

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 64 REGENT AVENUE HILLINGDON

Development: Conversion of two storey dwelling with habitable roof space into 2 x 1 bed flats with associated parking and amenity space

LBH Ref Nos: 58575/APP/2018/3682

Drawing Nos: Location Plan (1:1250)
ASB643-01
ASB643-02
ASB643-04A

Date Plans Recieved: 16/10/2018 **Date(s) of Amendment(s):** 22/10/2018

Date Application Valid: 24/10/2018 16/10/2018

1. **SUMMARY**

The application seeks planning permission for the conversion of a single dwelling to 2 x 1-bed self-contained dwellings with associated parking and amenity space. The application property has been extended previously by way of a single storey rear extension as well as the conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end.

The proposed floor spaces, bedroom areas, provided amenity and parking spaces all satisfy the Policy requirements and hence 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, number ASB643-04A 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 1 (2012), Part 2 (2020) and the London Plan (2016).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

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

2 153 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.

DMH 4	Residential Conversions and Redevelopment
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
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes

3 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.

4 115 Control of Environmental Nuisance from Construction Work

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

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

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

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

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

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

5 147 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).

6 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

7

The site lies in a Critical Drainage Area (CDA) as identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. All developments in this area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission. A water butt should be incorporated.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the South Western side of Regent Avenue, Hillingdon, and comprises a terraced dwelling. The property has a large rear garden, with an outbuilding to the very far side, which adjoins neighbouring properties on Grosvenor Crescent. To the front the property has the capacity to accommodate for two off street parking spaces, and has been fully paved in hardstanding.

The street scene is residential in character and appearance comprising mainly of terraced properties. No other properties along Regent Avenue appear to be converted into flats, and application site hence would be the first.

3.2 Proposed Scheme

The application proposes the conversion of a single dwelling into two flats with associated parking and amenity space. The associated parking would be available by the widening of an existing dropped kerb. The proposal includes associated amenity space, refuse storage and cycle and car parking for each flat.

3.3 Relevant Planning History

58575/APP/2003/1676 64 Regent Avenue Hillingdon

INSTALLATION OF DORMER WINDOWS AND CONVERSION OF HIP TO GABLE END
(APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR
OPERATION OR ACTIVITY)

Decision: 18-08-2003 PRQ

Comment on Relevant Planning History

58575/APP/2003/1676 - Approved rear dormer and hip to gable end.

4. Planning Policies and Standards

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 4 Residential Conversions and Redevelopment

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

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Twelve neighbouring properties were consulted on the application via letter dated 26.10.18. A site notice was displayed to the front of the property, and expired on 27.11.18.

By the end of the consultation period, no objections have been received.

A Ward councillor requests that the application is considered by committee. The Cllr is concerned with the number of family homes in Hillingdon East ward being converted into flats, putting pressure on local services and parking provision in the neighbourhood.

Internal Consultees

Highways officer:

The proposals comprise the change of use of an existing dwelling to 2 x 1 bed units with associated parking provision. When considering the quantum of development against the London Borough of Hillingdon car parking standards, it is required that this proposal provide a requisite of 2 parking spaces (1 space per unit).

It is apparent from the submitted information that 4 existing parking spaces are to be utilised with 2 spaces being located along the site forecourt and 2 spaces to the rear of the site which are accessed via Grosvenor Crescent through a one way private access road.

Overall, I do not consider this application to have adverse implications upon the safety and convenience of the highway network.

Mindful of the above, I do not have any objections to this application.

Access officer:

I have considered the detail of this planning application and have no comments to make at this time.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This is an existing residential unit set in a spacious plot. 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 policies outlined in the Hillingdon Local Plan (November 2012).

Policy DMH 2 of the Local Plan: Part Two - Development Management Policies (2020) advises the Council will require the provision of a mix of housing units of different sizes to reflect the latest information on housing need.

