

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

**Address** LAND TO THE REAR OF 229 AND 229A VICTORIA ROAD RUISLIP

**Development:** Demolish existing garage and outbuildings, remove concrete hard standing and construct one new (1 bedroom) house with side garden space. 1 parking space for New house, 2 No Parking spaces for 229 Victoria Road, and 1 parking space for 229A Victoria Road. separate bin store and separate cycle store for 2 bikes.

**LBH Ref Nos:** 75052/APP/2019/2543

**Drawing Nos:** 3017-BP-01 Existing Block plan A1 1-20C  
3017-BP-02 Proposed Block plan A1 1-20C  
3017-Site-02 Proposed Site layout A1 1-10C  
3017-Site-01 Existing Site layout A1 1-10C  
3017-03 Proposed New House layout A1 1-10C  
3017- Location Plan

**Date Plans Received:** 30/07/2019 **Date(s) of Amendment(s):**

**Date Application Valid:** 13/08/2019

### 1. SUMMARY

The application seeks planning permission to erect a two storey one bedroom detached dwelling on land to the rear of Nos. 229 and 229A Victoria Road, with a frontage onto Bessingby Road, with associated parking and amenity space.

The proposal has been assessed against current policies and guidance for new housing development in terms of the effect on the character of the surrounding area, the potential impacts on the residential amenities of adjoining and nearby occupiers, and on highways related matters such as vehicle access, traffic/pedestrian safety and parking in Victoria Road and Bessingby Road. The amenities of the future occupants of the dwellings have also been considered.

With regard to the principle, the proposal represents development of a back garden and in this respect is considered unacceptable in the context of the surrounding area.

The standard of accommodation for future occupants including the relevant Lifetime Homes requirements would meet the requirements in terms of accommodation size, layout, general outlook and privacy etc.

The relationship with nearby existing dwellings and thus impact on the amenities of neighbouring occupiers is not considered acceptable. To this end, there are concerns regarding the impact of the proposed car parking on the amenity of 1 Bessingby Road.

There are no specific parking or highways related issues raised by the proposal for a new dwelling in this position.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

NON2

The loss of substantial ~~Non Standard reasons for refusal~~ ~~Non Standard reasons for refusal~~ this location would be detrimental to the local and historical context of the area. The proposal would alter the existing urban grain of this part of the conservation area resulting in the loss of the long rear garden a characteristic of the group of properties fronting onto Bessingby Road. Thus, when balanced against the limited contribution the development would make toward achieving housing targets in the borough it is considered that the principle of the proposed backland residential development is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE22 and H12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan, guidance within The London Plan Housing Supplementary Planning Guidance, Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the NPPF (March 2012).

## 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.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards

DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
H12	Tandem development of backland in residential areas
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
LPP 5.3	(2016) Sustainable design and construction
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
OE1	Protection of the character and amenities of surrounding properties and the local area
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities

### **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**

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.

### **3.            CONSIDERATIONS**

#### **3.1           Site and Locality**

The application site is located on the northern side of Bessingby Road. The site currently forms approximately 18.4m depth of the rearmost part of the garden to Nos.229 and 229A Victoria Road. Nos. 229 and 229A are a terraced pitch roof house with mainly pebble dash external facing. This is an established residential area which predominantly comprises terraced properties of varying design.

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

### **3.2 Proposed Scheme**

This application proposes demolishing the existing garage and outbuildings, remove concrete hard standing and construct one new (1 bedroom) house with side garden space. 1 parking space for New house, 2 No Parking spaces for 229 Victoria Road, and 1 parking space for 229A Victoria Road. separate bin store and separate cycle store for 2 bikes.

