

Report of the Corporate Director of Planning & Community Services

Address 33 PARKFIELD ROAD ICKENHAM

Development: Two storey 3 bed detached dwelling with associated parking, installation of new vehicular crossover (involving demolition of existing dwelling)

LBH Ref Nos: 40891/APP/2009/280

Drawing Nos: 09/2494/4
Design and Access Statement
Site Location Plan at Scale 1:125C
09/2494/1a
09/2494/2a
09/2494/3b
D0709

Date Plans Received: 12/02/2009 **Date(s) of Amendment(s):** 06/04/0009
Date Application Valid: 02/03/2009 12/02/2009
06/04/2009

1. SUMMARY

Policy BE13 of the Adopted Hillingdon UDP (Saved Polices, 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 that the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area. The proposal is for a detached property set adjacent to the existing properties in the street. It is considered that the bulk and design of the proposal would not result in a dominant or discordant feature in the street scene or the wider area, or that it would result in an undue impact on adjoining occupiers.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 M1 Details/Samples to be Submitted

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

REASON

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

3 OM1 Development in accordance with Approved Plans

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

REASON

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

4 OM2 Levels

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

REASON

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

5 RPD1 No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 31a and 35 Parkfield Road.

REASON

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

6 RPD2 Obscured Glazing and Non-Opening Windows (a)

The windows, including roof windows, facing 31a and 35 Parkfield Road shall be glazed with 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 BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 RPD5 Restrictions on Erection of Extensions and Outbuildings

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

REASON

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

8 RPD9 Enlargement to Houses - Roof Additions/Alterations

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

REASON

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

9 OM5 Provision of Bin Stores

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

REASON

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

10 M6 Boundary Fencing - retention

A 1.8 metre high close boarded fence or imperforate wall shall be maintained on the boundary with 35 Parkfield Road for the full depth of the development hereby approved, and shall be permanently retained for so long as the development remains in existence.

REASON

To safeguard the privacy and amenity of neighbouring occupiers in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed with porous materials prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

12 H17 Washing of Construction Vehicles

Provision shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

REASON

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policy AM7 of the Hillingdon Unitary Development Plan.

13 TL1 Existing Trees - Survey

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

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

REASON

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

14 TL2 Trees to be retained

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

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

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

REASON

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

15 TL3 Protection of trees during site clearance and development

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

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

REASON

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

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

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

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

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Hard surfacing materials proposed,
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures).

REASON

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

17 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

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

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

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours. Retention of topographical and landscape features and provision of

BE38	new planting and landscaping in development proposals.
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Residential Layouts Residential Extensions
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4A.7	Renewable Energy
LPP 4B.1	London Plan Policy 4B.1 - Design principles for a compact city.
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.

3 I1 Building to Approved Drawing

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

4 I2 Encroachment

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

5 I3 Building Regulations - Demolition and Building Works

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

6 I5 Party Walls

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

7 I6 Property Rights/Rights of Light

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

8 115 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 should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

9

The installation/ or alterations of any crossovers must be undertaken at the expense of the applicant.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a detached bungalow on the south west side of Parkfield Road. The property has a hipped roof with a detached flat roof garage to the side (on the north west boundary). To the south east of the site are two detached dwellings of a similar size and design as the proposal. To the northwest, is no.35, which comprises a bungalow. The road is characterised by detached properties, mainly bungalows, although there are two storey developments visible within the street scene. The site is within a 'developed area' as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

3.2 Proposed Scheme

The application seeks planning permission to erect a two storey 3-bedroom detached dwelling with an integral single garage. The building would follow the building line of the road and would be 10.6m wide (including chimney) and a maximum of 15.5m deep. There

would be catslide roofs to the front and rear, two storey forward and rear facing gables, and the first floor accommodation would be within the roofspace. The maximum height to the ridge would be 6.7m.

3.3 Relevant Planning History

40891/83/0714 33 Parkfield Road Ickenham

Single-storey side extension; demolition of existing kitchen and alts. to front bay window.

