

Report of the Head of Planning & Enforcement

Address LAND FORMING PART OF 1 WELWYN WAY HAYES

Development: Two storey one-bedroom end-of-terrace dwelling with associated parking and amenity space.

LBH Ref Nos: 65550/APP/2010/350

Drawing Nos: NI/1/10A
Design and Access Statement
NI/1/10B
NI/1/10C

Date Plans Received: 17/02/2010 **Date(s) of Amendment(s):** 04/03/2010

Date Application Valid: 11/03/2010

1. SUMMARY

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE19 states the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area.

The proposal is for an attached house that would be set back from the front wall of the existing property. In design terms, the proposal would appear as a subordinate two storey addition to the existing pair of semi-detached properties, and would maintain adequate distances to the site boundary. It is considered bulk and design of the proposal would not result in a dominant or discordant feature in the street scene or the wider area, and therefore no undue harm would result

The proposal is recommended for APPROVAL.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM2 Levels

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

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 OM5 Provision of Bin Stores

No development shall take place until details of facilities to be provided for the screened, covered storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 67 Derwent Drive.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

RPD5

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 RPD9 Enlargement to Houses - Roof Additions/Alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no addition to or enlargement of the roof of any dwellinghouse shall be constructed.

REASON

To preserve the character and appearance of the development and protect the visual amenity of the area and to ensure that any additions to the roof are in accordance with policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 M5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Vehicular Access

No development shall commence until details of vehicular access arrangements; including details of the design, layout and construction of the vehicular crossover; have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented on site prior to the occupation of the development and thereafter be maintained for the life of the development.

REASON

To ensure the development provides adequate access arrangements in terms of vehicular and pedestrian safety in compliance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 H12 Closure of Existing Access

The existing vehicular access to the side of the site, shall be closed, the dropped kerb removed and the footway reinstated to match the adjoining footway within one month of the new access hereby approved being completed.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

12 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

13 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

14 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

16 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved

landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

17 DIS5 Design to Lifetime Homes Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, and shall include within the design of each wheelchair unit internal storage space for the storage of mobility scooters/wheelchairs and associated charging points as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

18 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) 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.
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.
OE5	Siting of noise-sensitive developments
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	'Residential Developments'
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I2 Encroachment

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

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 I5 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

8 I15 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 should only be carried out between the hours of 08.00 hours 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 and

Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south west side of Welwyn Way and comprises a two storey semi-detached dwelling, with a hipped roof. The front garden has been recently laid to hardstanding and the property enjoys a corner position with a wider than average frontage. There is an access road to the south side which serves a pre-school nursery/scout hut and the allotment gardens at the rear. There is a vehicular access point to the rear of the site from this road, providing the original off street parking area for the property. The dwelling is located within a road of broadly similar properties and is within the 'developed area' as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies, September 2007).

3.2 Proposed Scheme

The application seeks planning permission to erect a two storey 1-bedroom attached dwelling to the side of No. 1 Welwyn Way. The proposed dwelling would be set back from the main front building line by 1m. The dwelling would be 4.8m wide, and 6.3m deep, with a further single storey element to the rear, adding an additional 2.8m and 2.4m wide, covering half the width of the rear elevation. The dwelling would be finished with a subordinate hipped roof, 0.4m below the ridge line of the host dwelling. The dwelling would have a matching eaves height of 5.4m high and 8m high to the ridge.

Two car parking spaces have been shown to have been added to the frontage of the existing property and one space is shown for the new property and the rear of the site which would require the removal of the existing garage and the provision of a new crossover.

3.3 Relevant Planning History

65550/APP/2008/3371 Land Forming Part Of 1 Welwyn Way Hayes

Two storey two-bedroom attached dwelling with associated parking.

