

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

**Address** LAND TO REAR OF 89-91 GOSHAWK GARDENS & HAYSTALL CLOSE  
GOSHAWK GARDENS HAYES

**Development:** Erection of two-storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 91 Goshawk Gardens to create additional parking.

**LBH Ref Nos:** 74301/APP/2019/3314

**Drawing Nos:** 30 Rev. B  
01 Rev. B  
21 Rev. C  
22 Rev. C  
23 Rev. C  
24 Rev. C  
Design & access statement  
3455/25 Rev. C  
3455/26 Rev. C  
3455/27 Rev. C  
3455/28 Rev. C

**Date Plans Received:** 09/10/2019

**Date(s) of Amendment(s):** 09/10/2019

**Date Application Valid:** 25/10/2019

### 1. SUMMARY

The application is seeking planning permission for the erection of a two storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 91 Goshawk Gardens to create additional parking.

It is considered that the proposal would not have a detrimental impact on the street scene and surrounding area, it would result in acceptable levels of residential amenity to the occupiers of the neighbouring properties and of the proposed dwellings and it would not result in a detrimental impact on highway safety.

The application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 RES3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### 2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 21 Rev. C, 22 Rev. C, 23 Rev. C, 24 Rev. C and 30 Rev. B and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and the London Plan (2016).

**3 RES7 Materials (Submission)**

The works on the superstructure shall not commence until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part Two- Development Management Policies (2020).

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

The works on the superstructure shall not commence until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping

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

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

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

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage for 2 cycles

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

3. Details of Landscape Maintenance

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

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

4. Schedule for Implementation

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

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 14 and DMT6 of the Hillingdon Local Plan Part Two- Development Management Policies (2020) and Policy 5.17 (refuse storage) of the London Plan (March 2016).

### **5 RES12 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England)Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof of the proposal.

## REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

### **6 RES13 Obscure Glazing**

All the windows on the south facing side elevation and all first floor rear facing windows shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

## REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part Two- Development Management Policies (2020).

### **7 NONSC Non Standard Condition**

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

## Reason

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

## INFORMATIVES

### **1 152 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).

### **2 153 Compulsory Informative (2)**

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

DMHB 11 Design of New Development

DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
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 5.17	(2016) Waste capacity
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

### **3 159 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### **4 147 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

### **5 15 Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory

booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**6**            **16**                            **Property Rights/Rights of Light**

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

**7**            **115**                            **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**8**            **121**                            **Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

**9**            **123**                            **Works affecting the Public Highway - Vehicle Crossover**

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

**10**

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in

order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### **3. CONSIDERATIONS**

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

The application relates to a parcel of land within the rear garden area of No.89 and 91 Goshawk Gardens which are two maisonettes located in a two storey property. The brick and tile host property is located on a corner plot at the junction of Goshawk Gardens and Haystall Close.

The host properties are attached to Nos.85 and 87 Goshawk Gardens to the West and Haystall Close runs to the East. The rear of the curtilage borders No.1 Haystall Close to the North West.

The area is residential in character and appearance and is made up of a mix of two storey terrace blocks and semi-detached dwellings.

#### **3.2 Proposed Scheme**

The application is seeking planning permission for the erection of a two storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 91 Goshawk Gardens to create additional parking.

The two storey building would be located in the Northern part of the parcel of land and would face Haystall Close. It would consist of a curved shaped to follow the shape of the land. It would be constructed with red brick and would be characterised by a hipped roof with a maximum height of 7.2 metres.

The flats would have separate access doors and would have similar layouts and both would be 2-bed, 4-person units.

The existing crossover from Haystall Close would be extended and 2 new crossovers would be installed along the Eastern boundary accessed from Haystall Close. Six parking spaces would be provided, in total, for the new dwellings and the existing flats at Nos.89 and 91 Goshawk Gardens.

During the determination process, the proposal was amended to reduce the total number of crossovers from four to three.

#### **3.3 Relevant Planning History**

74301/APP/2018/3913      89 And 91 And Land Adjacent 89 & 91 Goshawk Gardens Hayes

Two storey, 2-bed, attached dwelling and two storey building to create 2 x 2-bed self-contained flats with associated parking, involving demolition of existing garages

**Decision:** 04-03-2019      Withdrawn

74301/APP/2019/1442      Land To Rear Of 89 Goshawk Gardens & Haystall Close Goshawk Ga

Erection of two-storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 9 Goshawk Gardens to create additional parking.

