

Report of the Head of Planning, Transportation and Regeneration

Address 37 BIRCHWAY HAYES

Development: Conversion of two storey dwelling into 3 x self contained studio flats, porch to front, single storey outbuilding to rear for use as a communal workspace, associated amenity space, cycle and bin storage (Part retrospective)

LBH Ref Nos: 61976/APP/2018/3935

Drawing Nos: Proposed Elevations Drawings V5
Existing and Proposed First and Second Floor Plans Drawings V5
Existing and Proposed Ground Floor Plan Drawings V5
Outbuilding Elevations Drawings V5
Supporting Photographs
Location Plan (1:1250)
Design and Access Statement
Existing Elevations

Date Plans Received: 07/11/2018 **Date(s) of Amendment(s):** 07/11/2018

Date Application Valid: 13/11/2018

1. SUMMARY

The application seeks planning permission for the conversion of the two storey dwelling into 3 self contained studio flats, porch to front, single storey outbuilding to rear for use as a communal workspace, associated amenity space, cycle and bin storage (Part retrospective).

The porch to front was constructed and remained in-situ for approximately ten years and subsequently would be immune from enforcement action, nevertheless given the presence of a similar porch to the attached semi, would not be out of keeping with the neighbouring development. The outbuilding would be sited at the bottom of the rear garden and would measure 4.5 m x 5.5 m and would have a flat roof with a maximum height of 2.5 m.

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 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)

3 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 labelled Proposed Elevations Drawings V5, Existing and Proposed Ground Floor Plan Drawings V5, Existing and Proposed First Floor and Second Floor Plans Drawings V5 and Outbuilding Elevations Drawings V5.

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).

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 35 and 39 Birchway.

REASON

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

5 RPD13 Restrictions on outbuildings

The outbuilding hereby approved shall only be used for the purpose(s) stated on the application form and approved drawings and shall not be used for purposes such as a living room, bedroom, kitchen, study, as a separate unit of accommodation or for any business purposes.

REASON

To avoid any future fragmentation of the curtilage or the creation of a separate residential or business use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13, BE15, BE19, BE20 and BE21 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.

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.
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.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
H7	Conversion of residential properties into a number of units
OE1	Protection of the character and amenities of surrounding properties and the local area
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
LPP 3.8	(2016) Housing Choice
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

3 159 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.

4 147 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 12 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, 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 site comprises of a two storey semi-detached dwelling situated on the North side of Birchway, Hayes. The property is constructed from brick, is characterised with a hip-end roof and is set back to accommodate a front garden consisting of part hard and part soft landscaping for off street parking for up to 2 cars. The property benefits from a front porch extension, a single storey rear extension and a spacious rear garden.

The surrounding area is residential in character and although Birchway is predominantly made up of two storey semi-detached dwellings, terraced blocks and flats can be found within the surrounding area.

3.2 Proposed Scheme

The application seeks planning permission for the conversion of two storey dwelling into 3 self contained studio flats, porch to front, single storey outbuilding to rear for use as a communal workspace, associated amenity space, cycle and bin storage (Part retrospective).

The 3 self contained flats would be split over two floors and would each benefit from an open plan bedroom/living area, a kitchen and bathroom. The front porch measures 1.3 m in depth, extends the entire width of the front wall and is characterised with a mono-pitch roof with a maximum height of 3 m. The outbuilding would measure 4.5 m x 5.5 m, would have a 2.5 m high flat roof and would be situated at the bottom of the rear garden.

3.3 Relevant Planning History

61976/APP/2014/915 37 Birchway Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the origin house by 6 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres

Decision: 25-04-2014 PRN

61976/APP/2018/2878 37 Birchway Hayes

Conversion of two storey dwelling into 3 x self contained studio flats, porch to front, single storey outbuilding to rear for use as a communal workspace, associated amenity space, cycle and bin storage (Part retrospective)

Decision: 22-10-2018 Refused

Comment on Relevant Planning History

61976/APP/2018/2878: Conversion of two storey dwelling into 3 x self contained studio flats, porch to front, single storey outbuilding to rear for use as a communal workspace, associated amenity space, cycle and bin storage (Part retrospective) - Refused.

1. 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. The proposal would provide an indoor living area of an unsatisfactory size and quality for the future occupiers of Flats A and C and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy 3.5 and Table 3.3 of the London Plan (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).

The current application would provide a total of 3 off street car parking spaces within the frontage and Flats A and C would benefit from a shower room as opposed to a bathroom, and therefore the reduced internal floor area is considered sufficient to ensure a reasonable level of living accommodation for its future occupants. The application is therefore recommended for approval.