### **3.3 Relevant Planning History**

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

## **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
- PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

- AM14 New development and car parking standards.
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- 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.
- DMH 6 Garden and Backland Development
- DMHB 11 Design of New Development

DMHB 12	Streets and Public Realm
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DMHB 16	Housing Standards
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R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- **8th October 2019**

## 6. Consultations

### External Consultees

Neighbours were notified on 6/9/19 and a site notice was displayed. By the end of the consultation period 7 responses were received who raised their concerns for the following matters:

- Over shadowing
- Loss of privacy/ loss of outlook
- Car park
- Impact on the character of the area
- Over development
- Impact on the neighbouring properties

A Ward Councillor has objected, commenting that:

A) it is in addition to the frontage having already been turned into two flats

B) it is out of character

C) its massing and impact on neighbouring properties is inappropriate

D) it has similar features to applications received for 147 and 149 Cornwall Rd which were both refused, (2017) and at least one of those won on appeal.

E) it is a garden grab!!

### **Internal Consultees**

- Access Officer:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following Conditions should be attached to any grant of planning permission: Any grant of planning permission should include the following conditions: Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision 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. 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.

- Highways Officer:

### Site Characteristics

The site is located within a residential catchment in Ruislip Manor. The address fronts Victoria Road and the proposal incorporates the replacement of two derelict garages within the rear garden space of both No's 229 & 229a with a one bedroom house.

Within the curtilage of the new build there would be parking spaces allocated for No.229 (2 spaces) and No.229a (1 space). 1 space is proposed for the new dwelling within the bank of 4 new spaces.

Access to all 4 spaces would be taken from Bessingby Road (off Victoria Road) via a 'gated' rear service road running alongside the flank of No.1 Bessingby Road.

The surrounding roads are mostly devoid of parking controls but with 'double yellow' line restrictions located on select road junctions. The site is relatively remote from public transport connections and hence exhibits a PTAL of 1/2 which is considered as below average and therefore heightens dependency on the ownership and usage of private motor transport.

### Parking Provision

This is a back-land development where it is proposed to provide a residential unit with one bedroom on part of the rear garden area where existing derelict garages are positioned.

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

The maximum requirement is for up to 1.5 spaces to be provided. Within the curtilage of the new build there would be parking spaces allocated for No.229 (2 spaces) and No.229a (1 space). 1 space is proposed for the new dwelling within the bank of 4 new spaces.

Although the new unit is marginally under-provided for, the provisions for No's 229 & 229a are welcomed as overall parking pressures are reduced on the surrounding road network. In summary the on-plot parking provisions are considered adequate and therefore acceptable.

In terms of cycle parking there would be a requirement of at least 1 secure and accessible space for the new house to conform to the adopted borough cycle parking standard. 2 spaces within a suitably located store are proposed which is therefore considered acceptable.

### Vehicular Access Provision

The access to the 4 new parking spaces would occur from a rear service road running alongside No.1 Bessingby Road. This is considered an acceptable arrangement in principle and would require the redundant carriageway crossing, which serves the existing garage provisions, to be extinguished with footway reinstatement to the Council's construction standard. Such works would need to be undertaken to an appropriate Council specification under a S278/184 (Highways Act 1980) agreement (or suitable alternative arrangement) at the applicant's expense.

### Vehicular Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The proposal would clearly increase traffic generation from the site as compared to the existing dormant activity from the derelict garages. However peak period traffic movements into and out of the site would not be expected to rise beyond 1-2 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

### Operational Refuse Requirements

Refuse collection for the new dwelling unit would occur from Bessingby Road. The bin store/collection point for the new unit should be positioned within 10m of the collecting refuse vehicle in order to conform to best practice standards. As this is to be case, there are no concerns with that proposed.

### Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not measurably exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

## **7. MAIN PLANNING ISSUES**

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

The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012) and Development Management Policies with Modifications (March 2019)

Policy BE1 of the Local Plan: Part 1 - Strategic Policies (November 2012) advises that new development, in addition to achieving a high quality of design, should enhance the local distinctiveness of the area, contribute to community cohesion and sense of place and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties. Specifically, the policy advises that development should not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase flood risk.

Policy H4 of the Hillingdon local plan states that wherever practicable a mix of housing units

of different sizes should be provided including in particular, units of one or two bedrooms. Furthermore Policy H12 advises that backland or tandem will only be permitted if no undue disturbance or loss of privacy is likely to be caused to adjoining occupiers.

