

Report of the Head of Planning & Enforcement

Address LAND FORMING PART OF 11 AND 11 HOYLAKE GARDENS RUISLIP

Development: Two storey three-bedroom, end-of-terrace dwelling with associated parking and amenity space and single storey rear extension with roof lantern to existing dwelling and alterations to existing crossover.

LBH Ref Nos: 66856/APP/2010/518

Drawing Nos: 1097/P/3
Design and Access Statement
1097/P/1/A
1097/P/2/A

Date Plans Received: 09/03/2010 **Date(s) of Amendment(s):** 09/03/2010
Date Application Valid: 18/03/2010

1. SUMMARY

Policy BE13 of the Adopted Hillingdon Unitary Development Plan (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 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.

The proposal is for an attached house that would appear as an additional property attached to a pair of existing semi-detached dwellings, however, due to the inadequate areas and separation distances shown, the subdivision of this site would result in a development that would appear cramped, overly dominant and un-neighbourly in relation to the existing properties at 13-15 Hoylake Gardens and the wider street scene. Furthermore, due to the inadequate off street parking provision and because a contribution towards shortfall of education provision has not been offered or secured the proposal would fail to comply with the Adopted Hillingdon Unitary Development Plan (UDP) (Saved Policies, September 2007)

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its siting and design would result in a cramped form of development, due to the in-filling of an important gap, which would be out of keeping with the character and appearance of surrounding properties. It would result in the loss of the open and spacious appearance of the site, and would unacceptably disrupt the layout of this established residential area, to the detriment of the visual amenities of the street scene. The proposal would therefore be contrary to Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies September 2007, Policies 3A.3 and 4B.1 of the London Plan, the Council's Supplementary Planning Guidance HDAS: Residential Layouts and The London Plan: Interim Housing Supplementary Planning Guidance.

2 NON2 Non Standard reason for refusal

The proposal, by reason of its size, bulk, design and proximity, with inadequate separation distances between the proposed dwelling and the existing properties, No.s 13 and 15 Hoylake Gardens, would result in an overly dominant, visually intrusive and an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore the proposal would be contrary to policies BE20, and BE21 of the Hillingdon Unitary Development Plan (Saved Policies September 2007), Policies 3A.3 and 4B.1 of the London Plan, the Council's Supplementary Planning Documents HDAS Residential Layouts and The London Plan: Interim Housing Supplementary Planning Guidance.

3 NON2 Non Standard reason for refusal

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development, including contributions towards education facilities. The scheme therefore conflicts with Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document on Planning Obligations (2008).

4 NON2 Non Standard reason for refusal

The proposal has not demonstrated that sufficient off street parking /access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision with regard to the Councils approved car parking standard. It is therefore considered that the development would be likely to result in on-street parking to the detriment of public and highway safety and as such would be contrary to policies AM7 and AM14 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and to the Hillingdon's Adopted Parking Standards (Hillingdon UDP, Saved Policies, September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	'Residential Layouts and Extensions
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

3

It is noted that the site layout plan shows a crown roof, which does not correspond with the remaining drawings. If the above had not applied amended drawings would have been sought to resolve this omission and any resubmission should address this issue.

4

Two off-street parking spaces are proposed, one for each dwelling, in front of the proposed dwelling. It is unclear if/how the relevant parking area would remain in the ownership of the existing dwelling and future owners of that property (No.11), in order for it to be used for parking by the existing dwelling when the proposed dwelling is sold. Furthermore, given the size and type of both the existing and proposed dwellings, it would be prudent to consider a parking demand of two spaces per dwelling would be acceptable. If a further application is submitted the above ownership matter should be clarified and a parking stress survey should be submitted, details of which should be agreed with the Council's Highways Engineer.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is on the north side of Hoylake Gardens and comprises a semi-detached property with a wider than average frontage (compared with other properties in Hoylake Gardens). The existing property is the end 1930's dwelling in the street, before a group of more modern 1980's properties begin. Hoylake Gardens originally comprised a small cul-de-sac of 16-18 dwellings, although this has now been extended to include an area of 1980's terraced properties with shallow rear gardens, some of which back onto the side of the application site. The application site lies within the `developed area as identified in the Adopted Hillingdon Unitary Development Plan (UDP) (Saved Policies, September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of a three bedroom attached dwelling house and a single storey rear extension to No.11 Hoylake Gardens.