61976/APP/2014/915PAH: Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3 metres, and for which the height of the eaves would be 3 metres - Prior Approval not Required.

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:

- 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.
- 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.
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- H7 Conversion of residential properties into a number of units
- OE1 Protection of the character and amenities of surrounding properties and the local area
- 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
- LPP 3.8 (2016) Housing Choice
- 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

A total of 16 adjoining and nearby neighbouring properties including the Hayes Garden Village Residents Association were consulted via letter dated 15.11.18. A site notice was also displayed on 19.11.18.

Four letters of representations received which are summarised as follows:

- i. This is a family residential street,
- ii. Would exacerbate the existing parking issues on the street,
- iii. Flats not in keeping with the street scene, setting a precedent for others to do similar conversions,
- iv. Outbuilding could be occupied as a separate dwelling in the future,
- v. Insufficient indoor living area,
- vi. Insufficient amenity area,
- vii. Impact property prices,
- viii. Building works could take as long as the existing works.

Representations relating to conversion of flats, the character and impact of the street scene, residential amenities and parking will be addressed within the main body of the report. Matters such as structural integrity, fire hazards, loss of property value and rat infestations are not material planning considerations.

Internal Consultees

Trees and Landscape: There are no tree or landscape constraints affecting the site. No objections subject to condition.

Access Officer: No comments to make.

Highways Officer consulted under previous application ref: 61976/APP/2018/2878 stated:

With regard to highway impacts, to accord with Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) it is required that this proposal provide 3 parking spaces. It is apparent from the submitted information that only 2 parking spaces are proposed, resulting in the shortfall of 1 space.

Given that the proposal will result in 3 individual occupants, I would require an additional parking space (3 spaces) to be accommodated for. This is further necessitated with the site acquiring a PTAL rating of 2, which is deemed poor.

Cycle parking is to accord with the London Plan minimum standards for 3 secure and covered spaces. If approval is likely, this should be conditioned.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. The proposed site is located within the developed area as identified in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012). The Supplementary Planning Document (SPD) HDAS: Residential Layouts, at paragraph 3.5 states that the conversion of single dwellings into more dwellings can enable more effective use of sites to be achieved. However this type of development must seek to enhance the local character of the area. The conversion of houses into flats is unlikely to achieve a satisfactory environment where properties have a floorspace of less than 120 sq m. The redevelopment of more than 10% of properties on a residential street is unlikely to be acceptable, including the houses which have been converted into flats or other forms of housing.

The above document in conjunction with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), seeks to protect the impacts of flatted development on the character and amenity of established residential areas. Birchway comprises of a long and narrow close comprising of

approximately 130 dwellings with no previous history of house to flat conversions. The proposed conversion would therefore be well under the 10% threshold. Furthermore No. 37 has a floor area of 124 square metres and therefore can provide a satisfactory living environment for its occupiers. The principle of the conversion is therefore acceptable.

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.

7.07 Impact on the character & appearance of the area

Policy BE15 of the Hillingdon Local Plan Part two (Saved UDP Policies) requires alterations and extensions to existing buildings to harmonise with the scale, form and architectural composition of the original building. Policy BE13 requires the layout and appearance of extensions to harmonise with the existing street scene and Policy BE19 ensures any new development complements or improves the amenity and character of the area.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) or HDAS, contains design guidance (below) for all types of extensions.

Paragraph 8 states porches should be designed to appear subordinate in scale and form. Front extensions that extend across the entire frontage will normally be refused. In this case the proposed porch although comprises of a modest depth and height it extends across the entire frontage contrary to the Hillingdon SPD, however as it reflects a similar extension as the attached semi, it ensures a sense of balance across the frontage of the semi-detached pair. Furthermore given its presence for a period in excess of ten years, would be immune from enforcement action.

The outbuilding would be sited at the bottom of the rear garden and would have a low level flat roof with a maximum height of 2.5 m and would have an internal floor area of approximately 20 square metres. The outbuilding spans approximately half of the width of the rear garden in addition to being positioned against the rear boundary wall to retain a large area of the rear garden. The outbuilding would be visible from the adjacent Bourton Close to the rear, however given its limited height of 2.5 m and the boundary treatment in the form of a 2 m high fence, would remain largely obscured and would not appear unduly prominent from the public domain. Subsequently, it is considered that the size and use of the outbuilding is incidental to, and subordinate to the main dwelling house. Although a number of objections states that the outbuilding would be used as a bedroom there is no evidence to suggest that would be the case, and a condition would be imposed to limit the use following any approval.

