

Report of the Head of Planning & Enforcement

Address 36 HIGHFIELD DRIVE ICKENHAM

Development: Erection of a two storey four-bedroom detached dwelling with habitable roofspace and associated parking, involving demolition of existing dwelling.

LBH Ref Nos: 12536/APP/2009/1896

Drawing Nos: 02A
01A
03A
04A

Date Plans Received: 28/08/2009

Date(s) of Amendment(s): 17/05/2010

Date Application Valid: 10/09/2009

1. SUMMARY

PLanning permission is sought for the erection of a detached dwellinghouse. The proposed house would relate satisfactorily with the character and appearance of the street scene and would not harm the residential amenities of the adjoining properties.

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 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

4 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 34 and 38 Highfield Drive.

REASON

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

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

The first floor side windows facing 34 and 38 Highfield Drive shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

6 OM5 Provision of Bin Stores

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

REASON

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

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 the dwellinghouse 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 RPD6 Fences, Gates, Walls

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 fences, gates or walls shall be erected other than those expressly authorised by this permission.

REASON

To protect the open-plan character of the estate in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 RPD9 Enlargement to Houses - Roof Additions/Alterations

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

REASON

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

10 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

11 DIS5 Design to Lifetime Homes Standards & to Wheelchair Standards

The proposed dwellinghouse hereby approved shall be built in accordance with 'Lifetime Homes' Standards

REASON

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

12 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 1990.12

13 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).

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

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

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

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage,

power cables or communications equipment, indicating lines, manholes or associated structures),

· Retained historic landscape features and proposals for their restoration where relevant.

REASON

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

15 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).

16 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).

17 SUS4 Code for Sustainable Homes details (only where proposed as

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

18 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

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
- 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.
- AM14 New development and car parking standards.
- HDAS Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging Local Development Framework documents):
 - 4.1 Density
 - 4.6 Unit Size
 - 4.9 Sunlight/Daylight
 - 4.12 Privacy
 - 4.15 Garden Space for Houses
 - 4.23 Elevation Treatment

Hillingdon Design & Accessibility Statement (HDAS): Accessible

	Hillingdon (adopted in August 2006 and to form part of the emerging Local Development Framework documents)
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
BE19	New development must improve or complement the character of the area.

3 I1 Building to Approved Drawing

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

4 I2 Encroachment

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

5 I3 Building Regulations - Demolition and Building Works

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

6 I5 Party Walls

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

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

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

7 I6 Property Rights/Rights of Light

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

8 I15 **Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

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

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

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

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

9 I43 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

10 I45 **Discharge of Conditions**

Your attention is drawn to conditions 2, 6 10, 14, 15, 17, 18 & 19 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of this conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

11 I46 **Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the west side of Highfield Drive and comprises a large detached house with a front gable projection, part single storey/part two storey side

extension, two storey rear extension and two conservatories, set within a spacious plot. To the north lies 34 Highfield Drive, a two storey detached house with a full width rear conservatory and canopy extension along the side boundary with the application property. To the south lies 38 Highfield Drive, a two storey detached house set behind the front wall of the application property. The street scene is residential in character and appearance comprising large detached houses of varying designs set within spacious plots and the application site lies within the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The proposed house would be set on the front building line of the original house, some 7m from the road. It would measure 12.4m wide, 15.5m deep at ground floor level, 14m deep at first floor level, and finished with a crown roof, 5.5m high at eaves level and 8.7m high at ridge level.

At the front, two gable end wings are proposed 4.5m wide with the roofs set 0.5m below the roof ridge of the house. These would be on either side of a front slope.

At the rear, the proposed part single storey rear projection would be finished with a mono-pitched roof 2.6m high at eaves level and 3.25m high at its highest point. French windows with Juliette balconies are proposed at first floor and 3no. dormers are proposed on the rear roof slope, set 1.8m apart. They would each measure 1.3m wide, 2m deep and finished with flat roofs 1.2m high. A chimney stack is proposed on the south west elevation of the new house.

3.3 Relevant Planning History

12536/APP/2008/1231 36 Highfield Drive Ickenham

ERECTION OF A TWO STOREY REAR EXTENSION INVOLVING RAISING OF THE MAIN ROOF HEIGHT INCLUDING ONE FRONT AND TWO REAR DORMERS, AND FIRST FLOOR PART FRONT EXTENSION (INVOLVING DEMOLITION OF PART OF REAR GROUND FLOOR AND CONSERVATORIES).