Decision: 06-03-2009 Refused

Comment on Relevant Planning History

A previous application for a two storey two bedroom attached dwellinghouse, 65550/APP/2008/3371), was refused for the following reasons -

- 1) The floor area for the proposed dwelling is below the minimum 63m² required for a two-bedroom house. As such, the proposal would fail to provide a satisfactory residential environment for future occupiers.
- 2) The proposal fails to make adequate provision for landscaping in the front garden area of the existing property, No. 1 Welwyn Way. The proposal would therefore be detrimental to the visual amenities of the street scene and character of the surrounding area.
- 3) The proposal fails to provide adequate pedestrian access to the front door of No. 1 Welwyn Way in the event of the two proposed parking spaces being occupied. In order to provide access, it is likely that one of the spaces would not be used and as such, the proposal would be likely to give rise to additional on-street car parking, detrimental to highway and pedestrian safety and would present a hazard in the event of an emergency.
- 4) In the absence of a Tree Survey and/or Arboricultural Implication Assessment to BS5837: 2005 standards, the application has failed to demonstrate that an adjoining street tree (Norway Maple 'Crimon King') would not be adversely affected by the proposed development and has not made provision for its long-term protection.

This application has been amended to reduce the number of bedrooms from two to one. The proposed parking area for the new dwelling would be situated at the rear of the site to allow for a front pedestrian path and soft landscaping of this area. Protective fencing is now shown to the frontage tree, which would be in position whilst any works were carried out.

4. Planning Policies and Standards

London Plan Policy 3A.4 - Accessible Developments
London Plan Policy 4B.3 - Residential Densities

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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. |
| 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.
OE5	Siting of noise-sensitive developments
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	'Residential Developments'
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 neighbours and interested parties were consulted and six letters of representation have been received, which made the following comments -

- (i) The proposal says it is for a 1 bedroom family home, we do not believe it will be adequate accommodation for a family, with only one bedroom. The garden area is awkward by design, being it narrows to one end, it would cause privacy and security issues.
- (ii) The parking to the rear will prove hazardous for the scouts hut (located at the end of Len Taylor Close) which is in constant use, especially for the day nursery with its associated pedestrians with young children. This would also cause further congestion to an already busy road.
- (iii) The proposal would be out of keeping with the area, as locally the dwellings are all semi-detached and this will create a terrace, and therefore not inkeeping with the Nash design intent for the area, and could set a further precedent for this type of development.
- (iv) Light issues - this will affect the houses opposite and adjacent, as it will detract from the natural light currently enjoyed.
- (v) The applicant says protective fencing will be positioned around the mature Maple Tree, how can we be certain the roots will not be affected.
- (vi) The proposal would detract from views of the allotments and the surrounding open areas which is something that is fast diminishing
- (vii) Parking is already difficult on this road, extra cars will be more unacceptable and a safety issue for children and adults alike.
- (viii) Building works would cause severe disruption to the Scouts Hut/Nursery and allotments and will be a safety issue as this road is in constant use. The surrounding roads are already congested and there is a concern for access for emergency vehicles.
- (ix) Currently the adjacent properties keep a close eye over this side road as there has been problems with under-age drinking and drug taking, if a new house is built this will restrict views to this area.
- (x) The drawings fail to show the electricity sub-station at the rear of the site, and implementing a vehicular crossover close the sub-station and Scout Hut entrance would be dangerous. This would also have a knock on effect for any emergency services and the existing residents who find it difficult to park
- (xi) The design and access statement says the proposal would be similar to the surrounding

residential developments - however, there are no terraced properties in the area and this would appear out of character.

(xii) In respect of the parking to the rear, this would be right against our fence, and could cause exhaust fumes to be a problem, as we have a member of our family who is an asthma sufferer.

(xiii) It appears they are cutting back the garden area of the existing property.

(xiv) Are the plans to remove the existing dropped kerb onto Len Taylor Close and reposition a new one

(xv) Has any thought been given to the proposed vehicle hard standing in the rear garden, and any possible fluids being leaked into the ground/drainage system and the problems that could cause

(xvi) There have been security problems from the side road, with this new access, it would allow easy access to our premises - that would cause us concern.

(xvii) There are a number of incorrectly answered questions on the forms

(xviii) It does not appear that the existing house would have any rear access if the proposal went ahead.

(xix) This property would become over developed and spoil the land line.

A petition of 88 signatures has also been received, attached to a letter covering all of the above points.

Internal Consultees

Tree/Landscape Officer; All of the drawings now show the location and spread of the street tree on the corner of Welwyn Way.

THE PROPOSAL - The proposal is to build a two-storey one-bedroom end-of terrace house with associated parking and garden space. The proposed layout (drawing No. 10A) now shows a parking space at the end of the garden leaving the front garden as largely soft landscape. While drawing No.10B also shows areas of tree protection in the form of temporary protective fencing and ground compaction protection measures, further details are required.

