the parade.
- xv. The proposal does not provide adequately for pedestrian access with no pavement separating people on foot from traffic;
- xvi. The applicants put a lot of reliance on the mature trees in the adjacent gardens to provide both a pleasant outlook for the occupants of the proposed dwelling and screening of the development from the residents of Abbotsbury Gardens and Deancroft Road. These trees could be subject to wind damage or disease at any time and might have to be cut down thus removing the screening from the adjacent properties;
- xvii. Smells from the restaurants flues directly impact any individuals sitting outside on a roof terrace;
- xviii. These buildings are above ground floor level and restrict views from the flats main windows at the rear limiting aspect views and feelings of being hemmed in. The existing flats main living space is at the rear areas with aspect views and windows rear facing. The upstairs bedroom overlooks the roof terraces and provides no privacy at the windows.

Easctote Residents Association:

- i. The new units' habitable rooms continue to face the side elevation of each adjoining unit;
- ii. The 2nd bedroom in Unit 3 remains the unacceptable size;
- iii. The daylight and sunlight assessment does not seem to assess the overshadowing of the new units by the existing 2 storey building, due to their relative positions in relation to the movement of the sun;
- iv. If unit 4 has 4 spaces and the one by the bin store is in use, the bin store cannot be accessed;
- v. The ability of both commercial and residents' vehicles to park and manoeuvre around each other and in and out onto the service road, raises safety issues and whether the proposed layout in each undercroft is achievable and practical on a day-to-day basis;
- vi. No noise assessment submitted. Adjacent residents have made numerous complaints regarding excessive noise, smells and fumes. One example, is the Lahore Restaurant at No 99 where residents have put in a petition to the council regarding these issues, with photographic evidence of the fumes;
- vii. There is the issue of the amount and type of waste generated by the retail units, which the bin stores shown would seem to be too small to accommodate, given they also have to take the waste from the new units and the existing flats. If waste is not contained properly, it will be a further source of smells, health and safety problems and encourage vermin;
- viii. In recent years, within a few hundred yards of each other, along Field End Road, applications have been made for a total of 200 residential units (list submitted). More housing is not required in Eastcote.
- ix. Security and safety issues.

One letter of support was received and two comments:

- i. Redevelopment of an existing ugly, rundown brownfield site;
- ii. If they don't already have allocated parking, it's not the developer's responsibility to provide it - thus enhancing their property value for free.

OFFICER COMMENT: The above issues are addressed in the main body of the report.

Internal Consultees

ACCESS OBSERVATIONS

This proposal raises an accessibility concern on the fundamental design. London Plan policy 3.8(c) requires all new residential accommodation to provide a step free approach. An objection is raised as the requirement to provide a step free approach to the principle private entrance could not realistically be achieved with a design of this nature. Conclusion: the proposed design is considered to be contrary to the requirements of London Plan policy 3.8.

TREES AND LANDSCAPE

No objection subject to a pre-commencement condition to detail the construction management of the site in the interests of tree protection and arboricultural supervision. Due to the inevitable loss of trees and the lack of opportunity to replace on site them a S.106 contribution should be made towards tree planting by the Council's Green Space tree planting programme.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy 3.5 of The London Plan, states "Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live.

Policy BE1 of the Local Plan: Part 1 - Strategic Policies (November 2012) advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties.

National Planning Policy Framework states there is a presumption in favour of sustainable development which is described for decision taking as "approving development proposals which accord with the development plan." As a core planning principle the effective use of land is encouraged by reusing land that has been previously developed (Brownfield land). The proposed site currently comprises of a service and access yard, which includes outbuildings and temporary structures, and constitutes 'previously developed land'. There is a presumption in favour of residential development on previously developed (Brownfield) land subject to other material planning considerations.

There are in principle, no objections to the development of the site, however given the material considerations set out below and discussed in detail in the main body of the report, the development is considered unacceptable.

Material considerations of the proposed development are whether the scheme would be:

- Out of character with the surrounding area?
- Loss of outlook and loss of light to the occupiers of the existing flats?
- Poor levels of outlook to the future occupiers of the proposed dwellings?

7.02 Density of the proposed development

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The site is not within or adjacent a special character area.

7.04 Airport safeguarding

No safeguarding issues arise from the proposal.

7.05 Impact on the green belt

The site is not within or adjacent to Green Belt land.

7.07 Impact on the character & appearance of the area

The proposal is for 4 x two bed dwellings.