Decision: 21-07-2009 Refused

Comment on Relevant Planning History

A previous application for extensions to the existing property (ref: 12536/APP/2008/1231) was refused for the following reasons:

1. The proposed extensions by reason of their overall size, scale, bulk, and detailed design, would represent incongruous and unsympathetic additions that would fail to harmonise with the character and proportions of the original house. The enlarged property would appear visually overdominant detracting from the character and appearance of the street scene and locality. The proposal would therefore be contrary to Policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2. The rear dormer windows by reason of their overall size and scale are considered to be excessive and visually intrusive contrary to policies BE13, BE15 and BE19 of the Borough's adopted Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Extensions.

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
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.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts (adopted in August 2006 and to form part of the emerging Local Development Framework documents): 4.1 Density 4.6 Unit Size 4.9 Sunlight/Daylight 4.12 Privacy 4.15 Garden Space for Houses 4.23 Elevation Treatment Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon (adopted in August 2006 and to form part of the emerging Local Development Framework documents)
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
BE19	New development must improve or complement the character of the area.

5. Advertisement and Site Notice

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

6. Consultations

External Consultees

9 adjoining owner/occupiers and the Ickenham Residents' Association (x2) consulted. 1 letter received objecting on the grounds that the proposed first floor would extend beyond the rear wall of 34 Highfield Drive resulting in a loss of sunlight to that property.

Ickenham Residents' Association:

This is another proposal for a massive new dwelling to replace an already large dwelling, which

would have to be demolished. Paragraph 1 of your Schedule of Reasons for Refusal dated 21.07.09 for the previous application 2008/1231 still fully apply. Paragraph 2 of the same schedule has now been changed from two rear dormer windows to three.

The current plot has already been maximized and the new development would certainly dwarf the bungalow at no.38.

No dimensions have been submitted with the drawings, and your Planning Team will no doubt consider the proposed rear extension to the existing conservatory on the left, which appears to be more than the allowed 4m and should be taken from the rear wall of the original house.

Added to this is the fact of a proposed first floor extension over the entire length and more of the existing conservatory. This will have a negative impact on the bungalow at no.38.

We object to this application.

Ward Councillor

Requests that this application is determined by the North Planning Committee, that the sunlight to 34 Highfield Drive is fully assessed, that the first floor of the proposed development does not impair the privacy of 34 Highfield Drive and that the rear building line is not compromised.

Internal Consultees

TREES/LANDSCAPE

The applicants have indicated on the application form that there are no trees/hedges on or close to the site, and have not therefore submitted a tree survey.

There are small trees and shrubs at the front of the site and it seems that there are trees on/close to the site (rear garden).

The applicants should submit a corrected application form and a site/tree survey to BS 5837:2005, and a layout plan showing the retention (or removal) of the existing vegetation and the protection measures (to BS 5837).

HIGHWAYS

Highfield Drive is a no through road. The site currently has up to 2-3 off-street car parking spaces, which will be retained. The proposals are not considered to be detrimental to highway safety. Consequently, no objections are raised on the highway aspect of the proposals.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of a new dwellinghouse within a residential area is acceptable subject to its compliance with the Council's policies and standards.

7.02 Density of the proposed development

The proposal is for a single dwelling on a large plot, the density of the development is not considered to be relevant to the consideration of the proposal.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

This is not applicable to this application.

7.06 Environmental Impact

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

The street scene is characterised by large two storey houses set within spacious plots. Many of the houses have front and rear dormer windows and although there appears to be a uniform front building line, there is no uniform building line at the rear.

The proposed house would be comparable in terms of size, scale, bulk and height to some of the existing houses in the street and would not project beyond the established front building line on this side of the road. Furthermore, Highfield Drive is characterised by a variety of designs, including properties with front gables and front dormers and a variety of building heights. In this context, it is considered that the proposed house would harmonise with the character and appearance of the street scene and surrounding area generally, in accordance with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.23 and 4.27 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

At the rear, as there is no uniform building line, the rear projection and ground floor level is considered to be acceptable and would not be disproportionate to the main house. The rear dormer windows would appear subordinate on the roofslope within which they would be set and are acceptable.

