

## Report of the Head of Planning, Transportation and Regeneration

**Address** LAND REAR OF 65-75 WORCESTER ROAD COWLEY

**Development:** Demolition of garages and the erection of 4 x 3 bedroom dwellinghouses with associated parking and landscaping

**LBH Ref Nos:** 73918/APP/2018/3038

**Drawing Nos:** 527/P/03 Rev. A  
527/P/04 Rev. A  
527/P/05 Rev. A  
527/P/06 Rev. A  
527/P/07 Rev. A  
527/P/08 Rev. A  
527/P/09 Rev. A  
527/P/10 Received 02-01-2019  
AAL-18-253-SK7  
Design and Access Statement  
527/P/01  
527/P/02  
527/P/011  
AAL-18-253-P01  
Phase I and II Geo-Environmental Risk Assessment  
Arboricultural Method Statement

**Date Plans Received:** 09/08/2018                      **Date(s) of Amendment(s):** 26/10/2018  
**Date Application Valid:** 09/08/2018                      29/08/2018

### DEFERRED ON 21st November 2018 FOR SITE VISIT .

This application was deferred at the Central and South Planning Committee meeting on 21 November 2018 to allow for a site visit. Members also sought clarification on the distance between the proposed development and habitable rooms of neighbouring properties and proposed refuse and waste collection arrangements.

#### Amenity

It should be noted that the neighbouring properties have not been visited, however the applicant has provided amended plans and photographs following the committee meeting that provide clarification on the distance between the proposed dwellings and neighbouring properties.

Plan ref: 527/P/03 Rev. A illustrates that the distance between the southern flank elevation of the proposed dwelling and the nearest habitable room at No. 69 Worcester Road would be 16m and the distance between the nearest habitable room at No. 71 Worcester Road would be 15.58m. On plan form, though it looks as though there are outriggers at Nos 71 and 73 Worcester Road, these are in fact storage rooms as shown on photographs from the site. There is a small conservatory at No 69 Worcester Road, however there would be 18m between the conservatory and the proposed development. Overall, whilst there is an increase in height on part of the site, it is limited and the heights are similar to those within the vicinity of the development site. The proposal is thus considered to comply in full with Paragraph 4.9 of the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

## Refuse Storage and Waste Collection

The Waste Management Officer was re-consulted following the deferral and clarification was sought on refuse storage and waste collection. The plans were reviewed by the Household Waste & Recycling Manager and two supervisors. No concerns were raised. It was noted that adequate storage has been provided outside of each individual property. Worcester Road is on a weekly sack collection, residents would present their sacks on the boundary of the access road, but not on the pavement, on collection day. The crew already collect waste and recycling from the neighbouring properties in the same manner.

Once collections begin, if there are problems with collecting the waste, there are smaller vans which could access the properties directly to carry out collections. Plan ref: AAL-18-253-SK7 illustrates a weekly bin collection point can be provided close to the entrance of the site to facilitate easy waste collection. The distance between designated bin storage and the collection point is approximately 10m. It is considered the waste collection is appropriate and acceptable.

For the reasons set out within this report, this application is recommended for approval.

### 1. **SUMMARY**

The application seeks planning consent for the demolition of existing garages and the erection of 4 x 3 bedroom houses with landscaping and car parking.

The existing garages are underused or vacant and the proposal seeks to redevelop the site with a size and scale of development which is characteristic of the surrounding area. The development provides adequate car parking and external amenity space. Whilst the proposal is greater in height than the existing garages, its footprint is limited and it would not be detrimental to the adjoining area of special local character or the amenity of neighbouring residents. It is therefore recommended that this application is approved subject to appropriate conditions.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### **1 RES3 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 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans numbers 527/P/01 527/P/02, 527/P/03 Rev A, 527/P/04 Rev A, 527/P/05 Rev A, 527/P/06 Rev A, 527/P/07 Rev A, 527/P/08 Rev A, 527/P/09 Rev A, 527/P/10, 527/P/011, AAL-18-253-P01 and AAL-18-253-SK7 and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**3 RES5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Arboricultural Method Statement  
Design and Access Statement  
Phase I and II Geo-Environmental Risk Assessment

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

To ensure that the development complies with the objectives of Policies 2. Specify

**4 RES6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 RES7 Materials (Submission)**

No development above damp proof course level shall take place until details of all materials and external surfaces, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**6 RES9 Landscaping (including refuse/cycle storage)**