- Unit 1 will be situated to the rear of 93 and 95 Field End Road
- Unit 2 will be situated to the rear of 97 and 99 Field End Road
- Unit 3 will be situated to the rear of 101 and 103 Field End Road
- Unit 4 will be situated to the rear of 105 and 107 Field End Road

Currently these areas form the rear yards for the retail units at ground floor level, and the flats at first floor level. All the rear yards, including those of the applications sites, consist of outbuildings and or temporary structures, and provide spaces for the occupiers of the flats and or shop units to park their cars.

The proposed 4 new dwellings would consist of two storeys, and would be lower than the frontage properties which are 3 storeys tall. The entrance into the properties is via the stairs at ground floor level.

The ground floor level of the proposed dwellings would form an undercroft, which would provide space to park 1-2 vehicles per proposed unit. The undercroft would also allow access to the parking spaces that have been provided for each of the existing retail units.

The layout of the first floor level for each of the proposed new dwellings will consist of,

- 2 bedrooms (master bedroom with an en-suite)
- Bathroom.
- Open plan living, dining, kitchen area (to the rear of the dwellings)

Paragraph 56 of The National Planning Policy Framework (NPPF) (March 2012) states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".

Paragraph 64 of the NPPF states 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 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE13 of The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states "the local planning authority will seek to ensure that new development within

residential areas complements or improves the amenity and character of the area".

The proposed dwellings would be situated in the rear yards of properties no.93-99 and nos.101-107 Field End Road. Currently the rear yards of the properties on Field End Road, in particular those in close proximity to the application sites, consist of single storey outbuildings/temporary structures, and as a result the introduction of 2 two storey dwellings would fail to harmonise or compliment the surrounding area.

As previously highlighted, the proposed development would not be in scale with the prevailing single storey character of the rear of the main properties. The proposal is once again considered to represent an intrusive visual element that would fail to harmonise with the layout and appearance of the existing street scene, and results in an incongruous form of development, in conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in three principal ways. The effect of the siting, bulk and proximity of a new building on the general outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15 m will be the minimum acceptable back to back distance between buildings whilst a minimum of 21 m overlooking distance should be maintained.

Local Plan Policy BE21 of the adopted Hillingdon Unitary Development Plan states that planning permission will not be granted for new development which by reason of its siting, bulk and proximity, would result in a significant loss in residential amenity. Likewise UDP Policies BE20 and BE24 resist any development which would have an adverse impact upon the amenity of nearby residents and occupants through loss of daylight and privacy.

Taking into consideration the separation distance of 7.9 m between the existing and proposed flats, the proposal would result in an overbearing impact, a loss of outlook, loss of privacy and overdominance.

As such it is considered that the proposal would result in an un-neighbourly form of development and conflicts with the requirements of Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7.09 Living conditions for future occupiers

London Plan Policy 3.5 seeks to ensure that all new housing development is of the highest quality, both internally and externally and in relation to their context.

The London Plan sets out the minimum internal floor space required for new housing development in order to ensure that there is an adequate level of amenity for existing and future occupants. The London Plan recommends that for a 2 bed 3 person flat a minimum

of 61 sq.m and a 2 bed 4 person flat a minimum of 70 sq.m. The total internal floor area for each of the proposed flats would be well in excess of these standards and therefore they are in accordance with the London Plan.

Section four of the Council's HDAS: Residential Layouts states that developments should incorporate usable attractively laid out and conveniently located garden space in relation to the dwellings they serve. It should be of an appropriate size, having regard to the size of the flats and the character of the area.

The minimum level of amenity space required for a 2 bed flat is 25sq.m. The proposal would have terraces for each flat between 30 - 56 sq.m. The amenity space proposed for the flats would far exceed these standards and would be in accordance with the HDAS.

Paragraph 4.9 of the HDAS Residential Layouts states, "all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected and careful design can help minimise the negative impact of overbearing and overshadowing. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. Generally 15 m will be the minimum acceptable distance. It should be noted that the minimum 21 m overlooking distance will still need to be complied with".

The 2 bedrooms in each of the proposed units, would be to the front and the open plan living, dining, kitchen area would be located to the rear.

As before, the distance between the rear of the proposed new units and the rear of the existing flats remains approximately 7.9 m, which is significantly lower than the required 15m which is stated in the HDAS Residential Layouts document, as an appropriate separation distance between properties. At this distance it is considered that the proposed dwellings would result in an unacceptable impact on the existing dwellings in terms of over dominance, loss of light, loss of outlook and loss of privacy, particularly as the existing units would appear to be using the space outside the front doors as informal amenity space.