RECOMMENDATION - No objection subject to conditions TL1, TL2, TL3, TL5 and TL6.

Highway Engineer; It appears that a new separate pedestrian entrance is proposed for the new unit. The plans show a wide kerbed bellmouth providing access to the two existing parking spaces in the front garden with the application form again stating no alterations to the vehicular access. Yet on site there is a standard cross over (which appears pretty new) which is not wide enough for two cars to manoeuvre into the parking spaces without riding over the footway. A condition is needed requiring the applicant to submit details of the proposed accesses prior to commencement of the development.

There is no objection to the replacement access to the side, providing the applicant covers the cost of this, including the reinstatement of the existing crossover.

Waste and recycling officer; The plan shows space has been allocated for where residents can store waste and recycling in wheeled bins. This is good practice.

The current refuse collection service is weekly, and residents present their waste in sacks that they purchase themselves. The Council provides a multi-material dry recycling each week and provides sacks to residents for this service. The allocated space could be used to store these sacks awaiting collection.

The Council also provides reusable canvas sacks (three per household) for a fortnightly green garden waste collection. These are suitable to be stored outside.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and Policy BE19 states the LPA will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area. Section 4.10 of the SPD explains careful consideration should be given to the height of new buildings and the surrounding building lines, as a general rule the front and rear building lines should be a guide for the siting of new dwellings.

This is an established residential area and therefore there would be no objections in principle to an additional residential property. However, any new development would also need to comply with the above advice.

7.02 Density of the proposed development

With regard to residential density, adequate amenities will be provided for future occupiers of the new property and as such the proposal is considered to comply with the intensions of Policy 4B.3 of the London Plan.

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

The proposal does not affect any of the above.

7.04 Airport safeguarding

The site is not within an airport safeguarding area.

7.05 Impact on the green belt

The proposal is not within the Green Belt.

7.07 Impact on the character & appearance of the area

Section 4.27 of the SPD states careful consideration should be given to building lines, and these should relate well to the existing street pattern. It is considered the proposal would comply with this advice as the new dwelling would be set back 1m from the front building line of the adjacent dwelling and would appear as a subservient addition to the existing pair of semi-detached properties. The new dwelling is adequately set back off the adjoining boundary so as not to impact on the street scene.

With regard to Policy BE22 of the Hillingdon UDP (Saved Policies, September 2007), two storey buildings should be set in a minimum distance of 1m from the side boundaries. The proposed house would result in a 1.8m gap to the side boundary and therefore a cramped appearance would not arise. The proposed dwelling would follow the design of the host dwelling using the same eaves height and similar fenestration details, and the proposal would be finished with a subordinate hipped roof following the design characteristics of the surrounding properties. It is therefore considered the design of the proposed dwelling would not cause harm to the character or visual amenities of the area.

7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination, and 15m will be the minimum acceptable distance. This proposal would comply with this advice as

there are no properties directly to the rear. Furthermore, due to the proposed siting of this dwelling, (it is set back 1m from the front building line of the host dwelling and would align with its rear building line) it is considered the proposal would not cause an adverse affect by way of loss of outlook or light to the existing or adjacent properties. Therefore the proposal would comply with policies BE20 and BE21 of the UDP (Saved Policies, September 2007) and the guidance within the SPD: Residential Extensions.

With regard to loss of privacy, there are no first floor side facing openings shown on the proposed plans, and a condition is attached to restrict the insertion of any further openings, and as such no material loss of privacy would arise. Therefore the proposal would comply with policy BE24 of the UDP (Saved Policies, September 2007) and Section 4.12 of the SPD: 'Residential Layouts'.

7.09 Living conditions for future occupiers

Section 4.7 of the HDAS SPD: 'Residential Layouts', states careful consideration should be given in the design of the internal layout, and that satisfactory indoor living space and amenities should be provided. The proposed internal floor space for the new dwelling would be 54.75m². The SPD states the minimum amount of floor space required for a 1-bedroom two storey house is 50m². The proposal would comply with this advice.

