

Report of the Head of Planning, Transportation and Regeneration

Address 28 OAKDENE ROAD HILLINGDON

Development: Conversion of two storey dwelling into 2 x 1-bed flats with associated parking and amenity space, involving alterations to existing crossover

LBH Ref Nos: 74847/APP/2019/1722

Drawing Nos: Design and Access Statement
28OAKDENEROAD-001
28OAKDENEROAD-002
28OAKDENEROAD-004
28OAKDENEROAD-003
28OAKDENEROAD-007
28OAKDENEROAD-301-REVA-250919
28OAKDENEROAD-302-REVA-250919

Date Plans Received: 22/05/2019 **Date(s) of Amendment(s):** 22/05/2019
Date Application Valid: 30/05/2019

1. SUMMARY

Planning Permission was granted for a part two storey part single storey side/rear extension under Planning Ref: 4247/APP/2017/4597 which has been partly implemented. Planning Permission is now sought for the conversion of the dwelling into 2 x 1 bed flats with associated parking and amenity space, involving alterations to existing crossover.

The proposed scheme would provide an appropriate standard of accommodation which satisfies all relevant standards.

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 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers 28OAKDENEROAD-301-REVA-250919, 28OAKDENEROAD-302-REVA-250919 and 28OAKDENEROAD-007

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 HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area

shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2016).

4 RES9 Landscaping (car parking & refuse/cycle storage)

Within one month of the commencement of works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

2.a Refuse Storage

2.b Details of covered and secure cycle storage for 4 cycle spaces

2.c Means of enclosure/boundary treatments between the adjoining gardens

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

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, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016).

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.
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
DMH 4	Residential Conversions and Redevelopment
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 6	Vehicle Parking
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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

5 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.

6 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.

7 115 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.

8 170 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 a two storey semi-detached dwelling on the corner junction of Oakdene Road with Evergreen Drive, Hillingdon. The property is finished in a pebbledash render, is characterised with a hipped roof with a prominent central front gable and is set back from the adjacent highway to accommodate a front garden laid partly in soft landscaping and hardstanding for off street parking for up to 2 cars.

The surrounding area is residential in character and is made up of a mixture of two storey dwellings that differ in form, size and appearance.

3.2 Proposed Scheme

Planning Permission is sought for the conversion of the two storey dwelling into 2 x 1 bed flats with associated parking and amenity space, involving alterations to existing crossover.

Flat A and B would consist of a one bed 2 person flat, benefiting from 1 double bedroom with en-suite, a shared bathroom, a home study/office and lounge. Each unit would have 50 square metres of private garden space each.

3.3 Relevant Planning History

4247/APP/2016/3333 28 Oakdene Road Hillingdon
Two storey side extension and single storey rear extension

Decision: 31-10-2016 Refused

4247/APP/2016/4247 28 Oakdene Road Hillingdon
Two storey side extension and single storey rear extension

Decision: 17-01-2017 Refused

4247/APP/2017/3265 28 Oakdene Road Hillingdon
Part two storey, part single storey side/rear extension

Decision: 06-12-2017 Approved

4247/APP/2017/4597 28 Oakdene Road Hillingdon
Part two storey, part single storey side/rear extension

Decision: 27-02-2018 Approved

4247/APP/2017/676 28 Oakdene Road Hillingdon
Part two storey, part single storey side/rear extension

Decision: 18-04-2017 Approved

4247/APP/2018/1451 28 Oakdene Road Hillingdon

Part two storey, part single storey side/rear extension and conversion of 3-bed dwelling to 1 x 3-bed and 1 x 1-bed dwellings with associated parking and amenity space

Decision: 06-06-2018 Refused

Comment on Relevant Planning History

4247/APP/2017/4597: Part two storey, part single storey side/rear extension - Approved.