Paragraph 4.12 of the HDAS Residential Layouts guidance states, "new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. 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. As a guide, the distance should not be less than 21m, between facing habitable room windows".

The rear of the existing flats consists of a habitable room (kitchen/dining area). It is noted that there are no windows facing the existing flats and a skylight to each unit above the open planned living area.

However, there would still be some form of overlooking from the existing flats, into the proposed units. The upper level of the existing flats consist of bedroom windows. These bedroom windows will face the terraces at the proposed dwellings. The rear bedroom window at:

- no.95 will face the terrace at Unit 1
- no.99 will face the terrace at Unit 2

- no.103 will face the terrace at Unit 3
- no.107 will face the terrace at Unit 4

The distance between the rear bedroom windows and the terraces is approximately 15 m, which does not meet the 21 m as stated in the HDAS Residential Layouts guidance, and as a result it is considered that the future occupiers of the proposed dwellings will experience some overlooking, and loss of privacy.

Therefore the proposed development would fail to comply with the Mayor of London's Housing SPG (December 2012) and the Mayor of London's Housing Standards Policy Transition Statement (October 2015).

Although the proposed dwellings consist of 2 storeys and will have a window on the front elevations, they will not result in any overlooking into the rear gardens of no.2 and no.4 Deane Croft Road and no.1 Abbotsbury Gardens, as these windows would be obscurely glazed and opening will be restricted for ventilation purposes only.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan 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 policy (November 2012) states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

The proposal site is located on 'rear service yard' land to the rear of a parade of shops (No's 93-107) in Field End Road with existing residential components above set within Eastcote district town centre. The main address fronts a service road containing extensive parking controls in the form of pay & display facilities with the surrounding residential road network encompassed by a daytime controlled parking zone (CPZ). The site exhibits a PTAL of 3 which is considered as moderate.

The 'back-land' proposal would feature garage under-croft parking and be physically accessed from a private rear service road which currently serves the retail and residential provisions and is indicated to be within the ownership of the applicant.

Parking Provision & Access

The maximum parking standard for the proposed residential units 1.5 on-plot spaces to be provided per unit, which equates to 6 additional spaces. In total 13 car parking spaces are proposed. 6 spaces are for the proposed flats and 7 are retained for the existing commercial uses. Several objectors have raised concerns about existing residential parking spaces being lost and not re-provided as part of the proposals. No analysis has been undertaken of the existing residential parking provision on site. To this end officers cannot assess whether there has been a loss of residential parking and how much.

A total quantum of 6 'under-croft' spaces are proposed which includes two spaces for units 1&3 and one for 2 & 4. Although it is clear that there is an imbalance in provision for the units, it is accepted that the 'whole site' average of a 1.5 per unit ratio is met. This level of provision is welcomed as the location exhibits an average PTAL level which encourages a provision toward the upper limit of the standard owing to the resultant elevated reliance on

the private motor car.

All of the under-croft spaces would be accessed via a garage door arrangement for each of the units from the rear service road. This access would also be shared with the replacement parking spaces for the existing commercial premises which includes No's 93, 95 99, 101, 105, 107 & 107a Field End Road. The application fails to demonstrate that all the parking spaces, particularly those immediately to the rear of no. 93 and 95, can actually be accessed.

Similarly the loading bay immediately to the rear of no. 103 is very tight and no evidence has been provided that a vehicle could actually manoeuvre into this space. Given deliveries to a small retail unit such as these would likely be in a van, there is no information to demonstrate that appropriate sized vehicle could access the single delivery bay being provided for the existing retail units. Furthermore, the applicant has failed to demonstrate the single delivery bay proposed could effectively serve the the existing commercial units. An objection is raised in this regard.

Cycling Parking Provision

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for each dwelling in order to conform to the adopted minimum borough cycle parking standard. A secure and accessible compound has been indicated within the garages with an indicated 2 spaces per unit which is compliant to the standard.

Enhancements to the Private Service Road

It is proposed to provide enhancements to the rear service road in the form of a new shared surface footway for all users of the road with the inclusion of a series of bollard provisions which would encourage pedestrians to traverse some distance away from the 'new' building line for their own safety by allowing clearance from the roller shutter doors provided for each unit. These are proposed to be set at 1.5m away from the new building line to achieve this objective. It is considered more appropriate to reduce this to 1m as it would better achieve the said objective of distancing pedestrians from the building line and provide a wider service road for larger service vehicles with the delivery of additional pedestrian footway width. The other benefit would be that vehicle manoeuvrability into and out of each unit parking area would also be eased. All of the above would clearly be an advantage to all users of the service road. With this adjustment in mind, the remaining road width and the proposed form of shared surface design layout would comply with the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts and as a consequence is considered acceptable.