A 1m and 1.2m gap would be retained to the side boundaries with 34 and 38 Highfield Drive respectively, in accordance with policy BE22 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraph 5.1 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

7.08 Impact on neighbours

The proposed house would not project beyond the front building line of the existing house and as such, would be in line with the front wall of 34 Highfield Drive. It would however, project 1.4m beyond the front wall of 38 Highfield Drive, however the high hedge between the two properties would screen the impact of the proposed development from that house.

At the rear, the ground floor element would not project beyond the rear conservatory at 34 Highfield Drive but would project beyond the rear wall of 38 Highfield Drive. However, the 3m gap that would be retained between the proposed house and 38 Highfield Drive is sufficient to ensure that this element of the scheme would not breach a 45 degree line of sight taken from the rear corner of that house closest to the side boundary with the application site.

The proposed first floor would project 1.2m beyond the first floor rear wall of 34 Highfield Drive, however, it would not breach a 45 degree line of sight taken from the rear first floor habitable room window at that property closest to the side boundary with the application site. The proposed first floor of the house would not project beyond the rear wall of 38 Highfield Drive.

The sun on ground diagrams as at 21st March, shows that as 38 Highfield Drive lies to the south west, there would be no increase in overshadowing onto that house. With regards to 34 Highfield Drive, the proposal would result in an increase in overshadowing onto the rear garden and over part of the rear conservatory at approximately 10.00 hours, over the main house and part of the rear conservatory at approximately midday, over the main house and over part of the front driveway at approximately 14.00 hours and over the main

house and most of the front driveway at 16.00 hours. These increases would be consistent with the current overshadowing of similarly large houses over adjoining houses to the north east on this side of the road, notably at 34 Highfield Drive over 32 Highfield Drive. It is therefore considered that the proposed increase in overshadowing onto 34 Highfield Drive is not so significant as to justify a refusal of planning permission.

It is therefore considered that the proposal would accord with policies BE20 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraph 4.9 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

The existing boundary fencing would prevent overlooking from the new ground floor side windows. The first floor side windows would provide natural light to bathrooms and therefore can be fitted with obscure glass to prevent overlooking. The rear dormer and first floor French windows would overlook the rear garden and will not result in a significant increase in overlooking over and above that from the first floor windows of the application property. Therefore, the proposal would comply with policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraph 4.12 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts. The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3.

7.09 Living conditions for future occupiers

The proposed dwellinghouse would provide approximately 177sq.m of accommodation on the ground floor comprising lounge, TV room, kitchen, living/dining room and utility room, with 158sq.m of accommodation on the first floor comprising 4 bedrooms, 2 ensuite, a gallery and a bathroom. This would meet the recommended standards relating to floorspace as set out in paragraph 4.6 of the Hillingdon Design & Accessibility Statement: Residential Layouts.

With regards to the Lifetime Home Standards the proposed house would comply with these standards, in particular, the width of the hallway and corridors are over 900mm wide. The living room areas are of a sufficient size for wheelchair turning and there is a large hall entrance area and living space at entrance level. A wheelchair accessible WC is proposed at ground level. There is a 900mm clear width adjacent to the main stairs to accommodate a stair lift if required in the future. However, the first floor door widths are all below 900mm. However this could be overcome with the imposition of a suitable condition. Therefore, subject to this condition, the proposal would comply with policy 4B.5 of the London Plan, and the Hillingdon Design and Accessibility Statement Accessible Hillingdon.

Over 300m² of private amenity space would be provided for the proposed house, which would meet the requirements of paragraph 4.15 of the Hillingdon Design & Accessibility Statement: Residential Layout. Therefore 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 proposal would maintain two off-street parking spaces in the front driveway, in accordance with policy AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

This is addressed at section 07.07.

7.12 Disabled access

The proposal is designed to provide an accessible dwelling.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

The application site is not covered by a tree preservation order. There are small trees and shrubs at the front of the site and in the rear garden.

The applicants have not submitted a site/tree survey to BS 5837:2005, however the small trees and shrubs are of limited amenity value and replacement trees/landscaping is dealt with by way of conditions.

7.15 Sustainable waste management

This is not applicable to this application.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

A condition requiring sustainable urban drainage for the driveway is recommended. There are no flooding issues associated with the site.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

The third party comments are addressed in the report.

7.20 Planning Obligations

The existing house has some 11 rooms. The proposed house would also have some 11 rooms as such, the proposal would not result in a net increase of 6 or more rooms and therefore a contribution towards additional school facilities in the Ickenham Ward is not sought.

7.21 Expediency of enforcement action

This is 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

This is not applicable to this application.