Decision: 14-06-1983 Approved

Comment on Relevant Planning History

None

4. Planning Policies and Standards

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. |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM14 | New development and car parking standards. |
| HDAS | Residential Layouts
Residential Extensions |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |
| LPP 4A.7 | Renewable Energy |
| LPP 4B.1 | London Plan Policy 4B.1 - Design principles for a compact city. |
| LPP 4B.5 | London Plan Policy 4B.5 - Creating an inclusive environment. |

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

13 adjoining occupiers were consulted and a petition with 32 signatures and 5 letters have been received making the following comments:

1. I object to the workshop building half way down the garden next to my boundary fence, this will dominate the sky line. Our garden is predominantly lawn. The fact is compounded by the inclusion of toilet facilities, just the other side of the fence, not ideal on a sunny afternoon;

2. This application would be an over development of the site, it would be overbearing, over dominant, and would not be in-keeping with the street scene as the vast majority of properties are bungalows;

3. There would be large-scale disruption, caused by the building works directly opposite my bungalow;

4. The plans and statements contain significant errors/inaccuracies and inconsistencies which would make any approval 'in accordance with the plans' very difficult to enforce;

5. The existing street pattern maintains above average gaps between dwellings, and respects eave heights of the neighbouring original bungalows;

6. During the building of Nos. 31a and 31b, the Councillors visited and expressed they had been 'misled' by reports that these were chalet bungalows, and the development should not have been approved as they did not fit with the street scene;

7. Nos.31a and 31b were also built forward of the building line of the street, however it was argued that they followed the bend in the road, however, no.33 is beyond the apex of the bend and therefore should line up with the post bend properties, ie no.35, and in my opinion the forward position in the design on this corner together with the skewed siting of the building does not give confidence that this will not occur;

8. I attach extracts from the residential layouts SPG, which do not appear to be followed in this application, ie the effect of loss of light to the side habitable room of No.35 (25 degree BRE requirement) and the currently un-shaded patio area of that property;

9. The proposal does not appear to be in line with the Governments policy and sustainable communities, due to the reduction in passive solar heat, increased electric light usage, and waste of resources used to demolish a house bought unsuitable for your needs;

10. The depth of the building has taken building lines from extended properties, hence removing the permitted development rights for similar proposals;

11. I believe the outbuilding should follow the limitations of the recent regulations regarding the same;

12. There will be significant loss of light to our side facing habitable room which only has one window;

13. No mention is made of the side extension to the left side of our property, built in the 1970's and is 0.89m from the boundary fence;

14. The plans show a chimney that would protrude into the 1m gap from the fence and when combined with our extension result in a terracing affect, with the gap being much smaller than the desired 2m;

15. There are windows shown either side of the chimney, these windows will directly face into the window of my lounge and will overlook the seating area of my patio, causing loss of privacy;

16. Our Sky/TV dish is mounted on our flank wall facing No.33, this alignment is over the existing property, if the detached house is built, the dish would face a brick wall and I have been informed by an aerial installer that this would result in a `no signal';

17. The proposed house would cast a shadow over a large portion of my garden and seating area until late morning. Also the rear window at 1st floor would overlook this area and privacy is one of the reasons my wife and I moved here;

18. I am concerned about the damage that could be caused to my house by this development due to the minimal footings used for our property, and the subsidence that could be caused;

Officer comments - With regard to points 1 & 11, the outbuilding has been removed from the scheme. In relation to point 3 it is inevitable that there would be some disruption during any building works and these issues would be dealt with under environmental health or health and safety legislation. With regard to point 4, amended and corrected plans have been received and new letters were sent to interested parties to notify them of this. With regard to point 13, whilst there is a single storey side extension to No.35, adjoining the site, it does not contain any habitable room windows. Point 16 is a civil matter and not a material consideration in the determination of this application. Point 18 would be dealt with under the party wall act. The remaining points are addressed in the full report.