Policy DMH 4 advises residential conversions and redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped;
- ii) on streets longer than 1km the proposed development should be taken as the midpoint of a 1km length of road for assessment purposes;
- iii) the internal floor area of the original building to be converted is at least 120 sqm; and
- iv) units area limited to one unit per floor for residential conversions

In consideration of Policy DMH 4 the supporting text advises the redevelopment of dwellings into new blocks of flats can enable more effective use of sites to be achieved. However this type of development must seek to enhance local character of the area. Previously large concentrations of flats have resulted in a range of problems, including increased on-street parking, loss of front gardens, reduction in privacy, significant changes to the street scene and loss of family accommodation.

It is acknowledged that historically there have been no other property along Regents Avenue, that appears to be converted, or permission to be granted. The extended property measures more than than 120 sqm. As such, it is considered that the conversion of 64 Regents Avenue, in principle, be allowed as it is in compliance with Policy DMH 4.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposal does not involve any external alterations to the property which have not already been previously agreed.

7.08 Impact on neighbours

The proposal would not have any external alterations to the existing dwelling. All remaining windows remain as previously approved. As such, the proposal would not unacceptably harm the residential amenities of the occupants of neighbouring properties.

7.09 Living conditions for future occupiers

Internal Floor Space:

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

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The ground floor flat will have 1 bedrooms, a kitchen, living room and a separate shower room. A one bedroom two person dwelling at single storey is required to provide an internal floor area of 50 m², the proposed development has an internal floor area of 51 m² and hence is in compliance.

The first floor flat (with the loft) is proposed to have a double bedroom at loft with a kitchen, bathroom, living room at the first floor. The loft would also have an ensuite facility. A one bedroom two person dwelling at two storeys is required to provide an internal floor area of 58 m². The first floor and second floor flat would have an internal floor area of 70 m². As such, the proposal would provide a living area of a satisfactory size of the minimum internal floor spaces requirements for developments of this nature, and the new dwelling would satisfactory achieve good living environment for future occupants. The proposal is in compliance with Policy 3.5 and Table 3.3 of the London Plan (March 2016) and Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management

Policies (January 2020).

All proposed bedrooms meet the London Plans minimum space standards and all habitable rooms are considered to have sufficient outlook and light. The proposal is therefore in compliance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policies 3.5 and 5.3 of the London Plan (2016) and the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016).

External Amenity Space:

Submitted plans demonstrate that Flat 1 and Flat 2 would each be served with external amenity space of in excess of 40 m² each. The plans have also been amended to ensure that each flat will be able to access the rear garden easily and that there will be no direct overlooking into either amenity spaces. As such, the proposed scheme would meet the standards of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)..

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 2 seeks to minimise the impact of development on the surrounding highway with regards to traffic, air quality, noise, local amenity and safety. DMT 5 seeks to ensure that proposals make adequate provision for pedestrians and cyclists, including satisfying the minimum cycle parking standards. Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires development proposals to comply with the car parking maximum standards in order to facilitate sustainable development.

The submitted plans show that 4 off street parking spaces are to be provided within the frontage and rear. The highways officer has commented on the application stating that the development satisfies the council's requirements and that there are no highways safety issues raised with the development. The development would therefore not lead to additional on street parking to the detriment of public and highway and pedestrian safety. As such, it is considered that the proposal would meet the requirements of Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.11 Urban design, access and security

Discussed above.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

None received.

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 August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre. The development benefits from extended floor space.

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 seeks planning permission for the conversion of a single dwelling to 2 x 1-bed self-contained dwellings with associated parking and amenity space. The application property has been extended previously by way of a single storey rear extension as well as the conversion of roof space to habitable use to include a rear dormer, 3 front roof lights and conversion of roof from hip to gable end.

The proposed floor spaces, bedroom areas, provided amenity and parking spaces all satisfy the Policy requirements and hence 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: Nurgul Kinli

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**64 Regent Avenue
 Uxbridge
 UB10 9AN**

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

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

Planning Application Ref:

58575/APP/2018/3682

Scale:

1:1,250

Planning Committee:

Central & South

Date:

Sept 2020



HILLINGDON
 LONDON