**Decision:** 06-08-2019 Refused

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

This is the third application for this proposal. The first application was withdrawn on 04/03/2019 (Ref: 74301/APP/2018/3913).

The second was refused on 06/08/2019 under reference 74301/APP/2019/1442. It was considered that the proposal by reason of its siting, size, scale, bulk and projection forward of the established return building line and its proximity to the highway would result in an overbearing and visually intrusive addition to the detriment of the visual amenities of the street scene and surrounding area and that insufficient parking would be provided for the development resulting in the detriment of highway and pedestrian safety.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 18 Private Outdoor Amenity Space
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- 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 5.17 (2016) Waste capacity
- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land  
NPPF- 12 NPPF-12 2018 - Achieving well-designed places

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

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

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

## **6. Consultations**

### **External Consultees**

Eleven neighbouring properties were notified of the proposal on 18/11/2019. A site notice was also displayed which expired on 11/12/2019.

Six responses and a petition against the application containing 20 signatures were received objecting on the following grounds:

- The proposal is 'garden grabbing';
- Access is from Haystall Close despite plans suggesting the address would be Goshawk Gardens;
- Will cause parking congestion in the area;
- Congestion will increase danger of accidents as the junction already has visibility issues;
- Building works will cause disturbance to the residents;
- Not in keeping with the character of the existing properties within Haystall Close;
- Overdevelopment would impact property values;
- Loss of light and overlooking to neighbouring properties;
- Building regulations do not allow a vast property to be built in a back garden;
- Overdevelopment of the site;
- System cannot sustain any further people living the area;
- The new crossovers would remove on street parking spaces;
- Parking issues impact the bus routes and access for emergency services;
- Impact on quality of life;
- There is anti-social behaviour in the area;
- Loss of garden space for existing properties.

### **Officer Comments:**

The future addresses of the proposed dwellings, property values, anti-social behaviour and the temporary building works are not a planning consideration. The highway impacts, impacts on residential amenity and the impacts on the character of the street scene will be considered in the report below.

### **Internal Consultees**

Highways Officer:

When considering the scale of the development against the London Borough of Hillingdon car parking standards, six on-plot car parking spaces would be required (three for the existing units and three for the proposed units).

The current proposals seek to provide three spaces per unit through three crossovers. This is in compliance with the Council's recently adopted dropped kerb/crossover standards which states that "only one crossover will be permitted per property" in an attempt to limit any adverse impact on pedestrians using the adjoining footway.

Mindful of the above, there is no objection to this application.

Access Officer:

Any grant of planning permission should include the following conditions:

Prior to works commencing, details of step free access to the ground floor flat, 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 ground floor flat hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

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

## **7. MAIN PLANNING ISSUES**

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

In order to establish the acceptability of the principle of developing this site for residential purposes, it is necessary to taken into account currently adopted planning policy.

Paragraph 70 of the National Planning Policy Framework (June 2018) states that Local Planning Authorities should considered the case for setting out policies to resist inappropriate development of residential gardens where development would cause harm to the local area.

The London Plan (2016) provides guidance on how applications for development on garden land should be treated within the London Region. Paragraph 3.34 states that the London Plan supports development plan-led presumptions against development on back-gardens as back gardens play an importance role and are a cherished part of the townscape. In addition Policy DMH 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) also states that 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 neighbouring residential amenity being maintained, the vehicular access and car parking would not have an adverse impact; must be more intimate in mass and scale and trees, shrubs and wildlife habitat must be retained or re-provided.

In addition to this paragraph 1.2.44 of the Mayor's Housing Supplementary Planning Guidance (November 2016) advises that when considering proposals which involve the loss of gardens, regards should be taken of the degree to which gardens contribute to a community's sense of place and Quality of life (Policy 3.5) especially in outer London (Policies 2.6 and 2.7). The contribution gardens make towards biodiversity also needs to be considered (Policies 7.18 and 7.19) as does their role in mitigating flood risk (Policies 5.12 and 5.13). Gardens can also address the effects of climate change (Policies 5.9 - 5.11).

This development would be located on garden land of Nos.89 and 91 Goshawk Gardens. The size of the garden serving these maisonettes is larger than most within the immediate

area. Although it is located within a rear garden area it is noted that it would have its own frontage and access onto Haystall Close and so it is considered that the proposal would not be considered as 'backland'.

Subsequently, it is considered that the redevelopment of this parcel of land is acceptable in principle as long as the proposal complies with all other material planning considerations which will be discussed in more detail below.