It is noted that the rear service road is not an ideal environment for a new residential provision in terms of setting. One aspect is the lack of lighting provisions which are recommended in tandem with 'Secured by Design' principles given the added residential vehicular and pedestrian footfall activity the proposal would bring.

Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy (November 2012) 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 rear service yards for the retail premises are currently active and will remain so in conjunction with the proposal. As a result the proposal would clearly increase traffic

generation. However peak period traffic movement into and out of the site would not be expected to exceed 2-3 additional vehicle movements during the peak morning and evening hours. Such potential uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse Requirements

Refuse would be collected from the rear private service road. Indicative refuse bin stores have been depicted within the curtilage of each unit and conform with the Council's waste collection distance standards. However on collection days the garage door openings would need to be open so this can be encouraged via a suitable planning informative.

In conclusion, the application fails to provide an accurate assessment of transportation and parking impacts associated with the proposed development including existing residential car parking, re-provision of existing parking, swept paths showing that proposed parking spaces are accessible, servicing (including refuse collection) and loading/unloading provision. As such the scheme fails to demonstrate that it would not be detrimental to highway and pedestrian safety and free flow of traffic, and that it would have acceptable parking provision, refuse and loading & unloading arrangements contrary to Policies AM7, AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Security

Secured by Design is now covered by Part Q of the Building Regulations which the development will be required to accord with.

7.12 Disabled access

This proposal raises an accessibility concern on the fundamental design. London Plan policy 3.8(c) requires all new residential accommodation to provide a step free approach. An objection is raised as the requirement to provide a step free approach to the principle private entrance could not realistically be achieved with a design of this nature. The proposed design is considered to be contrary to the requirements of London Plan policy 3.8.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are a number of trees on, and close to, the site which contribute to the green infrastructure of the area and have some visual amenity value. There are no TPO's or Conservation Area designations affecting the site. The submission is supported by a tree report by Sharon Hosegood. The report identifies and assesses 14 individual trees and groups, with no 'A' grade trees present. Six trees are category 'B' trees whose condition and value indicate that they should be considered a constraint on development. One of these, T2 sycamore, will be removed to facilitate the development. The other 'B' grade trees are off-site and will be unaffected by the development, although T6, sycamore, and T14, holly, will require some pre-emptive trimming to safeguard them from construction traffic. Of the remaining trees, four 'C' grade trees (T1, T3, T4 and T5) will be removed to facilitate the development. There is no objection to the conclusions of the tree survey or the removal of the trees to facilitate the development - all of whose removal is justified in the report. Regrettably the recommendation (8.5) that a landscape scheme includes a mix of native trees is invalidated by the conclusion (7.3) that there will be no space will be available for replacement trees planting. A method statement will be required to demonstrate how the site will be managed (for example: storage, site huts, access for

plant) without damaging the remaining trees. The arboricultural consultant should be retained to monitor and supervise work at all critical stages where trees may be vulnerable to site operations.

No objection subject to a pre-commencement condition to detail the construction management of the site in the interests of tree protection and arboricultural supervision. Due to the inevitable loss of trees and the lack of opportunity to replace on site, a S.106 contribution should be made towards tree planting by the Council's Green Space tree planting programme.

7.15 Sustainable waste management

Refuse collection will be from the service road. A specific bin store location is depicted on plan and its positioning is considered acceptable. However no details have been provided as to how this area would manage or be serviced particularly in relation to refuse collection. An objection is raised in this regard.

7.16 Renewable energy / Sustainability

The proposal would be required to achieve appropriate standards of sustainable design and reduce water consumption in accordance with policies contained within section 5 of the London Plan. This matter could be dealt with by way of appropriate conditions.

7.17 Flooding or Drainage Issues

The site is not within a flood zone. However a sustainable water management condition is recommended if the application is approved.

7.18 Noise or Air Quality Issues

It is considered that the proposal would not give rise to any additional noise or air quality issues of concern.

7.19 Comments on Public Consultations

No further comments with regards to public consultation.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

There are no enforcement issues on this site.

7.22 Other Issues

CIL.

The scheme would be CIL liable.

