

Report of the Head of Planning & Enforcement Services

Address LAND FORMING PART OF 327 VICTORIA ROAD RUISLIP
Development: Erection of a two storey attached dwellinghouse with double garage to rear
LBH Ref Nos: 54831/APP/2010/171
Drawing Nos: 1318/02 Rev. B
1318/03
Flood Risk Assessment

Date Plans Received: 29/01/2010 **Date(s) of Amendment(s):**
Date Application Valid: 17/06/2010

1. SUMMARY

The proposal is for an attached property adjacent to the existing properties in the street. It is considered that adequate space has been provided around the dwelling and 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, and therefore no undue harm would result.

It is further noted, that this scheme is identical to that approved by applicants 54831/APP/2000/445 and 54831/APP/2004/2788 (amendment/revision to 54831/APP/2000/445) for the erection of an attached two storey 3-bedroom dwelling. As such, it is considered that the siting and impact of a dwelling in this position has been established by these previous approvals. This current application is therefore recommended for approval subject to the provision of a s106 agreement.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following:

a) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure:

- i. The use of the new house as a single family dwelling house;**
- ii. The use of the remaining existing building as a single family dwelling house;**
- iii. The removal of the existing garage buildings to the rear;**
- iv. The use of the proposed double garage for use by the occupiers of the existing and proposed dwellings, with each house being allocated half of the double garage;**
- v. A contribution equal to 5% of the total cash contribution towards the management and monitoring of the resulting agreement.**

b. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.

c. That the officers be authorised to negotiate the terms of the proposed agreement.

d. That, if the S106 agreement is not completed by the 12/08/2010 that, under the discretion of the Head of Planning and Enforcement, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.

e. That if the application is approved, the following conditions be attached:

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 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/recycling 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).

6 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 327 Victoria Road.

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.

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 M5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 H7 Parking Arrangements (Residential)

The development hereby approved shall not be occupied until the means of vehicular access has been constructed and parking area has been laid out, surfaced and drained

in accordance with details first submitted to, and approved in writing by, the Local Planning Authority and shall be permanently maintained and available for the parking of vehicles at all times thereafter.

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).

11 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 to the front of the property 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).

12 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).

13 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) /if appropriate/ 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.

14 NONSC 'Lifetime Homes' Standards

The dwelling hereby permitted shall be built in accordance with 'Lifetime Homes' Standards, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'. No development shall take place until plans and/or details to demonstrate compliance with the standards have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

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, 3A.13, 3A.17 and 4B.5.

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.
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
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
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 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice

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 13 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 15 Party Walls

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

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

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

7 16 Property Rights/Rights of Light

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

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, 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises 327 Victoria Road, which is an end terrace property, currently in use as HMO accommodation. The site enjoys a corner position and is located on the northeast side of Victoria Road, with Whitby Road on the northwest flank boundary. The site has an angled boundary line with the front of the site narrower than the back. There are two detached double garages at the rear of the site.

The majority of the houses in the surrounding area are terraced, although the rear gardens of some of these corner plots have been developed with semi-detached properties. The site lies within the Developed Area as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the erection of an attached two-storey 3 bedroom dwelling, to the end of the existing row of terraced properties, and a double garage to the rear (involving the demolition of the existing two storey side extension and the ancillary buildings to the rear).

The proposed dwelling would be 4.7m wide at the front, but once a depth of 2.65m has been reached the dwelling would be a width of 4.95m. The property would be 10.2m deep, involving a 2m deep projection in relation to the rear building line of the existing property. The dwelling would be finished with a hipped roof, 5.6m high at the eaves and 8.6m high at the ridge, although the rear facing gable would be at the lower level of 7.5m.

Off-street parking spaces would be provided towards the rear of the site, with a shared double garage, this would provide two spaces for the existing dwelling and two for the new dwelling. The double garage would be 6.7m wide and 6m deep and would be finished with a flat roof at a maximum height of 2.8m.