Oak Avenue and Parkfield Road Residents Association made the following comments:

1. The road consists of mainly bungalows, and to replace this bungalow with a two storey house, adjacent to and virtually identical to two houses already adversely criticised by Cllr. Members of the North Planning Committee is unacceptable;

2. The resulting affect of these three dwellings in this road would be extremely detrimental to the street scene. The new dwelling would be overbearing and invade the privacy of adjacent occupiers;

3. The garage with toilet to be built halfway up the garden would be unseemly and out of keeping with other constructions in the near vicinity;

4. You will be aware as a result of objections made to the houses at No 31 and 31a, Councillors made a site visit and reported back to say there was such an adverse impact on the street scene that permission should never have been granted. We request this mistake is not perpetuated in this case.

Officer comment - With regard to point 3 the proposed outbuilding has been removed from the scheme and the remaining issues are addressed in the main report.

Ickenham Residents Association has been consulted and has commented as follows:

Concerns regarding the detached outbuilding, the building may be positioned within 0.5m of the boundary, and the ridge may exceed 4m in height. There are clear guidelines under outbuildings in

HDAS: Residential Extensions and these should be taken into consideration.

Officer comment - The proposed outbuilding has been removed from the scheme.

The Ward Councillor has requested that the application is reported to the Planning Committee as he is concerned at the loss of single storey dwellings that are needed by disabled people of all ages. In addition the 10% rule of loss of single storey dwellings may be breached and therefore detrimental to the street scene, overdominance and lack of privacy. There is also the requirement for two parking spaces to be maintained.

Internal Consultees

Tree/Landscape Officer

Although there are a few trees on and close to site, there is only one protected Scots Pine (T5 or TPO 514) located in the rear garden of no.35, in proximity of the proposed works. The site frontage is dominated by an ornamental tree, landscaping and some hardstanding. The trees in the rear garden have been shown on the site layout plan but the trees to the front have not.

Appraisal: Although, the trees at the front of the site contribute to the arboreal character of the area, their retention would be desirable but not required as part of this scheme.

In order to safeguard the valuable trees and shrubs of the proposed site during the construction period, it is advisable to place a temporary protective fence to contain the working space close to the building to the front, and across the width of the rear garden, of the site.

Subject to tree protection measures, it is considered that the proposed development would not be detrimental to the health and public amenity value of the valuable trees, hedges and landscaping features on and close to the site.

Overall, the scheme makes provision for the long-term retention of the valuable trees, hedges on and close to the site. Subject to conditions TL1, TL2, TL3, TL5 and TL6, the scheme is acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the Saved policies UDP.

Environmental Protection Unit

No objection subject to a construction site informative added to any permission issued in relation to neighbourly building practices.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is currently occupied by a residential property in an area which is totally residential in character. The development of a residential dwelling is, thus, acceptable in principle subject to compliance with other policies within the UDP saved policies September 2007.

7.02 Density of the proposed development

The scheme would have a residential density of some 100 hrpha, which is below the minimum requirements of the London Plan's recommended guidelines having regard to the sites Public Transport Accessibility Level (PTAL) score of 2 (which suggests a level of 150-200 hrpha, 30-65 units per hectare). However the proposal would be compatible with the

density of the surrounding residential development and, as such, is considered to comply with Policy 4B.3 of the London Plan.

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

N/A to this application

7.04 Airport safeguarding

N/A to this application

7.05 Impact on the green belt

N/A to this application

7.06 Environmental Impact

N/A to this application

7.07 Impact on the character & appearance of the area

Policy BE13 of the Adopted Hillingdon UDP (Saved Polices, 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 that the Local Planning Authority will seek to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The adopted Supplementary Planning Document (SPD): New Residential Layouts: Section 3.4 states this type of development must seek to enhance the character of the area. 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.

It is considered that whilst the street contains mainly bungalows, there are two storey dwellings within the street scene and that the replacement of the existing bungalow with a two storey dwelling would not result in a detrimental impact. The proposed dwelling would be 0.75m higher than the existing adjacent bungalow (No 35) and would be 0.25m lower than the adjacent two storey dwelling (No. 31a). The revised plans now show the proposed dwelling moved to the south east boundary of the site (with No 31a) and this has reduced the visual impact of the height differences between the single and two storey developments.