Prior to works above damp course proof level, details of a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage (to be covered and secure) including a management plan

2.b Parking to provide 8 spaces including 1 disabled parking space, demonstrate that parking spaces are served by 1 active electric vehicle charging point and 1 passive

electric vehicle charging point and 1 motorcycle/scooter parking space

2.c Hard Surfacing Materials (permeable paving)

2.d Means of enclosure/boundary treatments

2.e External Lighting

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the approved details shall be implemented prior to first occupation of the flats in full accordance with the approved details and shall be retained thereafter.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies 5.8 (Innovative energy Technologies), 6.13 (Parking) and 5.17 (refuse storage) of the London Plan (2016).

#### **7 RES13 Obscure Glazing**

The windows facing 65-75 Worcester Road, 50-54 Clammas Way and 2 Clayton Way shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

#### **8 RES14 Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **9 RES15 Sustainable Water Management**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan (2016) and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON:**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.12.

**10 RES22 Parking Allocation**

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the lifetime of the development.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2016).

**11 RES24 Secured by Design**

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

**12 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with

any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

**REASON:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**13 RES18 Accessible Units**

The dwellings hereby permitted are required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

**REASON:** To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

**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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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.
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
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 6.10	(2016) Walking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

### **3            I2                    Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

### **4            I5                    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.

**5            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.

**6            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](http://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.

**7            148                    Refuse/Storage Areas**

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

**8            160                    Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to



consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp))

## 9

You are advised that no doors or gates should be installed which open out of the public highways as these may contravene The Highways Act 1980 (as amended).

## 10 123 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

## 11

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

## 12

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 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is situated on the northern side of Worcester Road and comprises 35 single storey garages. Of the 35 garages, 10 garages were commercially let and a further 14 were used for housing storage. Most of the garages are in poor condition with damp problems, vegetation growing over the corrugated asbestos cement roofs and several have the old wooden doors that are beyond their useful life. There is a history of fly tipping, vandalism and anti social behaviour on this site.

The site benefits from access (approximately 3.2m width) off Worcester Road. The surrounding area is residential in character and appearance comprising mainly semi-detached and terraced two storey properties.

The site does not lie within a conservation area nor are there listed buildings within the vicinity of the application site. The application site is located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### 3.2 Proposed Scheme

The proposal seeks planning consent for the demolition of the existing garages and the construction of 4 x 3 bedroom houses with associated amenity space, car parking and landscaping.

Each dwelling is proposed to be provided with an east facing rear garden of approximately 100 sqm and 2 dedicated car parking spaces for each of the new dwellings.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

## **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
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- 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.
- 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
- H5 Dwellings suitable for large families
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 6.10	(2016) Walking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

The application was consulted on between 06-09-18 and 27-09-18. 19 objections were received from neighbouring residents including one objection from a ward councillor. The comments can be summarised as follows:

- concerns relating to building works, including details relating to vehicles, materials and portals;
- concerns relating to the removal of asbestos;
- concerns construction would impact party wall;
- objection to the side windows;
- concerns relating to car parking;
- concerns relating to overlooking into neighbouring properties;
- concerns relating to external lighting and its impact on the amenity of neighbouring occupiers;
- concerns relating to security and access;
- concerns relating to dust, noise and vibration during the construction period;
- concerns that the proposal will result in power loss to neighbouring buildings as the electricity will not cope;
- the proposal will impact the adjacent Orchard Drive and Hamilton Road Area of Special Local Character;
- concerns that the proposal would have an impact on bats and local wildlife and an ecology review does not form part of this application;
- the access is not adequate for construction vehicles;
- concerns relating to air quality and pollution;
- concerns relating to the overbearing impact of the proposal;
- concerns relating to the loss of trees surrounding the site;

- the scale, orientation and design is at odds with the surrounding area;
- unclear how retaining walls are going to be addressed;
- the proposal is an incongruous and intrusive form of development impacting the outlook of the housing backing onto the development (Worcester road, Clammas way, Clayton way, Hamilton road);
- the proposal does not respect family life;
- three storey developments in this location would be totally out of scale and would be detrimental to surrounding residents in cutting out light reaching their homes and gardens;
- fire engines cannot access the site in an emergency;
- the proposal would result in a development with a cramped layout;

#### Historic England

No need to be notified of these works.