Policy DMH 6: Garden and Backland Development There is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria: i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided; ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable; iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and v) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

The loss of substantial proportion of the rear garden in this location would be detrimental to the local and historical context of the area. The proposal would alter the existing urban grain of this part of the conservation area resulting in the loss of the long rear garden a characteristic of the group of properties fronting onto Bessingby Road. Thus, when balanced against the limited contribution the development would make toward achieving housing targets in the borough it is considered that the principle of the proposed backland residential development is contrary to Policy.

#### **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.

The proposal is for 1 bed detached dwelling which will be situated to the rear of 229 and 229A Victoria Road. Currently these areas form the rear garden for the residential dwellings.

The proposed new dwelling would consist of two storeys, and would be equal to frontage properties at Bessingby Road which are 2 storeys tall. The entrance into the property is via the stairs at ground floor level.

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

Not relevant to this proposal.

#### **7.04 Airport safeguarding**

Not relevant to this proposal.

#### **7.05 Impact on the green belt**

Not relevant to this proposal.

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



Emerging Policy DMH 2: Housing Mix states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need.

Policy DMH 6: Garden and Backland Development There is a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases a limited scale of backland development may be acceptable, subject to the following criteria: i) neighbouring residential amenity and privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided; ii) vehicular access or car parking should not have an adverse impact on neighbours in terms of noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable; iii) development on backland sites must be more intimate in mass and scale and lower than frontage properties; and v) features such as trees, shrubs and wildlife habitat must be retained or re-provided.

Emerging Policy DMHB 11: Design of New Development states that A) All development, including extensions, alterations and new buildings will be required to be designed to the quality standards, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; · architectural composition and quality of detailing; and local topography, views both from and to the site; and · impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; and iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

Emerging Policy DMHB 12: Streets and Public Realm A) Development should be well integrated with the surrounding area and accessible. It should: i) improve legibility and promote routes and wayfinding between the development and local amenities; ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area; iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space; iv) provide safe and direct pedestrian and cycle movement through the space; v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; vi) where appropriate, include the installation of public art; and vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.

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

Paragraph 64 of the NPPF states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

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

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

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

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states "the local planning authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area".

The proposed detached dwelling would involve the construction of large areas of hardstanding and a large terrace of two houses within the rear garden of nos 229 and 229A Victoria Road. It is considered that the level of built form and hardstanding proposed would result in a cramped layout and this alongside the plot sizes would be further at odds with the predominant open 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 preventing dwellings from coalescing to form a terraced appearance. Also, paragraph 5.6 of the HDAS SPD states the ground and first floor should be set back 1m from the main front wall of the existing house.

The proposed development would set back sufficiently from the Bessingby Road and therefore complies with HDAS SPD. The proposed development would be set-in by 0.22m from the shared boundary with No 227 Victoria Road and therefore would not retain a sufficient separation distance. The lack of set in from the side boundary at both levels at side results in the closing of the visually open gap between this and neighbouring property, giving rise to a cramped form of development, which would be detrimental to the visual amenities of the streetscene and therefore doesn't comply with policy BE22 and HDAS SPD.

The proposed development, by reason of its siting (in a rear garden) would result in a cramped development of the site, which is visually incongruous (given the setting) and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character, appearance and the residential area as a whole. The proposal is detrimental to the visual amenity and character of the surrounding and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE22 and H12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan, guidance within The

London Plan Housing Supplementary Planning Guidance (November 2012), Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the NPPF .

## **7.08 Impact on neighbours**

Policies OE1, OE3 and BE24 of the Hillingdon Local Plan (November 2012) require the design of new developments to protect the amenity and privacy of neighbouring dwellings. Also the proposed development should not result in a significant loss of light, loss of outlook or sense of dominance in accordance with Policy BE20 and BE21 of the Hillingdon Local Plan (November 2012). The Hillingdon Design and Accessibility Statement (HDAS) provides a range of design guidelines, addressing setbacks, overlooking and shadowing, and attention should be paid to principles regarding over dominance and over looking.