The proposed two storey dwelling would be 6m wide and 10.4m deep, although 3m of this depth would be a single storey element to the rear. The proposed house would be set back from the front building line of the host dwelling by 3m. The house would be 5.1m high at the eaves and 8.3m high at the ridge. This would match the eaves and ridge

height of the existing house, although there would be a subservient ridge between, linking the two properties. The single storey element to the rear would be finished with a flat roof, with a parapet wall to the sides, at a maximum height of 3.3m. Although centrally located within this roof area would be a 0.85m by 1.2m roof lantern.

The proposed single storey rear extension to the existing property (11 Hoylake Gardens) would comprise a 6m wide and 3.2m deep element finished with a flat roof, with parapet wall to the sides, at maximum height of 3.3m. Although centrally located within this roof area would be a 4m by 1.7m roof lantern.

3.3 Relevant Planning History

Comment on Relevant Planning History

None

4. Planning Policies and Standards

Supplementary Planning Guidance: Educational Facilities
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. |
| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM14 | New development and car parking standards. |
| HDAS | 'Residential Layouts and Extensions |
| LPP 3A.5 | London Plan Policy 3A.5 - Housing Choice |
| LPP 4B.5 | London Plan Policy 4B.5 - Creating an inclusive environment. |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

16 Neighbours and Interested Parties were consulted and a petition of 27 signatures and 18 letters of representation have been received which make the following comments -

1. I object, the proposal will block my light and be unsightly
2. The house would overlook my garden at close range
3. It would spoil the appearance of Hoylake Gardens
4. The proposal will block my sunlight, causing permanent shade to my property
5. The building will be very close to our main habitable rooms and garden, resulting in loss of privacy
6. Our gardens are very shallow, and the proposal will be too close
7. The existing trees have recently been removed - probably in view of the construction
8. Any further houses will increase the noise levels and traffic in the street
9. The road only has 10 on-street parking spaces, with 13 cars vying for them, if the proposal goes ahead, no 9 and 11 will need to park on the street. No 9 has no off street parking, but due to a family connection has used No 11 to park at.
10. The application states No 11 already faces terraced properties - this is not correct, the site faces semi-detached properties and this proposal would be out of character in the street scene.
11. The application also states people don't need cars as the site is near transport links. We have 4 shift workers who need cars, 8 pensioners who need cars who perhaps can't walk far and others who work all over the country.
12. Parking is already an issue, and the proposal will result in 3 parking spaces for 3 houses
13. I see no positive improvements the development will make to the area, only detrimental ones.
14. The proposal would hamper access to me property and disturb the layout of the neighbourhood
15. From the drawings it would appear the barest minimum standards are being met, or perhaps slightly under
16. It is our opinion the area to the side of No 11 is not wide enough to accommodate an infill property
17. The proposal will affect the value of my property
18. Whilst the proposal may meet the required set in of 1m from the boundary, due to the orientation of our properties, this will result in an eyesore, with the views from both floors of my property spoilt.
19. We are concerned about any construction traffic in the cul-de-sac, access arrangements, and construction noise. In addition once the development was complete, if windows were left open noise would permeate into adjacent gardens
20. The development would be visually intrusive, due to the different building lines that would be used, resulting in the view of a long flank wall from my property
21. I am not sure the site can adequately accommodate the proposal
22. The proposal is out of character with the original house to which it would be applied, and would also appear cramped.
23. Due to the application existing parking problems, householders may be tempted to turn front gardens into parking spaces, resulting in a concrete jungle
24. Whilst the plans may state - the side windows would be obscure glazed, these would have to be openable, making our gardens no longer private
25. My wife and I are about to become 80yrs old and without a car would be housebound - so to suggest that we don't need one is outrageous and selfish
26. The cul-de-sac narrows to its narrowest point, outside our property, several times lorries or large vehicles have mounted our front paved and pebbled area as they cannot pass if a vehicle is

parked on the other side of the road - our surface is constantly being broken. Building lorries and vans would cause chaos and further destruction.

27. We have been informed that when an application was submitted for a garage - it was declined, but built anyway and is now used for business purposes

28. There are a number of errors on the Design and Access Statement and drawing 1097/P1 confuses the existing dwelling with the proposed dwelling.

29. The plans show both 11 and 11a to store their rubbish on the frontage in full view of other residents - Covered bin storage areas should be provided to minimise the environmental impact.

Internal Consultees

Trees and Landscape Officer; The site is occupied by a semi-detached house within an exceptionally wide plot whose northern/side boundary backs on to the rear gardens of house numbers 13-19. While no tree survey has been submitted, the existing site plan indicates the presence of trees and hedges within the garden, notably on the boundaries. There is no TPO or Conservation Area designation affecting the site - which might constrain development.