#### Officer comments:

- The design, size, scale and impact of the development on the character of the area and the adjoining occupiers is considered in the relevant sections of the report.
- a condition is secured requiring a construction management plan prior to the commencement of development;
- the applicant is required to ensure the development complies with the Control of Asbestos Regulations (2012), it is not a matter that can be regulated through the Town and Country Planning Act (1990)
- on matters relating to boundaries shared with neighbouring residents, the applicant is required to ensure the development complies with the Party Wall Act 1990, it is not a matter that can be regulated through the Town and Country Planning Act (1990)
- all side windows are proposed to be obscure glazed;
- details of external lighting have been sought by way of a condition;
- The applicant has confirmed that they have been in touch with SSE with regards to the relocation of the substation. SSE have said they will not engage further on this matter until planning consent has been granted. Once planning permission is granted, this will be dealt with appropriately by SSE.

#### **Internal Consultees**

##### Waste Strategy

Suitable for waste and recycling requirements.

##### Sustainable Water Management (Summary)

- All hard landscaping should be permeable;
- Details of external landscaping is required prior to commencement by way of a condition to ensure drainage is integrated into landscaping.
- A pre commencement condition is required securing details of sustainable water management.

##### Trees and Landscaping

##### Original Comments

This site is occupied by 35 lock-up garages and a substation accessed from Worcester Road. The site comprises a backland area between the rear gardens of Worcester Road and Clammas Way. According to the aerial photographs there are some large trees along the rear boundary of Clammas Way, part of which is designated as an Area of Specialise Local Character. The trees appear to oversail the site and will influence, or be affected by, any future development.

No tree survey has been submitted and none of the trees have been indicated on any plan. According to the response to the planning questionnaire (Q15) there may be trees within the site. The proposed layout plan shows no trees or other landscaping which should form, part of the masterplan. The submission includes a very crude looking bike store. All bike stores (and bin stores) should be discreetly and securely located, preferably in the private gardens to the rear.

This application should be refused. In the absence of a topographic or tree survey there is no evidence that the the proximity of trees has been taken into account or that the trees will be unaffected by the proposed layout.

#### Revised Comments

Further to my comments of 19 September, I refer to the submission of the tree report, prepared by Arbtech, dated 12 October 2018.

The report has identified and assessed the condition and value of seven individual trees and a group which are on, or close to, the site. There are no 'A' grade trees. Three of the trees are 'B' grade, worthy of retention, which are all off-site along the east boundary: T2, T3 and T4.

The development will have no direct impact on these trees although they will require protective measures throughout the demolition and construction programme.

The only trees within the site are the three individual specimens and a group close to the north boundary. These are 'C' grade trees (not normally considered to be a constraint on development). One (T6) is 'U' grade which should be removed in the interests of good management. These tree will be removed to facilitate the development.

There is no objection to the conclusions of the tree report. This is a comprehensive report that includes a Tree Constraints Plan, an Arb Impact Assessment, an Arb Method Statement and a Tree Protection Plan. At pp. 27 and 28 the need for a Construction and Management Plan is identified and it is confirmed that arboricultural supervision will take place to monitor the tree protection measures.

If the application is approved a comprehensive landscape scheme will be required which includes the provision of new/replacement trees.

RECOMMENDATION: No objection subject to post-commencement conditions RES9, parts 1, 2, 4, and 5).

#### Ecology Officer:

Further to the comments raised by neighbouring residents, the ecology officer has requested a scoping bat survey. It is understood that this is currently underway and the findings of this survey will be reported to committee in an addendum report.

#### Highways Comments:

Proposals seek consent for the relocation of an electric substation as well as the demolition of an existing garage block comprising 35 garages in order to construct 4 x 3-bed dwelling houses with associated parking and landscaping. Having assessed the submitted information, I have the following observations.

The site previously provided garages to cater for the residential parking demand in the local area, due the lack of demand, the garages have since been decommissioned.

It is expected that the number of traffic movements generated as part of this scheme will be lower when compared to that historically associated with the site. On this basis there are no concerns with the change of use of the existing access.

The site has 'very poor' access to public transport with a PTAL rating of 1B. It is therefore likely that an emphasis will be placed on the private car.

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the proposal provide 8 parking spaces which has been provided for.

