Report of the Head of Planning, Transportation and Regeneration

Address 59 ELM AVENUE EASTCOTE

Development: Two x 2-storey, 3-bed detached dwellings with associated parking and amenit space involving demolition of existing bungalow

- **LBH Ref Nos:** 60130/APP/2019/1369
- Drawing Nos: 4164/02B 4164/03B 4164/01A Location Plan Design & access statemen

Date Plans Received:	23/04/2019	Date(s) of Amendment(s):
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Date Application Valid: 25/04/2019

1. SUMMARY

The property is located within the 'developed area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) therefore the principle of residential development of the site is considered acceptable subject to compliance with all other policy objectives. This proposal considers the demolition of the existing bungalow and the erection of a two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow

It is considered that the proposed scale and design of the dwellings would have a negative impact upon the visual amenity of the site and the surrounding area and it is therefore recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, massing, architectural style, size, scale, bulk, and design would appear as a cramped form of development, providing a poor quality of urban design which would be detrimental to the openness of this prominent corner plot. The proposal therefore fails to complement the established character and visual amenity of neighbouring properties in Elm Avenue and in the immediate locality and represents an incongruous and intrusive form of development in the Elm Avenue street scene, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act

incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

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

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
H3	Loss and replacement of residential accommodation
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,
	Supplementary Planning Document, adopted July 2006
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 5.12	(2016) Flood risk management
LPP 5.15	(2016) Water use and supplies
LPP 7.4	(2016) Local character
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3

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. No pre-application advice was sought. However it is understood that agent met the planning officer and the applicant/agent would have been aware of the previous reasons for refusal

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a rectangular plot of land of approximately 536 sq.m located on the the corner junction of Elm Avenue and Oak Grove. It currently comprises a detached

bungalow which has been extended at the rear and side. The front garden is paved providing 2 car parking spaces and there is a garden to the rear.

The street scene is residential in character comprising a mix of housing types mainly of semi-detached properties with a few detached houses and bungalows. No 61 to the West is a chalet bungalow, whilst no. 57 to the other side is a semi-detached two storey property.

The application site lies within the 'developed area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

The proposal is to demolish the existing bungalow and replace it with two x 2-storey, 3-bed detached dwellings with associated parking and amenity space.

This is a follow up application to the previous refused scheme (Ref: 60130/APP/2019/98) which was determined on 14/3/19 and explained in history section of this report. The following changes have been made in current application:

1. The overall length of the proposed houses have been reduced from 13m to 11.5m

2. The proposed houses would incorporate a projecting ground floor at the front which would extend beyond the first floor by some 0.53m but not project beyond the established front building line with a tiled pitch roof, including a small storm porch above the entrance which would have a gabled roof to a maximum height of 3.37m.

3.3 Relevant Planning History

60130/APP/2004/3119 59 Elm Avenue Eastcote

INSTALLATION OF A VEHICULAR CROSSOVER

Decision: 07-01-2005 Approved

60130/APP/2019/98 59 Elm Avenue Eastcote

Two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow

Decision: 14-03-2019 Refused

Comment on Relevant Planning History

(1) 60130/APP/2004/3119 - Installation of a vehicular crossover - Approved on 7/1/2005

(2) 60130/APP/2019/98 - Two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow - Refused on 14/3/19

Refusal reasons:

1. The proposed dwelling, by reason of its siting in this open prominent position, massing, architectural style, size, scale, bulk, and design would appear as a cramped form of development and would provide a poor quality of urban design. The proposal therefore fails to complement the established character and visual amenity of neighbouring properties in Elm Avenue and in the immediate locality and represents an incongruous and intrusive form

of development in the Elm Avenue street scene, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document (SPD) HDAS: Residential Layouts.