LANDSCAPE ISSUES - Policy BE23 and 38 seek landscape enhancement in association with residential development. The details of this could be secured by condition. DCLG/EA guidance requires paved front gardens to be designed and specified to comply with SUDS.

RECOMMENDATION - No objection subject to conditions TL5 and TL6.

Access Officer; No comments received

Waste strategy Section; I would make the following comments on the above application regarding waste management. The plan does show that a space has been allocated for where residents can store waste and recycling.

The current waste and recycling collection systems are: -

- Weekly residual (refuse) waste using sacks purchased by the occupier
- Weekly dry recycling collection using specially marked sacks provided by the Council.
- Fortnightly green garden waste collection using to specially marked reusable bags provided by the Council.

Highways Engineer - The site is shown to be in an area with a PTAL accessibility rating of 3 (medium), (on a scale of 1-6, where 6 is the most accessible), as indicated on maps produced by TfL. The area in the vicinity of the site has a PTAL rating of 2-3 low to medium respectively.

Hoyleke Gardens is a narrow road. Its effective width being further reduced by on-street parking. On street parking has been observed to be congested in the vicinity of the site.

The proposals would result in loss of a large car parking area associated with no. 11. The existing property no.11 is a 3 bedroom family dwelling and the proposed property 11A would also be a 3 bedroom family dwelling. Two off-street parking spaces are proposed, one for each dwelling, in front of the proposed dwelling. It is unclear if/how the relevant parking area would remain in the ownership of the existing and future owners of no.11 in order for it to be used for parking by the existing dwelling when the proposed dwelling is sold. Clarification should be sought by the applicant on this issue.

Given the size and type of both the existing and proposed dwellings, it would be prudent to consider a parking demand of two spaces per dwelling to be acceptable. The applicant should submit a parking stress survey, details of which should be agreed with the Council's Highways Engineer.

Consequently, in light of the above comments, the application is recommended to be deferred or withdrawn for additional information to be submitted. In the absence of information, the future use of the parking area by the existing dwelling is unsatisfactory and the off-street parking provision is considered to be deficient, leading to additional on-street parking, which is likely to have a detrimental effect on highway safety. The proposals are therefore considered to be contrary to the Council's Policies AM7 & AM14.

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 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

Policy 3A.3 of the London Plan seeks to ensure that new developments achieve "the maximum intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Boroughs should develop residential density policies in their DPDs in line with this policy and adopt the residential density ranges set out in Table 3A.2 and which are compatible with sustainable residential quality."

In this regard it is noted that the density ranges in table 3A.2 are generally an appropriate measures for larger scale developments, whereas for individual units the appropriateness of a scheme will normally hinge on its individual merits.

The London Plan Interim Housing Supplementary Planning Guidance provides further guidance on density and the loss of private garden land, in particular it encourages Local Planning Authorities to "take account of the full intent of the policy and not just the associated density matrix i.e. achieve the maximum intensity of use compatible with local context, the design principles of Policy 4B.1 and with public transport capacity". It also highlights the importance of considering "local context and character including the historic and built environment" and the contribution that private garden land can make towards these features of the area.

It is not considered that a refusal on density grounds alone is justified, however it is considered that the density and relevant London Plan Policy context contributes to concerns over the harm that the development would have on the local context and maintaining/achieving a sustainable residential quality, as addressed elsewhere in this report.

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

The application does not affect any of these designations

7.04 Airport safeguarding

The site is not within an airport safeguarding area

7.05 Impact on the green belt

The application site is not within a Green Belt

7.06 Environmental Impact

Not applicable for this application

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 the intensions of this advice, as although the new dwelling would be set back by 3m in relation to the host dwelling, it is considered this would respect the frontage of the original pair of symmetrical semi-detached dwellings, appearing as a subservient addition to the end of the same. Furthermore due to this being the last property of this particular row, it is not considered this set back position would be at odds with the remaining properties. The proposed dwelling would follow the design of the host dwelling using the same eaves height with a subservient ridge linking the two properties together. The dwelling is considered to reflect the style of the existing property, and the character of the street scene in general, including the overall size and shape of the hipped roof, together with the doors and window arrangements which are considered to be in-keeping with the appearance of the surrounding area.

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, this is to prevent a terracing affect and to protect visual gaps between properties. The proposed house would result in a 1m gap to the boundary and therefore technically complies with this advice. However, Hoylake Gardens is characterised largely by semi-detached and terraced two storey houses. It is considered this part if the streetscene is tightly packed, and there is little relief in terms of gaps between properties. The application site forms the last house of the original 1930's properties on this street before the more tightly packed 1980's properties begin. This gap between the old and new, provides a visual relief of open space and a view through the built development. The proposed dwelling would in-fill this gap and result in a cramped form of development, failing to respect the existing street pattern and therefore contrary to the requirements of policies BE13 and BE19 of the Unitary Development Plan (Saved Policies September 2007).