Emerging Policy DMHB 11: Design of New Development states that

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

In particular, the new houses should not impinge within 21 metres of the 45 degree line drawn from adjoining properties rear facing windows, and a setback of 15 metres should be maintained between habitable room windows and side boundaries to avoid overlooking.

Given the degree of separation it is not considered that there would be a significant increase in loss of amenity to the property to the rear to that already experienced within the existing urban environment. Also the overall height proposed is the same as that dwelling and it is not considered this would significantly impact on the amenity of that property.

The bedroom and study room of the proposed dwelling would be at first floor to the front and rear, and the open plan lounge and kitchen area would be located to the front and rear at ground floor.

The distance between the side of the proposed new unit and the rear of the existing dwelling at nos 229 and 229A is 15.26m, which complies with the required 15m which is stated in the HDAS Residential Layouts document, as an appropriate separation distance between properties. At this distance it is considered that the proposed dwellings would not result in an unacceptable impact on the existing dwellings in terms of over dominance, loss of light, loss of outlook and possible loss of privacy.

Paragraph 4.12 of the HDAS Residential Layouts guidance states, "new residential development should be designed so as to ensure adequate privacy for its occupants and that of the adjoining residential property. Adequate distance should be maintained to any area from which overlooking may occur and regard should be given to the character of the

area and the distances between buildings. As a guide, the distance should not be less than 21m, between facing habitable room windows".

The 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 at ground floor and first floor will serve the bathroom facilities, 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.

The proposed detached house to the rear is sited and designed so that it will not have any habitable room windows which are within 21m of neighbouring habitable room windows, and the windows are considered not to overlook any sensitive parts of neighbouring gardens such as rear patios.

Furthermore the proposed dwelling consists of 2 storeys and will not have any window on the side elevations facing nos 229 and 229A, as such it will not result in any overlooking into the rear gardens of nos 229 and 229A victoria Road

Therefore, the application proposal would not constitute an un-neighbourly form of development and would be in compliance with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) BE20 and BE21 and section 3.0 of the HDAS: Residential Layout.

#### **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.

In terms of the internal floorspace, the DCLG Technical Housing Standards - Nationally Described Space Standard (March 2015) sets out minimum internal space standards which must be achieved, relating to room sizes, ceiling height and internal floor space requirements.

##### **Internal Floorspace**

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. In terms of the internal

floorspace, the DCLG Technical Housing Standards - Nationally Described Space Standard (March 2015) sets out minimum internal space standards which must be achieved, relating to room sizes, ceiling height and internal floor space requirements.

The standards require a 2 person 1 bed dwelling over 2 floors should have a minimum internal floor area of 58 sq m. The proposed supporting statement indicates a layout of 61.8 sq.m therefore it is considered the proposal would provide a satisfactory living environment for the future occupants in accordance with Policy 3.5 of the London Plan 2016.

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

##### Site Characteristics

The site is located within a residential catchment in Ruislip Manor. The address fronts Victoria Road and the proposal incorporates the replacement of two derelict garages within the rear garden space of both No's 229 & 229a with a one bedroom house.

Within the curtilage of the new build there would be parking spaces allocated for No.229 (2 spaces) and No.229a (1 space). 1 space is proposed for the new dwelling within the bank of 4 new spaces.

Access to all 4 spaces would be taken from Bessingby Road (off Victoria Road) via a 'gated' rear service road running alongside the flank of No.1 Bessingby Road.

The surrounding roads are mostly devoid of parking controls but with 'double yellow' line restrictions located on select road junctions. The site is relatively remote from public transport connections and hence exhibits a PTAL of 1/2 which is considered as below average and therefore heightens dependency on the ownership and usage of private motor transport.

##### Parking Provision

This is a back-land development where it is proposed to provide a residential unit with one bedroom on part of the rear garden area where existing derelict garages are positioned.

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

The maximum requirement is for up to 1.5 spaces to be provided. Within the curtilage of the new build there would be parking spaces allocated for No.229 (2 spaces) and No.229a (1 space). 1 space is proposed for the new dwelling within the bank of 4 new spaces.