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 and the proposed house would comply with this advice. Section 4.27 of the SPD Residential Extensions states, careful consideration should be given to building lines and these should relate well to the existing street pattern, although in some instances varied building lines can achieve diversity and interest. The main frontage of the building would follow the building line of existing properties in the street. Whilst the bay window would project forward of the building line it is considered that due to its single storey nature it would provide visual interest to the frontage.

On a scheme, to create a two storey property from an existing bungalow, at 58 Parkfield Road, which was granted permission on appeal in August 2008, the Inspector commented as follows in relation to the impact of the proposal on the street scene and the character of the area:

"The proposal is effectively to turn a chalet bungalow into a two storey house. The design of the roof is hipped and rises to a ridge, but the top of the ridge has been cut off to create a

flat top in order to reduce the overall height. The upstairs windows are part contained within the roof which also reduces the height and bulk of the proposal. The proposed house would have the same footprint as the bungalow.

The proposal would be no nearer to its neighbours than the existing bungalow. No 58 is separated from No 60 by a pair of drives which provide access to single garages, there is thus a wide gap on this northern side. To the south, No 58 is close to the boundary with No 56, within half a metre, and No 56 is built right up to the boundary. However, the boundary element of No 56 is a flat roofed garage and to the rear what appears to be a flat roofed extension. The first floor of the proposal would thus rise above the flat roofed garage, some distance from the roof of No 56. I consider there would thus be significant gaps on both sides of the proposal, which would not look cramped nor harm the street scene and so would not undermine policies BE13, BE19 and BE22 of the London Borough of Hillingdon Unitary Development Plan (2007).

The Council accept the road is a mixture of bungalows and two storey houses and the provision of the first floor is not in itself out of place. I would agree and I saw on my site visit that there were a number of taller houses. Some appeared to be purpose built two storey dwellings and others seemed to be conversions of existing bungalows. I do not think the proposed conversion

would be out of place. No 60 to the north has a large roof extension and so would not be excessively dominated by its new larger neighbour. To the south are a number of smaller bungalows, but the juxtaposition of two storey houses with bungalows is not unusual in the road. The design of the proposal itself seems to have been thought through to fit into the streetscene and to minimise the bulk of the resulting building and I do not think the flat roof element would stand out. Taking all these matters together I do not find the proposal to be harmful to the streetscene nor significantly out of character with its neighbours and so is not contrary to policies BE13, BE19 and BE22."

Given the Inspectors comments, the design of the proposed dwelling and its relationship with the adjoining properties and the street scene in general would not cause undue harm to the character or visual amenities of the area and would comply with policies BE13, BE19 and BE22 of the UDP (Saved Policies September 2007) and Policies contained in the HDAS Supplementary Planning Document: Residential Layouts.

7.08 Impact on neighbours

With regard to the impact on the amenities of the adjoining occupiers, Sections 4.9 of the SPD: Residential Layouts, in relation to new dwellings, states all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens. The daylight and sunlight available to adjoining properties should be adequately protected. Where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination, and 15m will be the minimum acceptable distance. This proposal would comply with this advice as the depth of the rear garden would be in excess of 25m. Furthermore, due to the proposed siting of this dwelling, (it uses a similar front and rear building line to the neighbouring properties) it is not considered the proposal would cause an adverse affect by way of loss of outlook to these adjacent properties.

With regard to loss of light to the existing adjacent properties, it is not considered an adverse impact would occur in relation to no 33a, as this property only has a utility door and window in the flank elevation facing the proposal. However, with regard to No.35, this

property has a sitting room and bed room window in the flank elevation facing the site, and whilst the sitting room is a secondary window and therefore this room would still maintain an adequate source of natural light, the bedroom window is the only window serving this room and would be affected by the proposal. The Building Research Establishments report 'Site Layout Planning for Daylight and Sunlight 1991', recommends that suitable daylight to habitable rooms is achieved where a 25 degree vertical angle taken from a point 2m above the floor of the fenestrated elevation is kept unobstructed. Whilst the proposed dwelling would not comply with this advice (the 25 degree plane would be broken at a distance of 6.5m from the affected window by 0.75m of the roof area), it is noted that the existing property currently breaks this plane (at a distance of 7.2m by 0.75m of the roof area), and therefore it is not considered the impact of the new dwelling with regard to this criteria would be materially different from the existing situation enough to warrant the refusal of planning permission on these grounds alone.