10. CONCLUSION

For the reasons outlined above and that the proposal would comply with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for approval.

11. Reference Documents

London Plan 2008

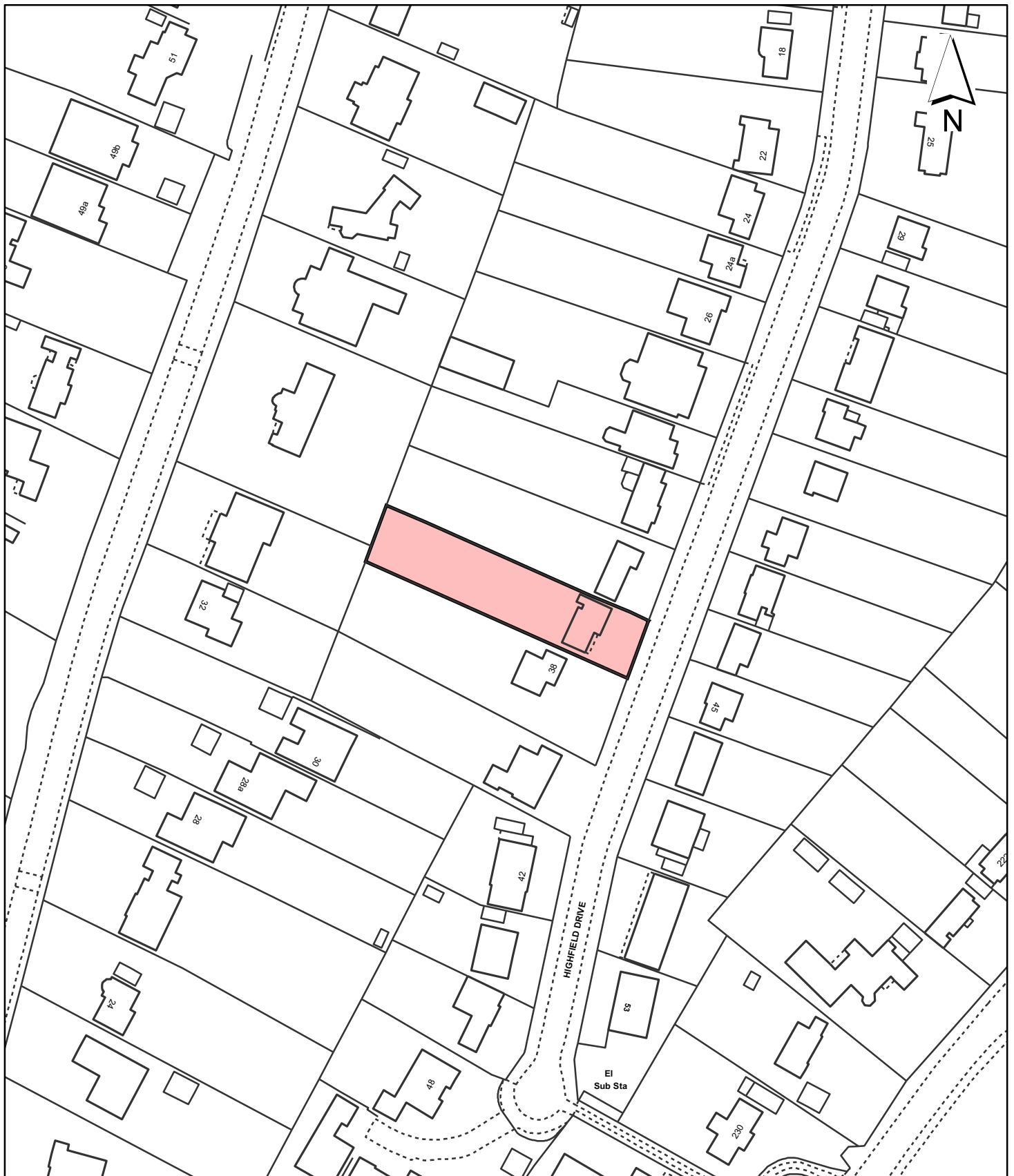
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)


Hillingdon Design & Accessibility Statement(HDAS):Residential Layouts

Hillingdon Design & Accessibility Statement(HDAS):Accessible Hillingdon

Contact Officer: Sonia Bowen

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p>36 Highfield Drive 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>12536/APP/2009/1896</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>July 2010</p>	
		