Although the new unit is marginally under-provided for, the provisions for No's 229 & 229a are welcomed as overall parking pressures are reduced on the surrounding road network. In summary the on-plot parking provisions are considered adequate and therefore acceptable.

In terms of cycle parking there would be a requirement of at least 1 secure and accessible space for the new house to conform to the adopted borough cycle parking standard. 2 spaces within a suitably located store are proposed which is therefore considered acceptable.

##### Vehicular Access Provision

The access to the 4 new parking spaces would occur from a rear service road running alongside No.1 Bessingby Road. This is considered an acceptable arrangement in principle and would require the redundant carriageway crossing, which serves the existing

garage provisions, to be extinguished with footway reinstatement to the Council's construction standard. Such works would need to be undertaken to an appropriate Council specification under a S278/184 (Highways Act 1980) agreement (or suitable alternative arrangement) at the applicant's expense.

#### Vehicular Trip Generation

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The proposal would clearly increase traffic generation from the site as compared to the existing dormant activity from the derelict garages. However peak period traffic movements into and out of the site would not be expected to rise beyond 1-2 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

#### Operational Refuse Requirements

Refuse collection for the new dwelling unit would occur from Bessingby Road. The bin store/collection point for the new unit should be positioned within 10m of the collecting refuse vehicle in order to conform to best practice standards. As this is to be case, there are no concerns with that proposed.

#### Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local residential road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under a suitable planning condition.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not measurably exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

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

#### External Amenity Space

Policy BE23 of the Hillingdon Local Plan requires external amenity space "which is 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. HDAS advises for a 1 bed property a minimum of 40 sq.m should be provided. The Supporting Statement and plans advises the proposal can provide rear amenity space of 44 sq.m, which would meet the Council's minimum standards.

### **7.12 Disabled access**

Access officer was consulted and considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal other than with regard to matters which could be conditioned if the application was acceptable in other respects.

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

Not relevant to this proposal.

### **7.14 Trees, Landscaping and Ecology**

It is unclear from the submitted documents if tree/landscaping removal is proposed as part

of the development and it is anticipated that this may be the case given that there are existing trees located within the proposed site.

Existing trees can contribute significantly to the amenity value and appearance and environmental quality of a development. The proposal should retain any existing trees of merit. The tree removal, retention/protection strategy should be informed by a Tree Survey, following the methodology set out in British Standard BS5837:2012. All built development, including the siting of buildings and location of hard surfaces should take into account the needs of the retained trees below ground (RPA) and above ground (canopy spread) to ensure that they can grow to their natural size and form, without compromising the development. Any loss of trees will need to be justified and replacement tree planting will be expected as an integral part of a comprehensive landscape scheme.

**7.15 Sustainable waste management**

Not relevant to this proposal.

**7.16 Renewable energy / Sustainability**

Not relevant to this proposal.

**7.17 Flooding or Drainage Issues**

Not relevant to this proposal.

**7.18 Noise or Air Quality Issues**

Not relevant to this proposal.

**7.19 Comments on Public Consultations**

The comments made are duly noted and have been addressed appropriately within the report.

**7.20 Planning Obligations**

Not relevant to this proposal.

**7.21 Expediency of enforcement action**

Not relevant to this proposal.

**7.22 Other Issues**

None relevant to this proposal.

**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**

The proposed development, by reason of its siting (in a rear garden) would result in a cramped development of the site, which is visually incongruous (given the setting) and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site to the level proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character, appearance and the residential area as a whole. The proposal is detrimental to the visual amenity and character of the surrounding and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and H12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5, 7.1 and 7.4 of the London Plan, guidance within The London Plan Housing Supplementary Planning Guidance (November 2012) and the NPPF