2. The proposed development, by virtue of its size, scale and bulk would be detrimental to the amenities of the adjoining occupiers by reason of overdominance, visual intrusion and loss of outlook. Therefore, the proposal would be contrary to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

4. Planning Policies and Standards

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

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
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.
H3	Loss and replacement of residential accommodation
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 5.12	(2016) Flood risk management
LPP 5.15	(2016) Water use and supplies
LPP 7.4	(2016) Local character

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

13 neighbouring properties along with Eastcote Residents' Association were consulted by letter dated 29/4/19 and a site notice was also displayed. By the close of the consultation period 5 responses and a 31 signature petition were received raising concerns as follows:

- Impact on character of the area
- Impact on neighbours
- loss of light, overshadowing
- loss of outlook
- size, scale and poor design
- drainage
- surface water
- highway safety
- cramped development

Internal Consultees

INTERNAL CONSULTEE:

1) Trees/Landscape Officer: it is noted that the refusal reason did not include a tree aspect. Hence the previous tree comments used for the refused application (60130/APP/2019/98) can once again be applied.

This site is occupied by a bungalow on an exceptionally wide plot at the junction of Oak Grove. There are no TPO's or Conservation Area designations affecting the site, although there are mature trees at the end of the garden, lining the railway corridor.

COMMENT: No trees will be affected by the proposal. The shallow front garden will be dominated by car parking and bin storage. The manoeuvring space for the car park on the left hand unit (east side), appears to be constrained. The layout will preclude the possibility of achieving 25% soft landscaping in the front garden, as recommended in Hillingdon' design guidance - although many of the front gardens in this street have been paved over.

RECOMMENDATION: If you are minded to approve this application, please add conditions RES9 (parts 1, 2 and 5).

2) Access Officer:

This proposal for 2 three-bedroom detached dwellings should be revised to comply with the technical requirements required by London Plan policy 3.8(c). To this end, the entrance level WC design should be revised to meet the prescribed standards set out in Approved Document M to the Building Regulations 2010 (2015 edition. Accordingly, reference should be made to diagram 26 of the approved document. Further information and guidance should be referred to in the Council's 'Accessible Hillingdon' SPD (adopted September 2017).

Any grant of planning permission should include the following condition:-

The dwellings hereby approved shall 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, and all such provisions shall remain in place for the life of the building.

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

3) Highways Officer: No objection.

Officer comment:

Although the submitted plans are not acceptable as regards accessibility, had the application been found to be acceptable in all other respects, a condition could have been used to address these concerns.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 17 of the National Planning Policy Framework (NPPF) (2012) states that one of the core principles of the document is the "effective use of land by reusing land that has been previously developed (brownfield land)."

Policy H3 of the Hillingdon Local Plan states that the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site.

The development proposes the erection of 4 two storey, two bedroom semi-detached dwellings with associated parking and installation of vehicular crossovers to front, involving the demolition of both the existing bungalows. In principle the demolition of the existing dwellings to be replaced with additional units is acceptable however, it is subject to all other material planning considerations being judged acceptable.

Policy 3.5 of the London Plan (2016) requires housing developments to be of the highest quality internally, externally and in relation to their context and to the wider environment. New homes are expected to have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose, and to meet the changing needs of Londoners over their lifetimes. Any application is expected to take this into consideration and illustrate how the proposal would meet the requirements set out in the London Plan.

7.02 Density of the proposed development

The density ranges set out in the London Plan are not used in the assessment of schemes of less than 10 units.

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 that 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 that compromise this policy should be resisted'.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its

impact on adjoining occupiers.

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.

Policy BE22 and HDAS SPD states residential extensions of two or more storeys in height should be set back for the full height a minimum of 1m from the shared boundary to preserve the visually open gaps between properties and to prevent dwellings from coalescing to form a terraced appearance.