#### **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.

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

The site does not lie within a Conservation Area or Area of Special Local Character and it would not have an impact on the setting of a Listed Building or an area of archaeological importance.

#### **7.04 Airport safeguarding**

Not applicable to this application

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

Not applicable to this application

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. In addition, Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

The proposed new building has been designed to reflect the size and appearance of the adjoining and nearby neighbouring properties in regards to its height, roof form and materials. The footprint follows the building line along Haystall Close and matches the turn in the road. The building would be located 4 metres from Haystall Close and so it is considered it would not appear over dominant. Although it would project more eastwards than the existing side elevation of Nos.89 and 91 Goshawk Gardens, there is not a definitive building line running North to South. The open space to the side of 1 Haystall Close maintains an open spaciousness within the street scene in relation to the adjacent T junction. However, it is considered that when viewing from the junction it would not result in the loss of a visual gap due to the siting of existing properties along Haystall Close, and the gap between the proposal and the road allows for the openness of the corner to be retained in some part. It is also noted that the use of a small boundary wall along the frontage would open the corner up more than the existing 2 metre high boarded fence.

Subsequently, it is considered that on balance, that the proposal would appear in keeping with the surrounding area and would not appear over dominant within the street scene. Therefore, it is considered that the proposal would therefore comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **7.08 Impact on neighbours**

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties.

The new building would be located 15 metres from the host properties of Nos.89 and 91 Goshawk Gardens and so it would not intersect the 25 degree vertical daylight line from the ground floor flat. In addition, although there would be windows facing the host properties these do not act as primary windows to habitable rooms and so can be condition to ensure that they are non-opening and obscure glazed. Due to the separation distance and the size of the proposed building it is considered that it would not have a detrimental impact on the residential amenity of No.1 Haystall Close.

Subsequently, it is considered that the proposal would not result in a detrimental impact on any neighbouring properties in terms of loss of light, loss of outlook, sense of dominance or loss of privacy. Therefore, the proposal would comply with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **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. A 2 bed, 4 person single storey dwelling requires 70 sq.m.

The ground floor flat would measure 70 square metres and the first floor flat would measure 75 square metres. It is considered both dwellings would comply with the minimum standard for a 2 bed, 4 person flat with a reasonable level of outlook and light to all habitable rooms.

Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires all new residential dwellings to provide sufficient external amenity space to protect the amenity of the occupants of the proposed building and is usable in terms of its shape and surrounding. Table 5.3 policy states a shared amenity space for 2 bed flats should be 25 square metres each.

Proposed flats 1 and 2 would benefit from an amenity area measuring approximately 65 square metres, and the host dwelling 89/91 Goshawk Gardens would have an area of 80 square metres.

The proposal would therefore accord with Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

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

Policy DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that safe and efficient vehicular access is provided to the Council's standards and it would not support development which will unacceptably impact the highway network or road user safety. Policy DMT 6 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The proposal includes the creation of 2 new crossovers via Haystall close to serve both the existing and proposed properties and the extension of the existing crossover to the rear of the new building to serve the proposed flats.

The PTAL rating of the proposed development is 1b, which would indicate the site has 'poor' access to public transport, on this basis the car will be heavily relied upon. When considering the quantum of the proposed development, 6 off street car parking spaces should be provided. This requirement has been met. The siting, size and number of the crossovers have been considered acceptable. Subsequently, it is considered that the proposal would comply with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

**7.11 Urban design, access and security**

These issues are covered in other sections of this report.

**7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application

**7.14 Trees, landscaping and Ecology**

Policy DMHB 14 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping where appropriate. No trees or landscape features of merit will be affected. Relevant landscaping conditions should be added if approval is recommended.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

Not applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

All representations relating to character and appearance of street scene, impact upon the residential amenities of the adjoining neighbours, additional traffic/parking, trees would constitute material planning considerations and have been addressed within the main body of the report.

**7.20 Planning obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014 and the charge for residential developments is £95 per square metres of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per square metre as of 01/04/2019. The proposed development would create an additional amount of 140 square metres.

**8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in

accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable to this application.

#### **10. CONCLUSION**

The application is seeking planning permission for the erection of a two storey building to create 2 x 2-bed flats, with associated parking and amenity space, involving installation of vehicular crossover to front and also to front and side of 89 and 91 Goshawk Gardens to create additional parking.