The proposal is therefore considered to comply with the objectives set out in Policies BE13, BE15 and BE19 of The Hillingdon Local Plan:Part Two - Saved UDP Policies (November 2012) and the HDAS Supplementary Planning Document.

7.08 Impact on neighbours

Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their

siting, bulk and proximity would not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

The property would remain as providing a total of 3 bedrooms. It is considered that the number of residents within the self contained flats would be similar to a single family and therefore there should be no greater impact on neighbouring occupiers than what would reasonably be expected from a family of a similar size. Thus, it is considered that the conversion of the dwelling would not have an undue impact on existing residential amenity.

The proposed outbuilding would comprise of a single storey composition, would have a low level height and would be situated a satisfactory distance from the rear wall of the adjoining neighbours. As such by reason of its size, scale and design, the outbuilding is considered not to result in an adverse impact upon the residential amenities and light levels of the adjoining and nearby properties. Additionally the windows and door would face the host dwelling and its private amenity area which overcome the issues of overlooking and loss of privacy.

The front porch, given its low level height and modest protrusion beyond the neighbouring front window of No. 39, and its separation gap with the adjoining neighbour to the West at No. 35 is considered not to result in an adverse impact upon the residential amenities and light levels of the adjoining neighbours.

The proposal would therefore comply with Policies OE1, BE20, BE21 and BE24 of the Hillingdon Local Plan Part Two: Saved UDP Policies.

7.09 Living conditions for future occupiers

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 Housing Standards Minor Alterations to the London Plan March 2016 requires a single storey 1 bed dwelling for 1 person should benefit from a gross internal floor area of 39 square metres. Where a one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39 square metres to 37 square metres.

The proposed layout has an internal floor area for flat A at ground floor level (1 bed 1 person) of 37 square metres. The proposed floor plan shows an open plan bedroom/living area, a kitchen and a shower room.

Flat B also at ground floor level (1 bed 1 person) would have an internal floor area of 43 square metres. This similarly would benefit from an open plan bedroom/living area, a kitchen and bathroom. at 43 square metres, this would exceed the minimum standard for a 1 bed 1 person dwelling.

Flat C at first floor level (1 bed 1 person) would have an internal floor area of 37 square metres. Similarly as Flat A, given it would benefit from a shower room, would comply with the minimum standards for a 1 person 1 bed dwelling.

The proposal would therefore be in accordance with Policy 3.5 of the London Plan 2015.

The main living areas would have an adequate outlook and source of natural light. Therefore it is considered that the proposal complies with the SPD: Residential Layouts:

Section 4.9 and 4.12.

Policy BE23 requires amenity space provision commensurate with the size of the dwelling proposed. A studio or 1 bed flat would require a minimum of 20 square metres of private usable amenity space. Flats A and B would each benefit from 27 square metres including a patio area and Flat C, 28 square metres. The rear gardens will be subdivided with the use of 1.8 m high feather board fence panels to maintain a sense of privacy for each flat. The provision of amenity space for each unit would, thus comply with Policy BE23.

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 proposed development seeks to convert a two storey single family dwelling into 3 self contained flats. The Council's adopted Car Parking Standard seeks a maximum of 1.5 spaces per flat. The application site has a PTAL of 2 (poor) which suggest there will be a strong reliance on private car trips to and from the site. The Council's Highway Officer under the previous application ref: 61976/APP/2018/2878 stated that only 2 spaces were provided for, resulting in a shortfall of one space. Given the proposal would result in 3 individual occupants, an additional space be accommodated for. This is further necessitated with the site acquiring a PTAL level of 2 (poor).

The family dwelling is able to accommodate three spaces situated parallel to one another within the frontage with sufficient space for the entrance. Along Birchway a high level of parking stress was evident from the site inspection and further reinforced by the neighbour representations. The current proposal demonstrates an alteration to the current car parking layout, with three car parking spaces to be provided on the frontage, one for each occupant. It is therefore considered the proposal would continue to accord with Policy AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and to the Hillingdon's Adopted Parking Standards.

Cycle storage is proposed within the detached outbuilding to the rear in addition to bin spaces within the respective private gardens.

7.11 Urban design, access and security

Not applicable to this application.

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

Policy BE38 of the Local Plan seeks to retain and utilise topographical and landscape features of merit and the provision of new landscaping and planing wherever possible.

There are no trees or landscape constraints affecting the site. No objections raised by Tree Officer.

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 within External Consultee section.

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 application is liable for the Community Infrastructure Levy which equates to £3,491.79.

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

Planning Permission is sought for the conversion of a two storey dwelling into 3 self contained studio flats.