This is a follow up application to a previously refused scheme (Ref: 60130/APP/2019/98) which was determined on 14/3/19 and is explained in the history section of the report. It is noted that the current proposed plans are quite similar to the previous scheme (especially in terms of design) and the current scheme still has not addressed all the previous concerns. The area is characterised by an eclectic mix of period properties set beneath clay tiled hipped roofs. The proposed dwellings measure 11.5m in depth, 6.5m in width with a hipped roof, 8.1m high. The proposal would retain a 1.0m separation from the boundary with No. 57 and a 2 m separation from the highway (Oak Grove). The corner plot location of the site is an important feature of the street scene. The existing property is a bungalow, so that the existing property's single storey bulk does provide some visual relief in what is a densely developed area, and being single storey, also helps to maintain more of a visual gap between the roofs of the adjacent bungalows to the West. Notwithstanding the 2m set-in of the proposed development from the highway boundary, the length of the two proposed detached houses are still such that they would add two storey development, significantly increasing the built-up appearance of the site, detrimental to the open character of this important corner plot, harmful to the visual amenity of the streetscene and the wider area. It is therefore considered that the proposal would be detrimental to the visual amenities of the streetscene.

HDAS: Residential Layouts also advises that the design and elevational treatment of a building should generally be in harmony with its surroundings and should aim to compliment and/or improve an area. The proposed two storey dwellings will appear cramped, over dominant and out of keeping with the street scene.

It is therefore considered that the proposed replacement dwellings, would be detrimental to the street scene and the wider area. As such the proposal fails to comply with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and HDAS: Residential Layouts.

7.08 Impact on neighbours

Policy BE24 states that the proposal should protect the privacy of the occupiers and their neighbours and policy BE20 states that buildings should be laid out to allow adequate daylight to penetrate and amenities of existing houses safeguarded. The Hillingdon Defsign and Accessibility Statement (HDAS) SPD: Residential Layouts advises all residential developments and amenity space should receive adequate daylight and sunlight. The daylight and sunlight available to adjoining properties should be protected with adequate distance maintained to overcome possible domination. The SPD states that as a guide, the distance between habitable room windows should not be less than 21 m.

The dwellings would be 3.6m deeper compared to the existing bungalow depth and would approximately maintain the existing front building line. To the rear the buildings would project approximately 2.92m beyond the rear elevation of no. 57. In terms of the depth of projection this is considered to be acceptable. It is noted that proposed dwellings would not compromise a 45 degree line of sight from rear window of no 57. On balance and considering the reduced depth of the proposed development a, it is considered that this would not significantly impact on the outlook from those windows.

The proposed development will include windows on the front, rear and side elevations of the property. The windows on the rear elevation of the property will face the rear garden of the application site, and will not overlook into any of the neighbouring properties. The windows on the front elevation will have an outlook of the general street scene and therefore will not directly overlook into any of the neighbouring properties. The windows on the side elevation will serve inhabitable rooms such as bath and hallway, so would be obscured glazed, and therefore will not directly overlook into any of the neighbouring properties. However should the application be approved a planning condition can be added to ensure that the window is obscurely glazed.

Therefore, the proposal would comply with policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The property has a significant floor area well above the required standard of 102 sq.m. It is also considered that the proposed habitable rooms would have an adequate outlook and source of natural light.

Section 4 of the Council's HDAS: Residential Layouts states that development should incorporate usable attractively laid out and conveniently located amenity space and a 3 bed property would require a minimum of 60 sq.m. There would be sufficient garden space retained. The proposal therefore complies with policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS SPD (LAY)

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and 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. These require a provision of 2 spaces per dwelling.

The plans illustrate that 2 parking spaces would be provided to the front of the site with the addition of new crossovers. The plans also illustrate some element of soft landscaping which would be required to ensure that this can be achieved whilst retaining at least 25% of soft landscaping in line with the requirements of adopted guidance.

The plans that have been submitted do not show visibility splays. Paragraph 9.5 of the HDAS Residential Extensions guidance, states "...to allow enough visibility to drivers, a parking space should be 4.8m long and 2.4m wide, with a minimum clear area of 150mm in front of the parking space and use roller shutters or 'up and over' garage doors". Furthermore the footpath would need to be well lit.

Refuse and Recycling

Policy 5.17 of the London Plan sets out the Mayors Spatial Policy for Waste Management including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling and 2 secure/covered cycling spaces per unit. The location of adequate refuse and recycling areas should be considered in the context of the site and it is noted that the proposed plans could accommodate such an area. In rear garden are bin and recycling storage. Both are accessed via the side of the properties. The plans submitted show that bike stores are predicted to the front.