The shadow impact of the proposal has been assessed (in relation to the amended plans showing the property situated adjacent No 31b), and whilst the proposed new dwelling would cast a shadow towards the flank wall of the adjacent property, No.35 and the habitable room window contained in this elevation, this shadow would have cleared this window by approximately 10.45am. Furthermore, it is noted the shadow from the existing property (due to its siting closer to the shared boundary), it is estimated would not clear this window until approximately 11.45am and therefore the proposal is considered to result in an improvement in this respect.

Therefore the proposal would comply with policies BE20 and BE21 of the UDP (Saved Policies September 2007) and the SPD HDAS: Residential Extensions.

With regard to loss of privacy, all of the side facing windows at ground floor and in the roof slopes would either be secondary windows to rooms or to serve a bathroom, landing area, or utility room. Therefore it is considered acceptable to condition these openings to be obscure glazed and non opening below top vent to avoid any overlooking concerns. Furthermore, if an approval were considered appropriate a further condition is recommended to restrict the insertion of any additional openings to avoid any future overlooking concerns, and as such no material loss of privacy would arise. Therefore the proposal would comply with policy BE24 of the UDP (Saved Policies September 2007) and 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 to 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 over 150m² (not including the integral garage). The SPD states the minimum amount of floor space required for a 3-bedroom two storey house or bungalow 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, and the development would comply with this advice, with a rear usable garden area over 100m² for the proposed new dwelling. Therefore the proposal would comply with this advice and with Policy BE23 of the Hillingdon UDP (Saved Policies, September 2007).

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal shows the provision of a single integral garage together with a further space

on the frontage and therefore the development is considered to comply with the Councils approved car parking standards as 2 spaces would be provided for the dwelling and as such would comply with policies AM7(ii) and AM14 of the Hillingdon Unitary Development Plan (Saved Polices September 2007).

7.11 Urban design, access and security

As above

7.12 Disabled access

Disabled access will be provided at ground floor via a level threshold and there would be a wheelchair accessible WC at ground floor. A 1.1m wide staircase would support a future stair lift. 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 SPD HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

N/A to this application

7.14 Trees, Landscaping and Ecology

The Council's Trees and Landscape Section raise no objection to the proposal and comments that overall, the scheme makes provision for the long-term retention of the valuable trees and hedges on and close to the site. Thus, Subject to conditions the scheme is acceptable and, in tree preservation and landscape terms, complies with policy BE38 of the Hillingdon Unitary Development Plan (Saved Polices, September 2007).

7.15 Sustainable waste management

The proposal concerns a single family dwelling, hence a communal bin storage facility does not need to be provided.

7.16 Renewable energy / Sustainability

It is 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

N/A to this application

7.18 Noise or Air Quality Issues

N/A to this application

7.19 Comments on Public Consultations

See Section 6.1

7.20 Planning Obligations

Presently S106 contributions for education are only sought for developments if the net gain of habitable rooms exceeds six. This proposal shows a net gain of 2 rooms and therefore this would not be applicable in this development.