In accordance with the London Plan minimum standards, 8 secure and covered cycle parking spaces are required. Given the layout of each property, this can be accommodated on site. Details of refuse storage and management plan is required by way of a condition.

There are no objections to this proposal with regard to highway safety matters.

#### Sustainable Water Management

The site provides no detail of the landscaping and external works to the site, this is critical to ensure the appropriate integrated drainage and landscaping design. All hardsurfacing areas should be permeable and the new homes directed to soakaways, the applicant is required to provide suitable plans to demonstrate this in order to discharge the recommended condition.

Officer comment: The applicant has agreed to a pre-commencement condition to provide this.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy 3.4 of the London Plan (2016) seeks to ensure that new development 'takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.'

The site lies within an established residential area where there would be no in principle objection to the a residential use of the site, subject to all other material planning considerations being acceptable.

### **7.02 Density of the proposed development**

London Plan (2016) Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan (2016) Chapter 7 and public transport capacity. Table 3.2 provides the density matrix in support of this policy. The site has a 'suburban' setting with a low PTAL rating of 1b. The density matrix therefore suggests a residential density in the region of 150-200 habitable rooms per hectare for this location. It is considered that though the proposal provides slightly less habitable rooms than expected within the London Plan (133 hrph), given the constraints of the site, this development is considered to provide an appropriate level of accommodation for this suburban setting.

#### UNIT MIX

London Plan Policy 3.8 and the Mayor's Housing SPG expect new developments offer a range of housing choices, in terms of the mix of housing sizes and types. The most recent Strategic Housing Market Assessment (2016) demonstrates there is a great need for family housing that provide 3 bedrooms. This application is considered to deliver an appropriate

mix of units within this suburban location for which there is an identified need and as such this is a material consideration that weighs in favour of this application.

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

See 'Impact on the character & appearance of the area' section.

**7.04 Airport safeguarding**

Not applicable to this development.

**7.05 Impact on the green belt**

Not applicable to this development.

**7.07 Impact on the character & appearance of the area**

Policy BE13 of the Hillingdon Local Plan: Part Two (November 2012) states that new 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 (November 2012) seeks to ensure that development within existing residential areas complements or improves the amenity and character of the area.

The Orchard Drive, Hamilton Road, Clayton Way Area of Special Local Character (ASLC) is situated on the north eastern boundary of the site. The proposal seeks to provide 2-storey terraced houses with habitable accommodation within the roof space. It is considered the overall scale and massing of the proposal would not impact unduly on the area of special local character.

It is acknowledged that the proposed dwellings could potentially be glimpsed from the gaps between buildings on Clammas Way for this reason, details of the proposed brick, bonding and roof materials is required to be submitted to ensure the proposal does not harm the setting of the adjacent Orchard Drive, Hamilton Road, Clayton Way ASLC.

The proposed dwellings at 2.5 storeys are of a similar height to the existing properties surrounding and are thus considered to be of an appropriate scale that would not appear out of keeping with the dwellings on either Clammas Way or Worcester Road. It is considered to contribute to a positive relationship between it and the natural underlying landform and topography. It would sit comfortably within this context.

The proposed design includes appropriate brickwork which is broken up with the use of some render and timber cladding brickwork. The proposed materials complement the local architectural character of the area, replicating details found on Clammas Way and Worcester Road.

Boundary treatment including paving and landscaping into the site is secured by way of a condition to ensure the proposal provides an attractive, convenient and safe access to the site for its future residents and minimises opportunities for anti-social behaviour.

**7.08 Impact on neighbours**

Policy BE21 requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15 metres is required, although this distance will be dependent on the extent and bulk of the buildings. The Council's HDAS further provides guidance in respect of privacy, in particular, that the distance between habitable room windows should not be less than 21 metres. In this regard, the proposed unit windows are separated from other dwelling windows by more than 21 metres, which is consistent with the Council's

Supplementary Planning Guidance.

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

The existing dwellings on Clammas Way and Worcester Road enjoy a north south aspect. The proposed dwellings are proposed to be orientated to provides its occupiers an east west aspect. The closest facing window on Hamilton Road is proposed to be some 50 m away and as such the proposal is unlikely to result in overlooking into neighbouring dwellings. The side facing windows are proposed to be obscurely glazed and non openable above 1.7m to prevent overlooking into neighbouring properties on Worcester Road and Clammas Way.