3.3 Relevant Planning History

54831/APP/2000/445 Land Forming Part Of 327 Victoria Road Ruislip

ERECTION OF A TWO STOREY SIDE EXTENSION TO FORM NEW DWELLINGHOUSE, USE OF EXISTING BUILDING AS A SINGLE FAMILY DWELLINGHOUSE AND ERECTION OF ONE DOUBLE GARAGE TO THE REAR (INVOLVING DEMOLITION OF PART OF EXISTING BUILDING AND TWO EXISTING DOUBLE GARAGES)

Decision: 05-01-2004 Approved

54831/APP/2004/1421 Land Forming Part Of 327 Victoria Road Ruislip

CONVERSION OF ROOF SPACE WITH SMALL REAR DORMER AND FRONT ROOF LIGHT
(APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR
DEVELOPMENT)

Decision: 19-07-2004 Refused

54831/APP/2004/2788 Land Forming Part Of 327 Victoria Road Ruislip

ERECTION OF TWO STOREY REAR EXTENSION (AMENDMENT TO PLANNING
APPLICATION REF:54831/APP/2000/445 DATED 05/01/2004: ERECTION OF A TWO
STOREY SIDE EXTENSION TO FORM NEW DWELLINGHOUSE, USE OF EXISTING
BUILDING AS A SINGLE FAMILY DWELLINGHOUSE AND ERECTION OF ONE DOUBLE
GARAGE TO THE REAR (INVOLVING DEMOLITION OF PART OF EXISTING BUILDING
AND TWO EXISTING DOUBLE GARAGES)

Decision: 01-04-2005 Approved

Comment on Relevant Planning History

Planning application ref: 54831/APP/2000/445 for the erection of a two storey attached dwelling was approved on the 05/01/2004, this approval was subject to a legal agreement to secure:

- the use of the new house as a single family dwelling house
- the use of the remaining existing building as a single family dwelling house
- The removal of the existing garage buildings to the rear
- The use of the proposed double garage for use by the existing occupiers of the existing and proposed dwellings, with each house being allocated half of the double garage

A subsequent application (54831/APP/2004/2788) was approved on 04/04/2005, this application sought to revise the original proposal by the introduction of a 2 storey, 2m deep rear projection, all other matters remained the same.

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.
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
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 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice

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 adjoining neighbours and interested parties consulted, one response received, which made the following comment:

1. I would like to know how they will park all four of the vehicles, if they are going to convert the existing three spaces into two garages - they should have a minimum of 2 spaces per dwelling.

Internal Consultees

Trees and Landscape Officer: As there are no trees on or close to the site and there is no need for landscaping, saved policy BE38 is not relevant to the application and there is no need for tree or landscape related conditions.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal is located within the 'developed area' as identified in the UDP (Saved Policies September 2007) and within a residential area. Thus, there is no objection in principle to additional housing in this location subject to its compliance with the Council's policies and standards.

7.02 Density of the proposed development

Given that the proposal is for a single dwelling only, the overall density of development is not the major factor in determining the proposal.

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

Not applicable to this application

7.04 Airport safeguarding

The site is not within an airport safeguarding area.

7.05 Impact on the green belt

Not applicable to this application

7.06 Environmental Impact

Not applicable to this application

7.07 Impact on the character & appearance of the area

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 that 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): 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.

With regard to design Policy BE22 states that development of two or more stories should be set away a minimum of 1m from the side boundary for the full height of the building. This is to protect the character and appearance of the street scene and protect the gaps between properties and the proposal complies with this advice showing 1m to the side boundary. 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. The main frontage of the dwelling would use the same building line as the adjacent properties and the scheme would not breach the return building line of the adjoining Whitby Road (due to the angle that Whitby Road takes in relation to this development). With regard to the rear building line, whilst this would be 2m deeper than that of the existing property, it is not considered to have an adverse affect due to the limited depth proposed and the position of the habitable room windows on existing properties. The design of the dwelling is considered to reflect that of the existing properties in the street scene, including its size, shape, roof form, and the proposed fenestration details. As such the proposal is considered to result in a uniform addition to this row of terrace properties, which is the predominant character of this part of Victoria Road and therefore, would be considered to be in-keeping with the appearance of the existing property and the wider area. The proposed development would therefore result in an appropriately designed development and is considered to comply with Policies BE13 and BE19 of the Adopted Unitary Development Plan (UDP) (Saved Policies September 2007).

7.08 Impact on neighbours

With regard to the impact on the amenities on the adjoining occupiers, in relation to the proposed new dwelling, Sections 4.9 of the SPD: Residential Layouts, 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 with the nearest property to the rear situated over 25m away. Furthermore, due to the proposed siting of the dwelling, using the same front building line and with a 2m deep rear projection of the established rear building line (which would not project beyond a 45 degree line of sight from the nearest habitable room of the same) and

having a roof at a matching height, the proposed house is not considered to result in a significant increase in over-dominance, visual intrusion or overshadowing over and above the current situation.