7.21 Expediency of enforcement action

N/A 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

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

10. CONCLUSION

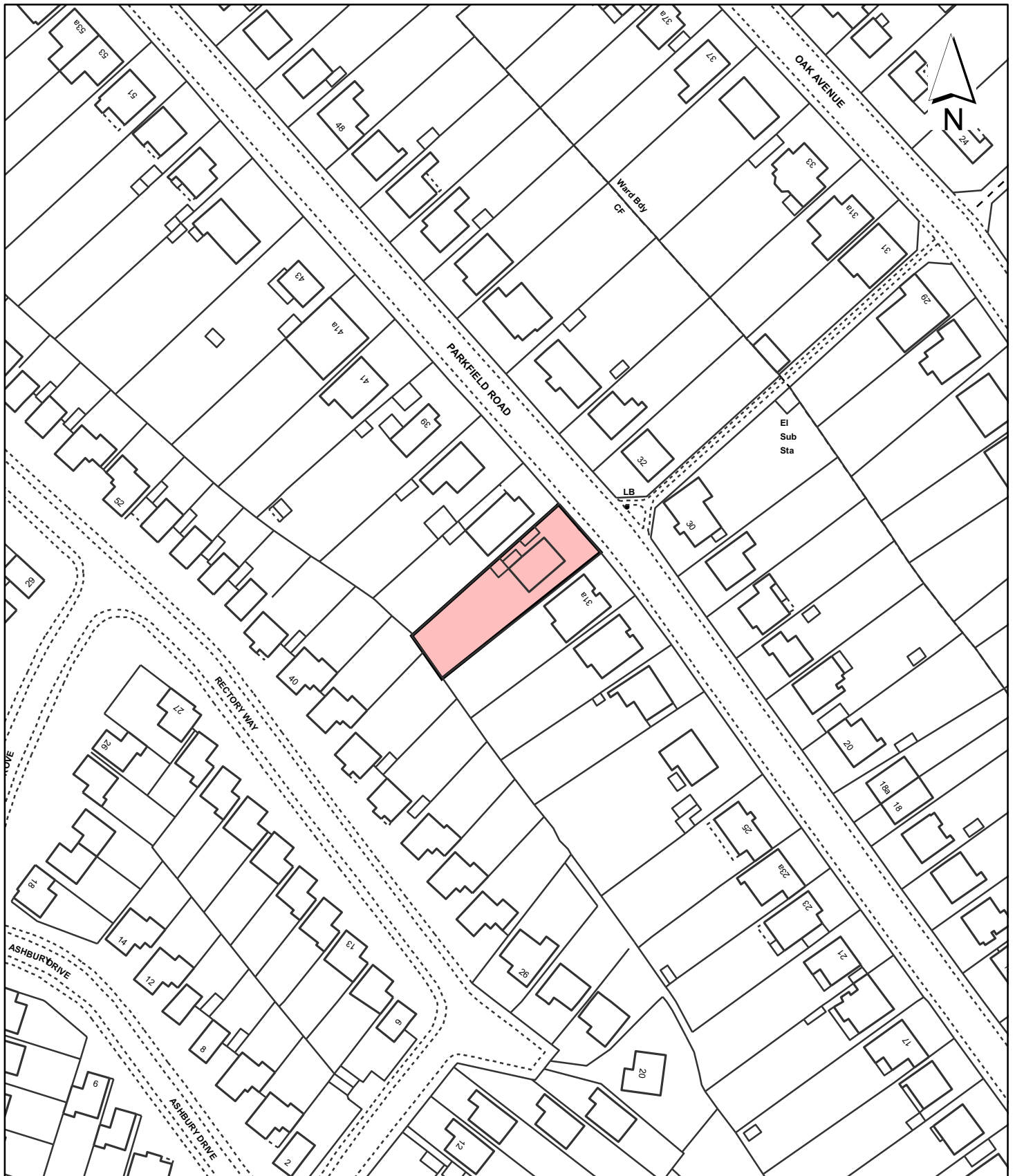
The proposal is to replace an existing bungalow with a two storey dwelling. Whilst it is accepted that the majority of the properties in the road are bungalows, a number of these have now had loft conversions involving dormer windows and other roof additions, furthermore it is noted there are two storey properties within the street scene. It is considered due to its size and design the proposal would not result in a dominant or discordant feature, and therefore no undue harm would result to the street scene or the wider area if the proposal received consent. Furthermore, the proposal is not considered to impact on adjoining occupiers in such a manner as to justify refusal. The application is thus recommended for approval.



11. Reference Documents

Hillingdon Unitary Development Plan Saved Polices September 2007
HDAS: Residential Layouts: July 2006
HDAS: Residential Extensions: July 2006
The London Plan (2008)

Contact Officer: Catherine Hems

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2008</p>	<p>Site Address</p> <p>33 Parkfield Road Ickenham</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>40891/APP/2009/280</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>May 2009</p>	
		 <p>HILLINGDON LONDON</p>	