Presently calculated the amounts would be as follows;

LBH CIL £35,380.89

London Mayoral CIL £13,853.41

Total CIL £49,234.30

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 development is considered to conflict with national, regional and local policies and is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan (November 2012)

London Plan (2016)

National Planning Policy Framework

HDAS: Residential Layouts

Supplementary Planning Guidance - Community Safety by Design

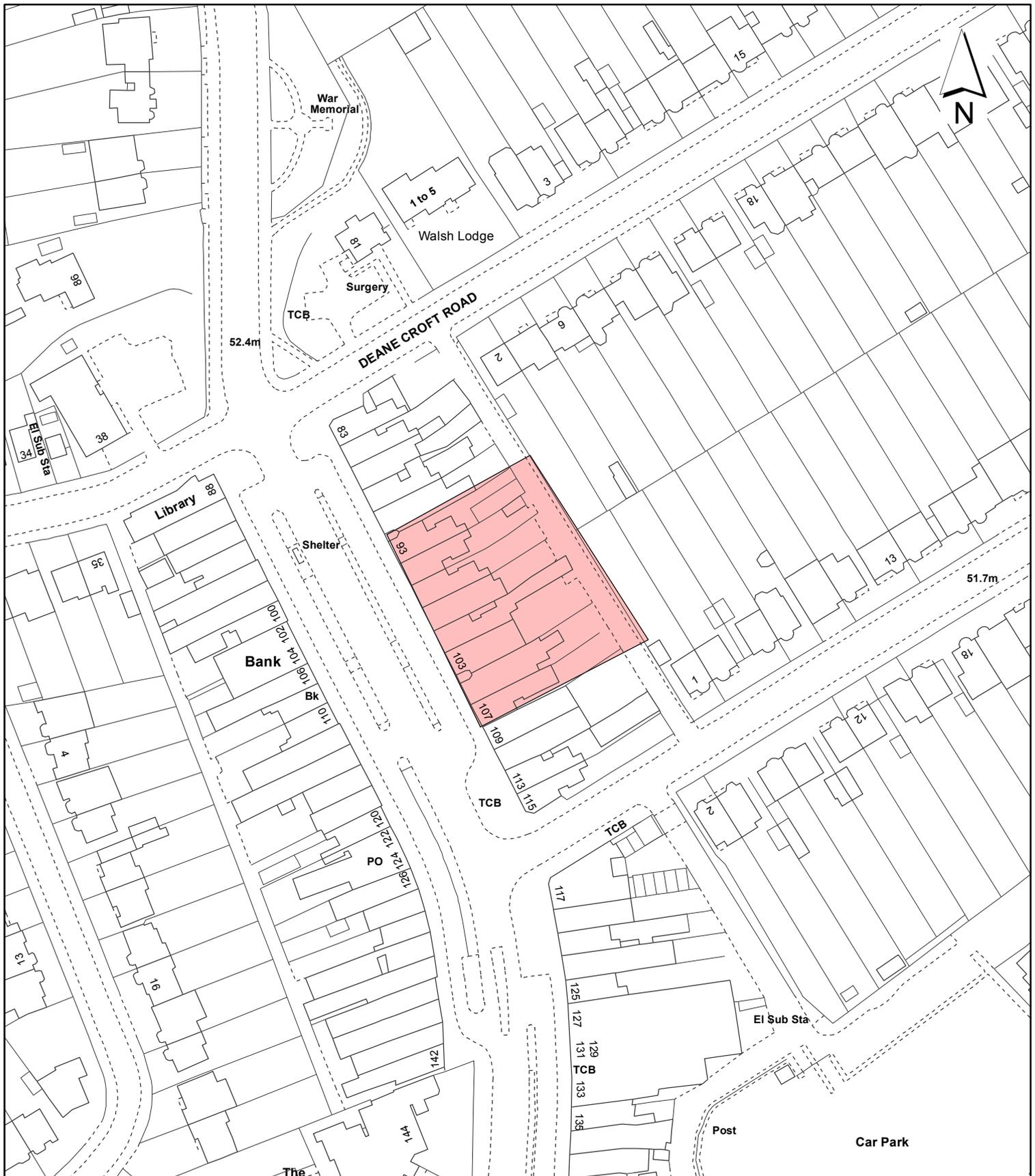
Supplementary Planning Guidance - Noise

Supplementary Planning Guidance - Air Quality

HDAS: Accessible Hillingdon

Contact Officer: Mandeep Chaggar

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
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Site Address:

**Land Rear of 93-107 Field End Road
 Eastcote**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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

Planning Application Ref:

73453/APP/2018/2876

Scale:

1:1,250

Planning Committee:

North

Date:

November 2018



HILLINGDON
 LONDON