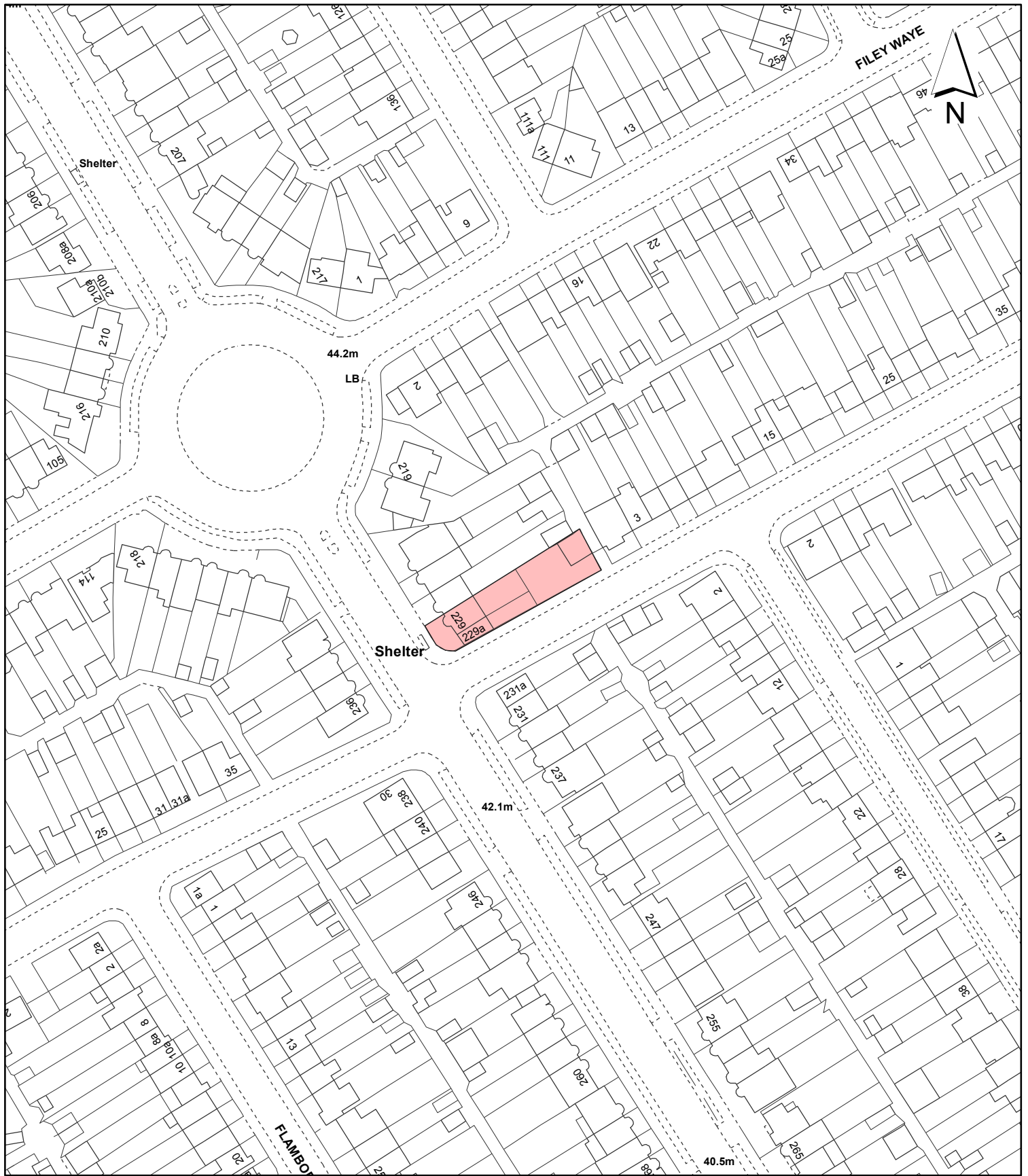


## 11. Reference Documents

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)  
Hillingdon Design and Accessibility Statement: Residential LAYOUT  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Hoda Sadri

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**Notes:**

 Site boundary

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Site Address:

**Land to Rear of 229 and 229A  
 Victoria Road**

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

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**75052/APP/2019/2543**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**December 2019**



**HILLINGDON**  
 LONDON