7.11 Urban design, access and security

Assessed within the main body of the report.

7.12 Disabled access

A condition to ensure that the development complies with Category 2 M4(2) dwelling of the Approved Document M to the Building Regulations could have been included if the application was considered acceptable in all other regard.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate.

The shallow front garden will be dominated by car parking and bin storage. The manoeuvring space for the car park on the left hand unit (east side), appears to be constrained. The layout will preclude the possibility of achieving 25% soft landscaping in the front garden, as recommended in Hillingdon' design guidance - although many of the front gardens in this street have been paved over. Under these circumstances, it is considered that there is no option other than to accept a front garden dominated by hardstanding. However, as bin stores would not be required (as houses are proposed), there is no reason why some soft landscaping cannot be provided, which could have been conditioned had the application not of been recommended for refusal.

As the Council's Landscape Officer did not object to the application, it is considered that the proposal does not result in the loss of any significant landscape features. Therefore an appropriate scheme of landscaping could be secured by condition if officers were minded to recommend approval.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Energy

Any new residential unit would be required to be built to the Code for Sustainable Homes Level 4. A condition would be attached to any approved planning permission requiring the provision of a design stage certificate prior to the commencement of works to show that the designed dwellings would meet this standard.

Secured By Design

The design and layout should also have regard to secure by design principals. You may wish to contact Frank Freeman of the Metropolitan Police (Tel. 0208 246 1769) to discuss means of ensuring community safety by design. Certainly, early involvement by Frank is encouraged to ensure the development would be suitable to achieve the 'Secure by Design' accreditation.

7.17 Flooding or Drainage Issues

The site is not located within a flood zone and is less than 1 hectare in extent, accordingly a flood risk assessment would not be required. However all new development should incorporate sustainable drainage systems. The proposals need to include a clear drainage strategy that is reflected within the design of the development. Policy 5.13 of the London Plan sets out a hierarchy to work towards, including the greenfield run-off rate to be met. Proposals would need to demonstrate a greenfield run-off rate in a 1:100 year (+ climate change) storm event. This needs to set out quantities of run-off, pre and post development, and include the methods of attenuation to reduce it down to a greenfield rate. If infiltration methods of SUDS are proposed, proposals would need to demonstrate the receiving subsoils will be adequate.

This could be secured by condition if officers were minded to recommend approval.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning Obligations

S106 PLANNING OBLIGATIONS

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), requires that where developments generate the need for additional facilities, financial contributions will be sought.

In line with the Section 106 SPD, any and all highways works will be required to be met by the applicant through a Section 278 Agreement.

CIL

Please be advised that as from 1 April 2012, all planning approvals for schemes with an

internal floor area over 100m2 face a Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. This liability is calculated on the increase in gross internal floor area and is triggered by an increase of 100m2 or more. The liability payable will be equal to £35 per square metre. The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents chargeable development under the Hillingdon Community Infrastructure Levy. The liability payable will be equal to £95 per square metre. Should you require further information please refer to the Council's Website (http://www.hillingdon.gov.uk/article/24738/Community-infrastructure-levy. It is important to note that this CIL liability will be over and above the planning obligations (s106) that the Council may seek from your scheme.

The proposal would attract a CIL Liability of: £27,054.67

Mayoral Cil = $\pounds10,866.19$ CIL = $\pounds16,188.48$

7.21 Expediency of enforcement action

Not applicable to this application.

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

10. CONCLUSION

This proposal considers the demolition of the existing bungalow and the erection of a two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow.

As explained in the report, it is considered that the proposed replacement dwellings are on a corner plot and would appear as a cramped development and create a loss of openness. As such the proposal fails to comply with Policies BE13, BE19 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies and HDAS: Residential Layouts.

11. Reference Documents

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

Contact Officer: Hoda Sadri