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

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.
- 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
- DMH 4 Residential Conversions and Redevelopment
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMT 6 Vehicle Parking
- 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 4 adjoining and nearby neighbouring properties were consulted via letter dated 03.06.19 including a site notice displayed adjacent to the premises.

One letter of representation received which is summarised as follows:

Insufficient parking proposed as at least 4 spaces required.

Internal Consultees

Internal Consultees:

Access Officer: No comments to make.

Environmental Specialist: No comments to make.

Ward Councillor: Requests that the application is reported to committee on the basis that the proposal would result in the loss of a family dwelling in a populated community and with 2 off street car parking space provision would over spill on to the public highway where parking spaces are already at a demand.

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. There are 71 houses along Oakdene Road with no history of any other property along this road which has been converted, and therefore would be under the 10%

threshold. Furthermore No.28 would have a floor area of 136 sq m 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

The main planning issues are the effect of the development on the character and appearance of the original building and the street scene.

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.

There are no further external changes proposed to the development following the grant of planning permission under Planning App Ref: 4247/APP/2017/4597 and, as such, it would not have a greater impact upon the character and appearance of the host dwelling and the visual amenities of the street scene and surrounding area.

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 to 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 could potentially consist of a total of 4 bedrooms, nevertheless it is considered that the number of residents within the self contained flats would be no more than if a single family were to occupy the dwelling and therefore there would 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.

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, 2 person dwelling should have a gross internal floor area of 50 square metres.

A bedroom measuring a minimum of 7.5 square metres would be classified as a single bedroom for one person, and a double bedroom (2 people) would measure a minimum of 11.5 square metres.

The proposal includes a home study/office for each unit. However, this measures 6sq.m and would thus not qualify as a second bedroom.

The ground floor flat (1 bed, 2 person) would measure approximately 70 square metres. The proposed floor plan shows one double bedroom and family area having a reasonable level of outlook either via the front or rear windows the proposed layout is therefore deemed sufficient to provide a satisfactory living environment for its future occupiers.

The first floor (1 bed, 2 person) would consist of a similar arrangement with a gross internal floor area of 66 square metres and with the double bedroom and living areas benefiting from either a front and rear facing aspect would provide a satisfactory living environment for its future occupiers.

It is therefore considered that the proposed flats would accord with the minimum internal floor area for a 1 bed 2 person and would provide an acceptable standard of residential amenity for its future occupiers to comply with Policy 3.5 of the London Plan and the Housing Standards (MALP) March 2016.

Policy BE23 requires amenity space provision commensurate with the size of the dwelling proposed. A one bed flat would be expected to provide a minimum of 20 sq m of private usable amenity space. Both flats would have approximately 50 square metres each which would be of a size and shape which is functional and therefore would be sufficient to protect the residential amenities of the current and future occupiers of the two units. Further information regards to the type of fence will be secured via condition.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Hillingdon Local Plan: Part Two Policy AM7 considers the traffic generation of proposals and will not permit development that is likely to prejudice the free flow of traffic or pedestrian safety generally. Policy AM14 states the need for all development to comply with the Council's adopted parking standards.

The site would continue to provide two off street parking spaces on the front driveway following the widening of the crossover. it would comply with the emerging Local Plan Part Two: Development Management Policies which seeks a maximum of up to 1-1.5 spaces per unit. In this case officers would expect each flat to have access to a single parking space and this is achieved. Cycle provision for 2 spaces has also been provided. Bin storage can be secured via condition.

7.11 Urban design, access and security

These issues are covered in other sections of this report.

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

Not applicable to this application.

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 Consultees section of the report.

7.20 Planning obligations

Not applicable to this application.

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 to this application.

10. CONCLUSION

Planning Permission is sought for the conversion of a two storey dwelling into 2 one bedroom self contained flats.

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)
Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019)
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: Naim Poptani

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

28 Oakdene Road

Planning Application Ref:
74847/APP/2019/1722

Planning Committee:
Central & South

Scale:
1:1,250

Date:
November 2019

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