As such, it is considered that the proposal would not result in a material loss of residential amenity and therefore would accord with policies BE20 and BE21 of the UDP (Saved Policies September 2007).

With regard to loss of privacy, the openings shown in the flank wall of the proposed new dwelling would face the public highway on this boundary, and therefore would not result in a material loss of privacy to any adjoining properties. With regard to the proposed rear facing windows of the new dwelling, there would be over 25m to the residential boundary of the property to the rear of the site (2 Whitby Road) and therefore the proposal would comply with the required 21m minimum distance to avoid overlooking concerns. Subject to suitable safeguarding conditions the proposal is considered to comply with policy BE24 of the UDP (Saved Policies September 2007).

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 over 86m². 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 amenity space, the SPD: Residential Layouts: Section 4.15 states that three bedroom properties should have a garden space of at least 60m². The layout plans show an area of over 100m² provided for the new dwelling and over 70m² left for the existing property. As such the proposal would comply with Policy BE23 of the UDP (Saved Policies September 2007) and the SPD: Residential Layouts.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This scheme is identical to a scheme approved in 2000 and revised in 2004. The plans show the provision of 4 parking spaces, two in the proposed double garage and a further 2 in front of the garage. As such, the proposed parking layout would comply with the council's adopted standards. However, as considered on the previously approved application, it was recommended that the parking spaces for both properties (existing and proposed) are retained in perpetuity for the sole use of those dwellings and tied under a Section 106 agreement to secure this. It is not considered that matters have changed since this previous scheme and as such, subject to the completion of a legal agreement the proposal is considered to comply with policies AM7 and AM14 of the UDP (Saved Policies, September 2007).

7.11 Urban design, access and security

As above

7.12 Disabled access

The proposed floor plans show the provision of WC facilities at ground floor level and that the dwelling would exceed the minimum floor space standards. It is therefore considered if a permission were to be issued a condition is applied requiring the dwelling to be constructed to Lifetime Homes Standards. As such, the proposal is considered to comply with the intentions of Policy 3A.4 and 3A.5 of the London Plan and the Council's Accessible Hillingdon SPD January 2010.

7.13 Provision of affordable & special needs housing

The proposal does not meet the threshold to require the provision of this type of housing.

7.14 Trees, Landscaping and Ecology

The Trees and Landscape Officer considers that, as there are no trees on or close to the site saved policy BE38 is not relevant to the application and there is no need for tree or landscape related conditions. Therefore the proposal is considered to comply 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. No details have been supplied in this respect, however, it is considered should permission be agreed a condition is applied to require the submission of these details together with their implementation before the development is commenced.

7.16 Renewable energy / Sustainability

The SPD: Residential Layouts: Section 4.9 states, each habitable room should have an outlook and source of natural light and the proposal would comply with this advice and with Policy 4A.3 of the London Plan (2008).

7.17 Flooding or Drainage Issues

The site is within Flood zone 2, however, the Environment Agency do not object to the proposal subject to compliance with its standing advice, and the application meets these requirements.

7.18 Noise or Air Quality Issues

Not applicable to this application

7.19 Comments on Public Consultations

The issue raised is covered in the parking/traffic section above.

7.20 Planning Obligations

Presently S106 contributions for education are sought for developments when the net gain of habitable rooms exceeds six. The development would result in a net gain of 3 habitable rooms and therefore no contribution would be sought in this instance.

The existing property on this site is currently being used as HMO type accommodation. There are 2 large un-sightly double garage buildings to the rear of the site, with areas of hardstanding in front of these. These buildings and associated hardstandings cover a large area of the rear curtilage to the existing property. The previously approved planning application on this site (54831/APP/2000/445) for the erection of a two storey attached dwelling was approved subject to a legal agreement to secure:

- The use of the new house as a single family dwelling house
- The use of the remaining existing building as a single family dwelling house
- The removal of the existing garage buildings to the rear
- The use of the proposed double garage for use by the existing occupiers of the existing and proposed dwellings, with each house being allocated half of the double garage

It is recommended a new agreement covering the same points is applied to this application.