The proposal involves the retention of the porch to front and construction of a detached outbuilding at the bottom of the rear garden.

The proposal is not considered to have a greater impact upon the adjoining neighbours and character of the original property and street scene than the existing use and with sufficient off road car parking and amenity area, the application is considered acceptable.

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 (November 2012)

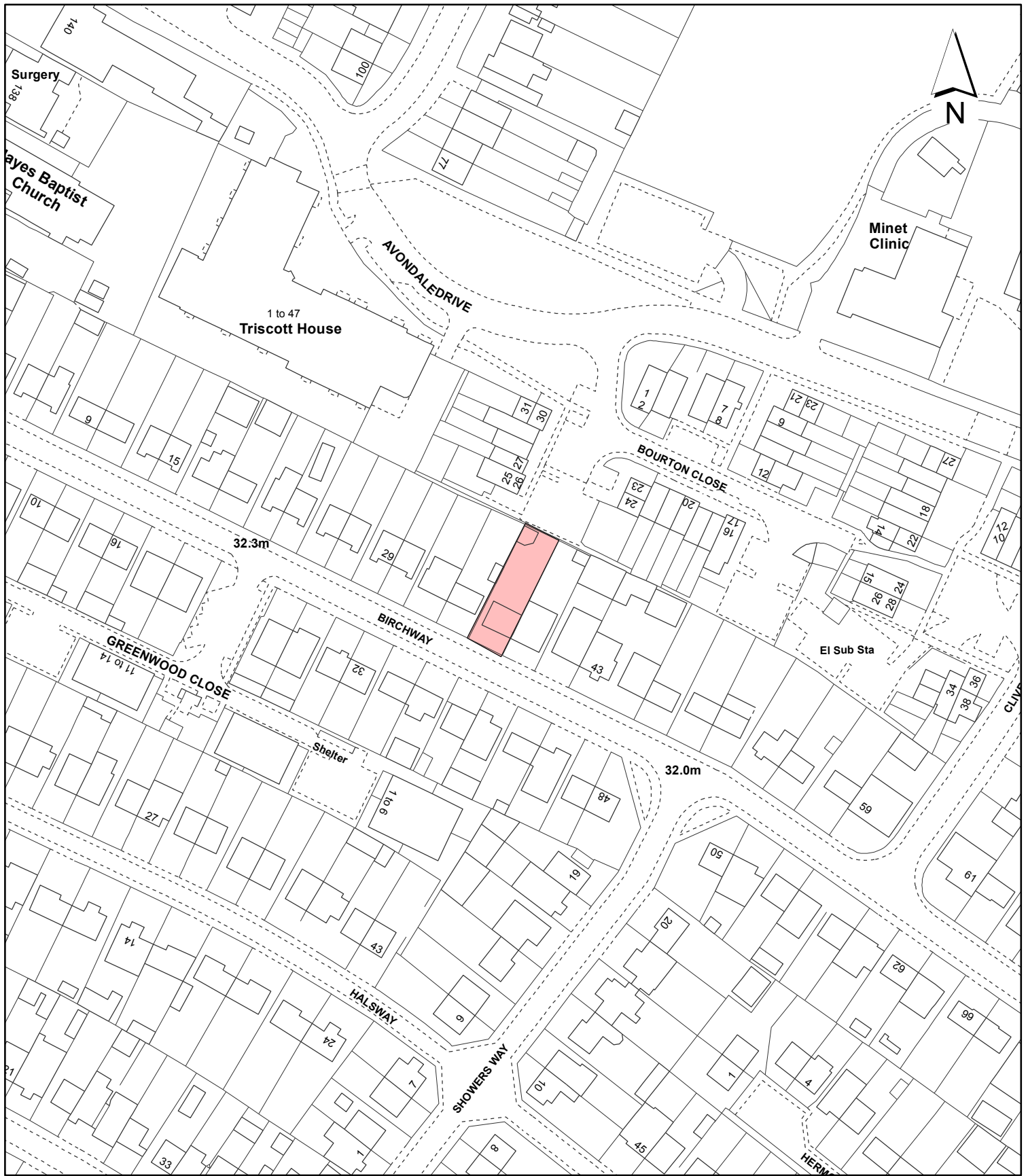
Hillingdon Design and Accessibility Statement: Residential Layouts

Hillingdon Design and Accessibility Statement: Accessible Hillingdon

National Planning Policy Framework

Contact Officer: Naim Poptani

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**37 Birchway
 Hayes**

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

Planning Application Ref:
61976/APP/2018/3935

Scale:
1:1,250

Planning Committee:
Central & South

Date:
February 2019