Therefore the proposal would result in a detrimental impact on the visual amenities of the street and the wider area, and as such would fail to comply with Policies BE13, and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and Policies contained the HDAS Supplementary Planning Document: Residential Layouts.

With regard to the proposed single storey rear extension, at 3.2m deep, this would comply with the recommended depth guidance in the SPD: Residential Extensions, which specifies a maximum of 3.6m deep. The proposed fenestration details would reflect the proportions and style of the existing property, and therefore comply with section 3.11 of the SPD: Residential Extensions, and with regard to the roof design the extension is shown to have a flat roof at an appropriate tie-in level. It is therefore considered that this single storey rear extension would be both clearly articulated and visually subordinate to the main dwelling and would therefore comply with policies BE13, BE15, and BE19 of the UDP (Saved Policies September 2007).

With regard to the frontage parking for the proposed dwelling. The section 4.37 of the SPD: Residential Layouts, states careful consideration should be given to the boundary treatment and the retention of mature and semi-mature trees, and that car parking at the

front will not always be achievable, as a result of retaining and enhancing the local character of the area. It is considered that whilst two parking spaces have been provided on the frontage together with the pedestrian access path to the proposed dwelling, this would still allow for adequate landscaping to be provided, and therefore subject to a suitable landscaping condition the proposal would comply with this advice.

7.08 Impact on neighbours

With regard to the impact of the amenities on the adjoining occupiers, Sections 4.9 of the SPD: New 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 fail to comply with this advice with a 10.9m separation distance between the flank elevation of the proposed new dwelling and the rear elevations on No.s 13 and 15 Hoylake Gardens, and therefore would be considered to result in an overly dominant and un-neighbourly form of development. With regard to any shadowing that may occur, the proposal would result in a shadow cast over the majority of the adjacent gardens (No.s 15, 17, and 19) from 0800 hrs through to 1200 hrs and as such would result in a material loss of residential amenity to these properties, bringing them to below a level of residential amenity that they should reasonably expect to enjoy. Therefore, this proposal is considered to fail to comply with Policies BE20 and BE21 of the Adopted Hillingdon UDP (Saved Policies, September 2007).

It is considered that the proposed single storey extension would not cause an unacceptable loss of light or outlook to adjoining occupiers. The SPD: Residential Extensions: Section 3.1 states extensions should not protrude to far from the rear wall of the original house and that for this type of property the extension should not exceed 3.6m in depth, and the proposal would comply with this advice at 3.2m deep. With regard to the height of this addition, Section 3.9 of the document states that if a parapet wall is to be used this should not exceed 3.1m in height and whilst it would exceed this advice at 3.3m, it is noted the existing property has an extension at this depth and therefore the proposal is not considered to have an adverse effect. As such, the single storey rear extension to the existing property is considered to comply with Policies BE20 and BE21 of the Adopted Hillingdon UDP (Saved Policies, September 2007).

With regard to loss of privacy, there would be one first floor window in the flank elevations of the proposed dwelling. However, this would be to serve a stairway and therefore could be conditioned to be obscure glazed and non-opening below top vent to avoid any future overlooking concerns. In relation to the ground floor openings, an existing 1.8m close boarded fence is shown to mark the boundary and this would avoid any overlooking at ground floor level. With regard to the single storey rear extension to the existing property and the single storey element of the proposed property, as these are shown to be finished with flat roofs, it is recommended that should a permission be issued a condition is applied to restrict the use of these areas to provide a balcony. The neighbours gardens are already heavily overlooked. Taking a 45 degree line from the first floor rear bedroom window would not result in unacceptable overlooking of neighbours houses within 21m. Therefore, subject to appropriate safeguarding conditions, the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007) and the SPD: New Residential Layouts: Section 4.12.

7.09 Living conditions for future occupiers

Section 4.7 of the 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 89m². The SPD states the minimum amount of floor space required for a 3-bedroom two storey house would be 81m² and therefore the proposal would comply with this advice.

With regard to the size of the garden, the SDP: Residential Layouts: Section 4.15 states that a 3 bed house should have a minimum garden space of 60m². The layout plan shows that 85m² of private amenity space would be maintained for the existing houses and over 76m² of private amenity space would be provided for the proposed house. This would be considered acceptable under the requirements of paragraph 4.15, and as such, the proposal would comply with policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Highways Engineer has been consulted and has commented that the site is shown to be in an area with a PTAL accessibility rating of 3 (medium), (on a scale of 1-6, where 6 is the most accessible), as indicated on maps produced by TfL. The area in the vicinity of the site has a PTAL rating of 2-3 low to medium respectively.