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

Not applicable to this application

10. CONCLUSION

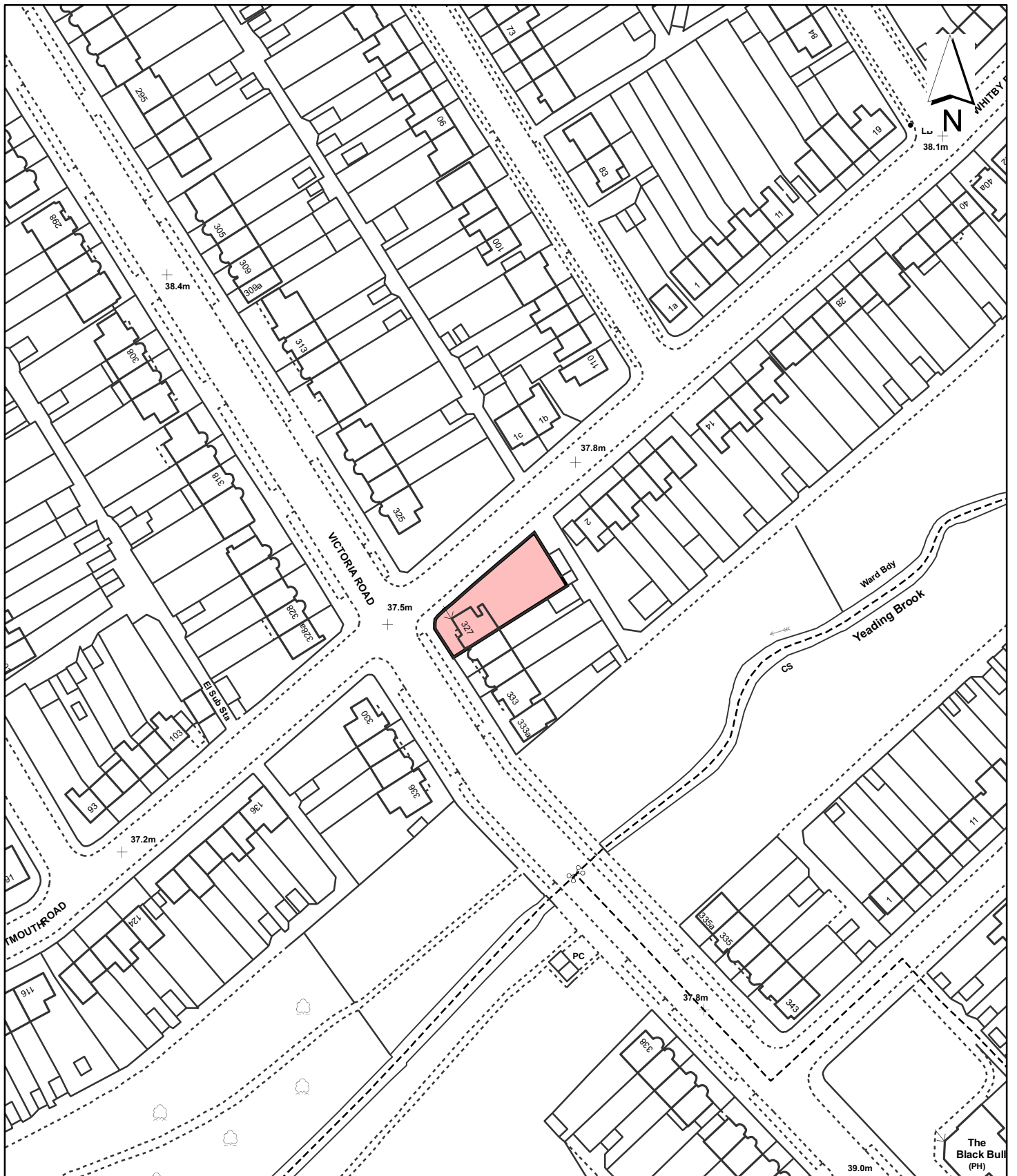
The proposal comprises the erection of an attached dwelling on a corner plot to be applied to the end of a row of existing terraced properties. It is considered the design of the proposed dwelling would not be out of keeping with the existing properties in the street scene, with similar roof pitches and fenestration details. Furthermore, due to the building lines, together with the size and bulk, it is not considered that the development would 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. Therefore, subject to the completion of a legal agreement the proposal is recommended for approval.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
HDAS: Residential Layouts and Accessible Hillingdon
The London Plan (2008)
Consultee and Neighbour responses

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 2009</p>	<p>Site Address</p> <p>Land forming part of 327 Victoria Road Ruislip</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>54831/APP/2010/171</p>	<p>Scale</p> <p>1:1,250</p>	 <p>HILLINGDON LONDON</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>July 2010</p>		