With regards to overshadowing, the nearest dwellings situated on Worcester Road and Clammas Way. The existing garages currently exists and are upto 3.5m high. They run along the boundary on either side, whilst there is proposed to be an increase in height, this has been designed to be set away from the neighbouring properties. The new dwellings are proposed to be set away from the main living areas of existing residential dwellings by 15m. On this basis, it is considered that overall, the proposal will not have a detrimental impact on the amenity of neighbouring residents.

## **7.09 Living conditions for future occupiers**

### **UNIT SIZES**

The London Plan (2016) sets out minimum sizes for various sized residential units. The applicant submitted plans with all unit sizes meeting the minimum floor space standards as set out above. The scheme accords with the London Plan (2016) minimum standard and is therefore considered acceptable.

### **INTERNAL LAYOUT AND ACCOMMODATION**

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

Each dwelling comprises approximately 98 sqm of internal floorspace, the layout of each unit is generous.

### **EXTERNAL LAYOUT**

Policy BE23 of the Local Plan:Part Two (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, requires 3 bedroom houses to provide at least 60 sqm of amenity space. The proposal provide between 81 and 139 sqm of private external amenity space



for each dwelling which accords with Policy BE23 and the SPD requirement.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) are concerned with traffic generation, road capacity, onsite parking and access to public transport. In particular AM7 (ii) advises that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The proposal seeks to utilise existing access of Worcester Road which measures 3.2m. The Highways Officer has reviewed the proposal and raises no objections in terms of the traffic impact and pedestrian safety. Overall, the proposal is likely to result in fewer trips as a result of this development and therefore reduce pressure on the local highway network.

The car parking provision is proposed to provide 2 car parking for each new dwelling. The highways officer has raised no objection to this application. The proposal would not result in harm to pedestrian movement or highways safety.

#### **7.11 Urban design, access and security**

Main issues relating to design and access have been addressed elsewhere in the report. A condition is secured requiring the applicant to achieve secured by design certification given that it is known this site has been subject to anti-social behaviour in the past.

#### **7.12 Disabled access**

Policy 3.8(c) of the London Plan (2016) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

The Access Officer has commented on this application requesting a planning condition is secured requiring the dwellings to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2015).

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this development.

#### **7.14 Trees, landscaping and Ecology**

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The site is considered to be of low ecological value, with minimal potential to support protected, priority or rare species, or with significant abundance of common or widespread species, and with no UK priority habitats present.

The Council's Trees and Landscape Officer has raised no concerns regarding the landscape layout within the development site itself, however has requested a condition is secured requesting further details of replacement tree planting.

It is also recommended that a construction management plan is secured which confirm there are provisions in place for arboricultural supervision to monitor the tree protection measures.

#### **7.15 Sustainable waste management**

The waste strategy officer has commented on this application noting this site has capacity

for waste storage.

#### **7.16 Renewable energy / Sustainability**

Not applicable to this application.

#### **7.17 Flooding or Drainage Issues**

The flood risk officer has commented on this application noting SuDs measures have not been included as part of this application. A pre-commencement condition that has been agreed in writing by the applicant has been included.

#### **7.18 Noise or Air Quality Issues**

Neighbouring residents have raised concerns relating to noise and vibration during construction. The Control of Pollution Act 1974 gives the Environmental Health special powers to control noise on construction and demolition sites.

An informative is attached reminding the applicant that the permitted hours of work when noise can be audible at a construction site boundary are:

- Monday to Friday, 8am to 6pm;
- Saturday, 8am to 1pm; and
- Sunday and Bank Holidays, no work allowed.

#### **7.19 Comments on Public Consultations**

Comments on public consultations have been addressed elsewhere in this report.

#### **7.20 Planning obligations**

Not applicable to this development.

#### **7.21 Expediency of enforcement action**

Not applicable to this development.

#### **7.22 Other Issues**

None.

### **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 development.

#### **10. CONCLUSION**

The application seeks planning consents for the demolition of existing garages and the erection of 4 x 3 bedroom houses with landscaping and car parking.