Hoylake Gardens is a narrow road. Its effective width being further reduced by on-street parking. On street parking has been observed to be congested in the vicinity of the site.

The proposals would result in loss of a large car parking area associated with no. 11. The existing property no.11 is a 3 bedroom family dwelling and the proposed property 11A would also be a 3 bedroom family dwelling. Two off-street parking spaces are proposed, one for each dwelling, in front of the proposed dwelling.

The off-street parking provision is considered to be deficient, leading to additional on-street parking, which is likely to have a detrimental effect on highway safety. The proposals are therefore considered to be contrary to Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

As above

7.12 Disabled access

The Design and Access Statement submitted with the application states the internal layout will allow full mobility access to all parts of the the ground floor areas. This is considered to satisfy Lifetimes Homes standards. Therefore the proposal would comply with Policy 3A.4 of the London Plan and the Council s HDAS: Accessible Hillingdon

7.13 Provision of affordable & special needs housing

n/a the proposal does not meet the threshold to require the provision of this type of housing.

7.14 Trees, Landscaping and Ecology

The tree and landscape officer was consulted on this application and has commented that the site is occupied by a semi-detached house within an exceptionally wide plot whose northern/side boundary backs on to the rear gardens of house numbers 13-19. While no tree survey has been submitted, the existing site plan indicates the presence of trees and hedges within the garden, notably on the boundaries. There is no TPO or Conservation Area designation affecting the site - which might constrain development. The proposal is to demolish the garages in the rear garden and to build a two-storey, end-of-terrace house which will occupy most of the width of the side garden. Externally the scheme provides 2No. off-street parking spaces which appear to be for the use of the existing house number 11 and the new number 11A. The set back of the building line also allows for

landscaping of the front garden and the creation of rear gardens for both of the houses. Policy BE23 and BE38 seek landscape enhancement in association with residential development. The details of this could be secured by condition. DCLG/EA guidance requires paved front gardens to be designed and specified to comply with SUDS. Therefore, no objection is raised subject to conditions TL5 and TL6 being applied. As such, the proposal would accord with Policy BE38 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.15 Sustainable waste management

Section 4.40 - 4.41 of the SPD: Residential layouts deals with waste management and specifies bin stores should be provided for, and wheelie bin stores should not be further than 9m from the edge of the highway. The layout plan shows the siting of refuse and recycling collection points, however no details have been supplied in relation to this. As such, it is considered that should a permission be issued a suitable condition could be applied requiring these details to be submitted for approval, and subject to complying with this condition the proposal would comply with the advice.

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: New Residential Layouts: Section 4.9 and Policy 4A.3 of the London Plan (2008).

7.17 Flooding or Drainage Issues

The site is not within a flood zone.

7.18 Noise or Air Quality Issues

Not applicable to this application

7.19 Comments on Public Consultations

With regard to point 17, property values are not a material consideration to the determination of planning applications. Point 19 - these issues would be dealt with under Environmental Protection Legislation, health and safety legislation, or by the Local Police Authority (e.g. by way of condition). Point 27 has been passed to the enforcement team for further investigation. Point 28 - With regard the incorrect information given, a full site visit has been carried out to clarify these matters.

The remaining points are addressed in the full report.

7.20 Planning Obligations

Presently S106 contributions for education are sought for developments, when the net gain of habitable rooms exceeds six. This proposal would result in a net gain of 7 rooms and therefore the director of education has requested a sum of £12,950 towards the shortfall in education provision in the Cavendish Ward.

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, due to the lack of site area and the inadequate separation distances shown and lack of off street parking provision for the existing and proposed dwelling, is considered to be contrary to policies in the Hillingdon Unitary Development Plan (Saved Policies September 2007), HDAS: New Residential Layouts: July 2006, and The London Plan (2008).

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007

HDAS: New Residential Layouts: July 2006

HDAS: Residential Extensions: July 2006

The London Plan (2008)

Supplementary Planning Guidance: Educational Facilities


The London Plan Interim Housing Supplementary Planning Guidance

Contact Officer: Catherine Hems

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Notes

 Site boundary

For identification purposes only.

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Site Address

Land forming part of 11 and 11 Hoylake Gardens Ruislip

Planning Application Ref:

66856/APP/2010/518

Planning Committee

North

Scale

1:1,250

Date

June 2010

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

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



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