With regard to the size of the garden, the SDP: Residential Layouts: Section 4.15 states that one bedroom properties should have a garden space of at least 40m². The proposal would comply with this advice, with a rear usable garden area of 53.4m² for the new dwelling, together with 70m² left for the existing dwelling (which requires 60sqm under the HDAS). As such, the proposal would comply with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Highway Engineer has been consulted on the proposal. A new separate pedestrian entrance is proposed for the new unit. The plans show a wide kerbed bellmouth providing access to the two existing parking spaces in the front garden with the application form again stating no alterations to the vehicular access. The existing crossover will need to be widened and this is the subject of a recommended condition.

It is not considered that traffic generation from a one bedroom house will result in adverse impacts on the highways network. Issues concerned with on street car parking from the scout hut/allotments are not connected to this planning application.

Therefore the proposal is considered to comply with policies AM7 and AM14 of the UDP (Saved Policies, September 2007).

7.11 Urban design, access and security

As above

7.12 Disabled access

The proposed floor plans show the provision of WC facilities at ground floor level and the Design and Access Statement submitted with the proposal states the proposal is designed to incorporate easy access for wheelchair users. A condition is applied requiring the dwelling to be constructed to Lifetime Homes Standards. As such, the proposal is considered to comply with the intensions of Policies 3A.4 and 3A.5 of the London Plan and the Council's Accessible Hillingdon SPD January 2010.

7.13 Provision of affordable & special needs housing

The proposal does not meet the threshold to require the provision of this type of housing.

7.14 Trees, landscaping and Ecology

The Trees and Landscape Officer has been consulted on the application and has commented that, all of the drawings now show the location and spread of the street tree on the corner of Welwyn Way. The proposal is to build a two-storey one-bedroom end-of terrace house with associated parking and garden space. The proposed layout (drawing No. 10A) now shows a parking space at the end of the garden leaving the front garden as largely soft landscape. Drawing No.10B also shows areas of tree protection in the form of temporary protective fencing and ground compaction protection measures. Therefore subject to suitable conditions the proposal would comply with Policy BE38 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.15 Sustainable waste management

The property would be subject to black bag collection as per other properties in the street.

7.16 Renewable energy / Sustainability

It has been considered that all the proposed habitable rooms, would have an adequate outlook and source of natural light, and therefore comply with the SPD: Residential Layouts: Section 4.9 and Policy 4A.3 of the London Plan (2008).

7.17 Flooding or Drainage Issues

The proposal is not within a flood plain and there are no drainage issues.

7.18 Noise or Air Quality Issues

N/A

7.19 Comments on Public Consultations

Officer comments: With regard to the incorrect answers given on the application forms, a full site visit has been carried out to clarify these matters. The Highway Engineer has been consulted with regard to highway safety issues and the Tree and Landscape Officer in respect of the mature tree to the front.

A construction management condition is proposed to address concerns over construction disturbance. It is not considered that the proposal raises any concerns regarding crime and anti social behaviour. Furthermore neighbouring properties will still be able to overlook the access road. The remaining points are addressed in the full report.

7.20 Planning obligations

Presently S106 contributions for education are only sought for developments if the net gain of habitable rooms exceeds six. This proposal does not provide a net gain of 5 rooms and therefore the appropriateness of a potential contribution has not been pursued on this development.

7.21 Expediency of enforcement action

Not applicable to this application

7.22 Other Issues

None

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the

Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

None

10. CONCLUSION

The proposal comprises the addition of a 1 bed house to the side of an existing pair of semi-detached properties and it is considered the design of the proposed dwelling would be in-keeping with the existing properties in the street scene, mirroring the roof pitches, and fenestration details. Furthermore, due to the building lines, together with the size and bulk, it is not considered the development would result in a dominant or discordant feature, and therefore no undue harm would result to the street scene or the wider area. The proposal is considered to comply with development plan policies and approval is therefore recommended.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007

HDAS: New Residential Layouts: July 2006' Accessible Hillingdon': July 2006

The London Plan (2008)



Council's adopted car parking standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

Consultee and Neighbour responses

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p style="text-align: center;">Land forming part of 1 Welwyn Way Hayes</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p style="text-align: center;">Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">65550/APP/2010/350</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	
	<p>Planning Committee</p> <p style="text-align: center;">Central and South</p>	<p>Date</p> <p style="text-align: center;">May 2010</p>	
		 <p>HILLINGDON LONDON</p>	