The existing garages are underused or vacant and the proposal seeks to redevelop the site with a size and scale of development which is characteristic of the surrounding area. The development provides adequate car parking and external amenity space. The proposal is unlikely to be detrimental to the adjoining area of special local character or the amenity of neighbouring residents. It is therefore recommended that, for the reasons set out within this report, this application is approved subject to relevant planning conditions.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2007)

The London Plan (2016)

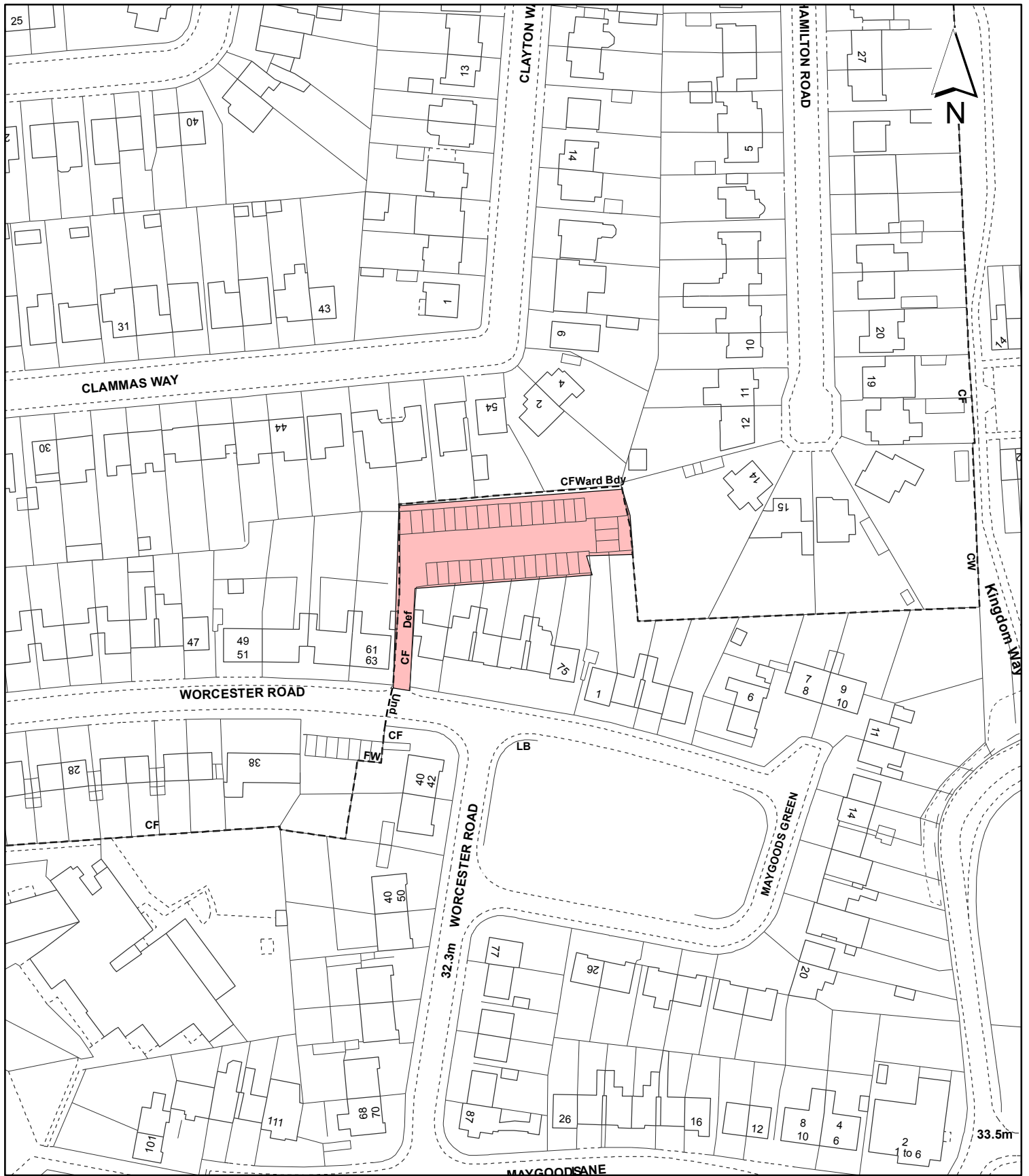
The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Technical Housing Standards - Nationally Described Space Standard  
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:** Zenab Haji-Ismail

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**Notes:**

 Site boundary

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Site Address:

**Land Rear of 65-75  
 Worcester Road  
 Cowley**

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

Planning Application Ref:  
**73918/APP/2018/3038**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**February 2019**