It has been considered that the proposal would not have a detrimental impact on the street scene and surrounding area, it would result in acceptable levels of residential amenity to the occupiers of the neighbouring properties, and of the existing and proposed dwellings and it would not result in a detrimental impact on highway safety.

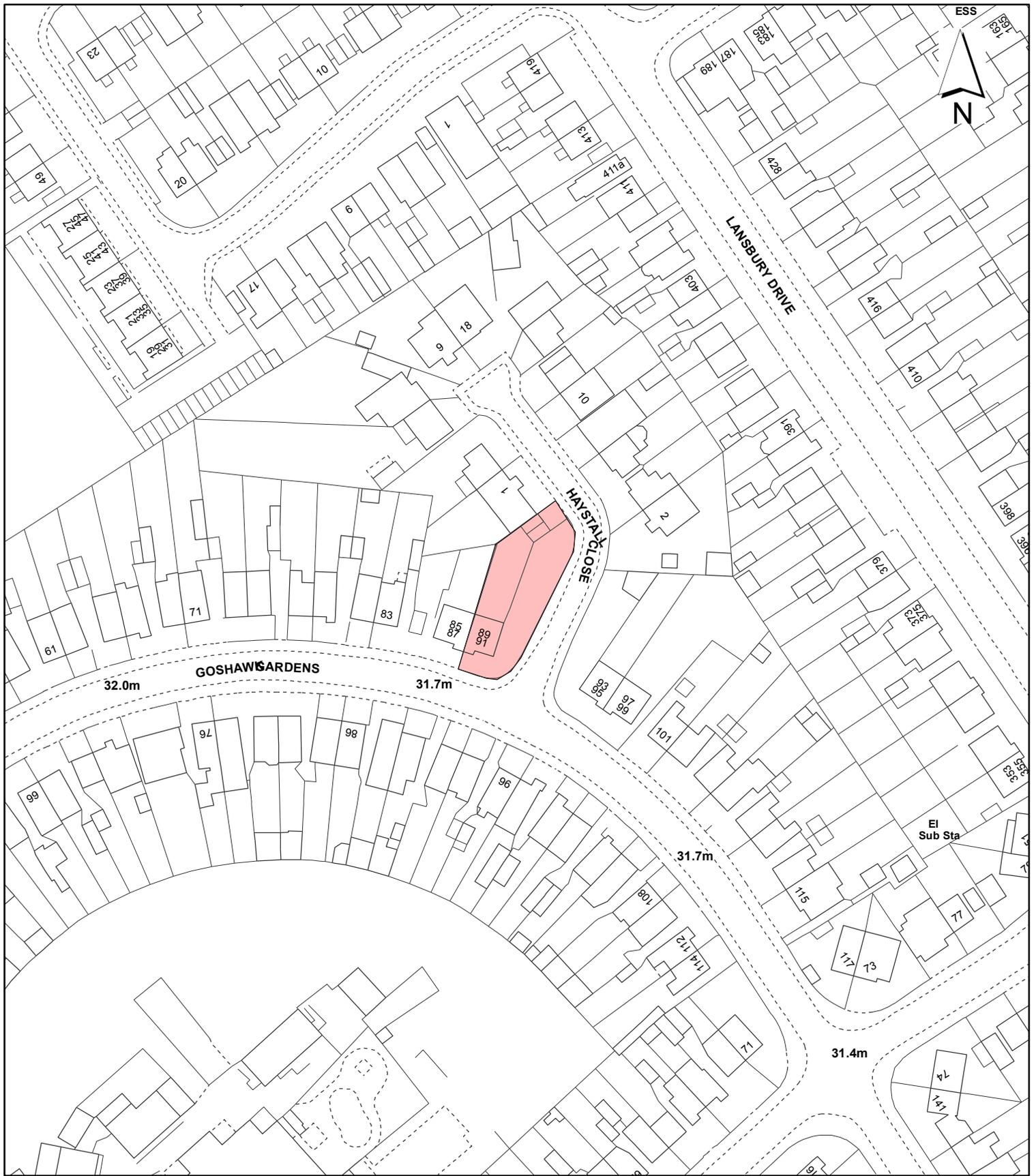
The application is recommended for approval.

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

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
The London Plan (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Technical Housing Standards - Nationally Described Space Standard  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Charlotte Spencer

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**Land to Rear of 89-91  
 Goshawk Gardens**

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

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

Planning Application Ref:

**74301/APP/2019/3314**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**March 2020**



**HILLINGDON**  
 LONDON